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THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND.

WITH NOTES AND REFERENCES

By N. SIMONS, of Lincoln's Inn, Esq.,
BARRISTER AT LAW.

VOLUME THE TWENTY-FIRST.

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Containing the TITLES of all

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Passed in the FIFTH Session of the FIFTEENTH Parliament

OF

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lxxix. An Act to renew the Term and continue and enlarge the Powers of an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from* Shillingford, *in the County of* Oxford, *through* Wallingford *and* Pangborne, *to* Reading *in the County of* Berks, *and for repairing and maintaining a Bridge over the River* Thames *at or near* Shillingford Ferry. *Ibid.*

lxxx. An Act to enable the *Portrush* Harbour Company to improve the Navigation of the River *Bann* from the *Salmon Leap* at *Castleroe* above the Town of *Coleraine* to the Sea, and remove the Bar and Ford at *Bann Mouth*, and to erect a Swivel Bridge at *Coleraine*, all in the County of *Londonderry*. *Ibid.*

lxxxi. An Act for maintaining the Road from *Beach Down*, near *Battle*, to *Heathfield*, and from the Railway Station near the Town of *Robertsbridge* to *Hood's Corner*, all in the County of *Sussex*. *Ibid.*

lxxxii. An Act for granting further Powers to the *London* Gaslight Company; and for other Purposes. *Ibid.*

lxxxiii. An Act to empower the *Manchester, Sheffield, and Lincolnshire* Railway Company to raise a further Sum of Money; and to amend the Acts relating to the said Company. *Ibid.*

lxxxiv. An Act to enable the *Eastern Counties* and *London and Blackwall* Railway Companies to construct a Railway with Branches to *Tilbury* and *Southend* in the County of *Essex*, to provide a Steam Communication to *Gravesend*, and for other Purposes. *Ibid.*

lxxxv. An Act for more effectually repairing the Road from *Stockport* in the County Palatine of *Chester* to *Marple Bridge* in the said County; and a Branch from the said Road to or near *Thornset Gate* in the County of *Derby*. *Page* 290

lxxxvi. An Act to repeal the Acts and Parts of Acts relating to the *Pedmore* and *Holly Hall* Districts of Roads, and to substitute other Provisions for the same. *Ibid.*

lxxxvii. An Act to repeal the Act for making and maintaining a Turnpike Road from *Stroud* to *Bisley*, and to make other Provisions in relation thereto. *Ibid.*

lxxxviii. An Act to amend and extend the Provisions of the *Macclesfield and Buxton* Road Act, to create a Term of Twenty-one Years, and for other Purposes. *Ibid.*

lxxxix. An Act for maintaining the Turnpike Road leading from *Kirkby Stephen* in the County of *Westmoreland* into the *Sedbergh* and *Kirkby Kendal* Turnpike Road, and out of and from the same Turnpike Road to *Hawes* in the North Riding of the County of *York*, and a Branch from *Hawes* aforesaid to the Village of *Gayle* in the Township of *Hawes*. *Ibid.*

xc. An Act for maintaining in repair the Road leading from the *Lord Nelson* Public House upon the Road between *Burnley* and *Colne* in the Township of *Marsden* in the Parish of *Whalley* in the County Palatine of *Lancaster* to *Gisburne* in the West Riding of the County of *York*, and from thence to the Road leading from *Skipton* to *Settle* at or near *Long Preston* in the said West Riding of the County of *York*. *Ibid.*

xci. An Act for maintaining in repair the Road from *Bury* to *Bolton* in the County Palatine of *Lancaster*. 291

xcii. An Act to repeal an Act for maintaining and repairing the Turnpike Road from *Bramley* in the County of *Surrey* to *Ridgewick* in the County of *Sussex*, and to make other Provisions in lieu thereof. *Ibid.*

xciii. An Act to repeal the Act for repairing and maintaining the *Wakefield and Denby Dale* Turnpike Road, and to make other Provisions in lieu thereof. *Ibid.*

xciv. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Rotherham and Pleasley* Turnpike Road. *Ibid.*

xcv. An Act for making a Railway from the *Edinburgh, Perth, and Dundee* Railway at *Thornton Junction* Station to the Town of *Leven*, with Branches to *Kirkland* Works and to the Harbour of *Leven*. *Ibid.*

xcvi. An Act to enable the *Lancashire and Yorkshire* and *York and North Midland* Railway Companies to enter into Arrangements as to the working and Management of Portions of their Railways. *Ibid.*

xcvii. An Act for more effectually repairing the Road from the Town of *Beaconsfield* to the River *Colne* all in the County of *Buckingham*. *Ibid.*

xcviii. An Act for enabling the *Manchester, Buxton, Matlock, and Midlands Junction* Railway Company to lease their Undertaking to the *London and Northwestern* and the *Midland* Railways Companies. *Ibid.*

xcix. An Act to repeal an Act for repairing the Road from *Kettering* to the Town of *Northampton* in the County of *Northampton*, and to substitute other Provisions in lieu thereof. *Ibid.*

c. An Act to confer additional Facilities for the Insurance of Railway Passengers and other Persons by "The Railway Passengers Assurance Company." *Ibid.*

ci. An Act to amend an Act passed in the Fourth Year of the Reign of King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road*

from Holehouse *or* Riding *near* Greenfield *in* Saddleworth, *to join the* Stayley *Turnpike Road, and also to join the* Halifax and Sheffield *Turnpike Road, all in the West Riding of the County of* York; and to continue the Term thereby granted. *Page* 296

cii. An Act for enabling the *Leeds* Waterworks Company to provide a better Supply of Water to the Town and Neighbourhood of *Leeds*. *Ibid.*

ciii. An Act for merging the Undertaking of the *Reading, Guildford, and Reigate* Railway Company in the Undertaking of the *South-eastern* Railway Company; for the Dissolution of the *Reading, Guildford, and Reigate* Railway Company; and for other Purposes. *Ibid.*

civ. An Act for the Establishment, Maintenance, and Management of Markets in the Borough of *Limerick*. *Ibid.*

cv. An Act to authorize the Conversion of the Debenture Debt of the *London and North-western* Railway Company into a Stock not exceeding Three and a Half *per Centum;* and for enlarging the Stations at *Wolverton* and *Kilburn*. *Ibid.*

cvi. An Act for the Construction of a new Bridge over the River *Foyle* at *Londonderry*, and Approaches thereto. *Ibid.*

cvii. An Act for the Formation of a new Street in the Borough of *Londonderry*. *Ibid.*

cviii. An Act to enable the *Eastern Counties Railway* Company to use the *East Anglian* Railways, and to empower the *Eastern Counties* Railway Company and the *East Anglian* Railways Company to enter into and carry into effect Agreements for certain Objects therein mentioned; and for other Purposes. *Ibid.*

cix. An Act to consolidate and amend certain of the Acts relating to the *Edinburgh and Glasgow* Railway, and to grant further Powers to the Company of Proprietors thereof. *Ibid.*

cx. An Act for repealing an Act of the Ninth Year of the Reign of Her present Majesty, relating to Moorings for Vessels in the River *Tyne*, and the River Police, and for transferring the Powers of the said Act to the *Tyne* Improvement Commissioners; for enabling the said Commissioners to construct and maintain Piers at the Mouth of the said River in the Counties of *Durham* and *Northumberland*, and to construct and maintain Docks and other Works on the North Side of the said River in the last-mentioned County; and for other Purposes. *Ibid.*

cxi. An Act for embanking and reclaiming from the Sea the Estuary or Back Strand of *Tramore* in the County of *Waterford*. 297

cxii. An Act for the Incorporation of the Society for providing Annuities for the Widows and Children of Presbyterian Ministers, under the Style and Title of "The Presbyterian Widows Fund Association." *Ibid.*

cxiii. An Act to enable the Trustees of the *Yeovil* Turnpike Trust and the *Ilchester* Turnpike Trust to make certain new Roads, to repeal existing Acts, and create further Terms in the said Roads; and for other Purposes. *Ibid.*

cxiv. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to make a Deviation in the Line of their *Bishop Auckland* Branch, to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorized to be made in the County of *Durham*, and for other Purposes. *Ibid.*

cxv. An Act for repairing the Road from *Leek* in the County of *Stafford* to *Monyash*, and from *Middlehills* to the *Macclesfield* Turnpike Road near *Buxton* in the County of *Derby*, and thence to *Otterhole*, and certain Branches of Road communicating therewith. *Page* 297

cxvi. An Act to consolidate and amend the Acts relating to the *Ipswich* Dock, to allow certain Drawbacks, and for other Purposes. *Ibid.*

cxvii. An Act to enable the *South Wales* Railway Company to construct new Railways to *Milford Haven* and at *Newport*, and to abandon Portions of the Lines from *Fishguard* and at *Haverfordwest;* and for other Purposes. *Ibid.*

cxviii. An Act for making a Railway from the *Lancashire and Yorkshire* Railway in the Township of *Bowling* near *Bradford* to the Railway belonging to the *Lancashire and Yorkshire* and *London and North-western* Railway Companies, or One of them, in the Township of *Wortley* near *Leeds*, all in the West Riding of the County of *York*, to be called The *Leeds, Bradford, and Halifax Junction* Railway, and for other Purposes. *Ibid.*

cxix. An Act for maintaining the Road from *Blackburn* to *Preston* and the Two Branches therefrom, and erecting a Bridge on the Line of the said Road over the River *Ribble*, all in the County Palatine of *Lancaster*. *Ibid.*

cxx. An Act to repeal an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road from* Preston *to* Garstang *in the County of* Lancaster; and to make other Provisions in lieu thereof. *Ibid.*

cxxi. An Act for making further Provision for the Conservancy of the Port and Harbour of *Belfast*, for conferring additional Powers on the *Belfast* Harbour Commissioners, and for other Purposes. *Ibid.*

cxxii. An Act for maintaining and improving the *Blythe and Tyne* Railway in the County of *Northumberland*, and for incorporating the Subscribers thereto. *Ibid.*

cxxiii. An Act to repeal the Act relating to the Road from the Town of *Kingston-upon-Thames* in the County of *Surrey* to *Sheetbridge* near *Petersfield*, in the County of *Southampton;* and to make other Provisions in lieu thereof. *Ibid.*

cxxiv. An Act for the Incorporation, Establishment, and Regulation of the *North British* Flax Company, and to enable the said Company to purchase and work certain Letters Patent. *Ibid.*

cxxv. An Act for incorporating and giving Powers to the *Frome, Yeovil, and Weymouth* Railway Company, and for other Purposes. *Ibid.*

cxxvi. An Act for enabling the *Monmouthshire* Railway and Canal Company to make certain new Railways, and for other Purposes. 298

cxxvii. An Act for enabling the *York and North Midland* Railway Company to make a Railway to the *Victoria* or *East* Dock at *Hull*, and for other Purposes. *Ibid.*

cxxviii. An Act for constituting Commissioners for the Improvement of the River *Nene* and the Navigations thereof; for the more effectual Drainage of certain Lands in the Counties of *Northampton, Huntingdon*, and *Cambridge;* and for other Purposes. *Ibid.*

cxxix. An Act to amend an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for more effectually making, repairing, and improving certain Roads leading to and from* Liskeard,

and certain other Roads therein mentioned, in the Counties of Cornwall *and* Devon; and for other Purposes. *Page* 298

cxxx. An Act for the Conservancy of the River *Humber*, and for amending some of the Provisions of an Act relating to the *Kingston-upon-Hull* Docks. *Ibid.*

cxxxi. An Act to extend and amend the Provisions of the Act relating to the *Wedmore* Turnpike Road in the County of *Somerset*, to create a further Term therein, and for other Purposes. *Ibid.*

cxxxii. An Act for abandoning certain Parts of the Undertaking of the *Lancashire and Yorkshire* Railway Company; for constructing certain new Works, and extending the Time for Completion of existing Works; and for Sale of superfluous Lands; for regulating certain Portions of the Capital of the Company and the Application of Capital; and for authorizing the raising of Money by Annuities; and for other Purposes. *Ibid.*

cxxxiii. An Act to confer on the *Great Western* Railway Company further Powers for the Purchase of Lands on the Lines of, and for the Construction of, the *Birmingham and Oxford Junction* and *Birmingham, Wolverhampton, and Dudley* Railways respectively; and for the Alteration of the Works of Part of the last-mentioned Railway; and for the Formation of an Extension Line of Railway at *Wolverhampton*; and for other Purposes. *Ibid.*

cxxxiv. An Act for more effectually maintaining and keeping in repair the Road from *Cambridge* to *Ely*, and other Roads therein mentioned, in the Counties of *Cambridge* and *Norfolk*. *Ibid.*

cxxxv. An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *North-western* Railway Company; for extending the Time for constructing certain Parts of their Undertaking; and granting further Powers to the said Company; and for other Purposes. *Ibid.*

cxxxvi. An Act for the Reduction of Dues on Shipping and Goods payable to the Mayor, Aldermen, and Burgesses of *Kingston-upon-Hull*, the *Hull Trinity House*, and the Dock Company at *Kingston-upon-Hull*, respectively. *Ibid.*

cxxxvii. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Deviation in the authorized Line to *Longford*, and a Branch Railway to the Town of *Cavan*, and for other Purposes. *Ibid.*

cxxxviii. An Act for the better Establishment of a Market at *Torquay* in the County of *Devon*, and for other Purposes. *Ibid.*

cxxxix. An Act to repeal the Acts relating to the *Asthall and Buckland* Turnpike Road, and to make other Provisions in lieu thereof. *Ibid.*

cxl. An Act for enabling the Completion of the *Wilts, Somerset, and Weymouth* Railway between *Frome* and *Weymouth* to be effected, and for authorizing and confirming Contracts between the *Great Western* Railway Company and the *Kennet and Avon* Canal Company and other Companies, and for other Purposes. *Ibid.*

cxli. An Act for incorporating *Claussen*'s Patent Flax Company, and to enable the said Company to purchase and work certain Letters Patent. 299

cxlii. An Act for enabling the Amalgamation of the *Stockton and Hartlepool* Railway Company and the *Hartlepool* West Harbour and Dock Company, and for authorizing the Lease or Purchase of the *Clarence* Railway by the *Stockton and Hartlepool* Railway Company or the amalgamated Company, and for consolidating the Acts relating to the same Companies; and for other Purposes. *Page* 299

cxliii. An Act for the Improvement of the Borough of *Cork*. *Ibid.*

cxliv. An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to construct certain Branch Railways. *Ibid.*

cxlv. An Act to amend and enlarge the Powers and Provisions of the Acts relating to the *Oxford, Worcester, and Wolverhampton* Railway Company; to extend the Time for the Completion of the Works, and the Purchase of certain Lands; to authorize Deviations in the Line and Works, and the Construction of certain Branches and Works; and for other Purposes. *Ibid.*

cxlvi. An Act to authorize the *Shrewsbury and Chester* Railway Company to construct additional Branches; to purchase or hire Steam-boats; and for other Purposes. *Ibid.*

cxlvii. An Act to revive and extend the Time for the Execution of certain Powers conferred by "The *Wycombe* Railway Act, 1846;" and for reducing the Capital of the *Wycombe* Railway Company; and for enabling the Company to enter into Arrangements with the *Great Western* Railway Company; and for other Purposes. *Ibid.*

cxlviii. An Act for enabling the *Eastern Union* Railway Company to make Arrangements with certain of their Creditors and Shareholders, and with respect to their Capital, and for granting additional Powers to the Company; and for other Purposes. *Ibid.*

cxlix. An Act to incorporate the *London* Necropolis and National Mausoleum Company, and to enable such Company to establish a Cemetery in the Parish of *Woking* in the County of *Surrey*, and for other Purposes. *Ibid.*

cl. An Act for constructing a Cemetery near to *Torquay* in the County of *Devon*. *Ibid.*

cli. An Act to repeal the *Wexford* Harbour Improvement Act, and to make new Arrangements for a more effective and expeditious Execution of a Portion of the Undertaking thereby authorized, and for other Purposes. *Ibid.*

clii. An Act to appoint Commissioners for the Execution of certain Improvements in the Navigation of the River *Slaney*, and for other Purposes. *Ibid.*

cliii. An Act to enable the *South Yorkshire* Railway and River *Dun* Company to transfer their Undertaking to the *Great Northern* Railway Company. *Ibid.*

cliv. An Act to repeal the Acts relating to the *Exeter* and the *Countess Wear* Turnpike Roads, and to make other Provisions in lieu thereof, and to authorize the Construction of certain new Roads; and for other Purposes. *Ibid.*

clv. An Act for the Transfer of the Undertaking of the *British* Gas Light Company to the *Commercial* Gas Company, and for other Purposes. *Ibid.*

clvi. An Act for extending the *Chelsea* Waterworks, and for better supplying the City of *Westminster* and Parts adjacent with Water. 300

clvii. An Act for enabling the *Grand Junction* Waterworks Company to obtain a Supply of Water from the *Thames* at *Hampton*, and to construct additional Works, and for other Purposes. *Ibid.*

clviii. An Act for making divers Provisions with respect to the *Southwark and Vauxhall* Water Company, for empowering that Company to execute additional Works, and for other Purposes. *Ibid.*

clix. An Act for enabling the Company of Proprietors of the *West Middlesex* Waterworks to obtain by Agreement a Supply of Water from the *Thames* above the Reach of the Tide, and to raise further Capital, and for other Purposes. *Page* 300

clx. An Act to enable the Governor and Company of the *New River* to improve their Supply of Water; and for other Purposes. *Ibid.*

clxi. An Act for enabling the Local Board of Health for the Town and District of *Swansea* to construct Waterworks; and for other Purposes: *Ibid.*

clxii. An Act for the Conservancy, Improvement, and Regulation of the River *Tees*, the Construction of a Dock at *Stockton*, the Dissolution of the *Tees* Navigation Company, and other Purposes. *Ibid.*

clxiii. An Act to define and amend the Mineral Customs and to make better Provision for the Administration of Justice in the Barmote Courts within the Soke and Wapentake of *Wirksworth*, and within the Manors or Liberties of *Crich*, *Ashford*, *Stoney Middleton*, and *Eyam*, *Hartington*, *Litton*, *Peak Forest*, *Tideswell*, and *Youlgreave*, in the County of *Derby*. *Ibid.*

clxiv. An Act for making divers Provisions with respect to the *East London* Waterworks Company, for empowering that Company to execute additional Works, and for other Purposes. *Page* 300

clxv. An Act to authorize the Use by the *Shrewsbury and Birmingham* Railway Company of the *Navigation Street* Station in *Birmingham*, and for other Purposes. *Ibid.*

clxvi. An Act for making a Railway or Tramroad from the *Aberllefenny* Slate Quarries in the Parish of *Talyllyn* in the County of *Merioneth* to the River *Dovey* in the Parish of *Towyn* in the same County, with Branches therefrom; and for other Purposes. *Ibid.*

clxvii. An Act to consolidate into One Act and to amend the Provisions of the several Acts relating to the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company, to define the Undertaking of the Company, and for other Purposes. *Ibid.*

clxviii. An Act to authorize Traffic Arrangements between the *Great Western*, the *Shrewsbury and Hereford*, and the *Hereford, Ross, and Gloucester* Railway Companies. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize the Improvement and better Management and eventual Leases or Sale of the Piece Halls in the Town of *Bradford* in the County of *York*; and to incorporate the Proprietors thereof. *Page* 301

2. An Act for enabling the Trustee or Trustees of the Will of the Right Honourable *Anna Maria* Dowager Lady *Wenlock* deceased to sell and dispose of a Leasehold Messuage, with the Statuary and Household Furniture by the same Will bequeathed as therein mentioned. *Ibid.*

3. An Act to unite the *Manchester* House of Recovery with the *Manchester* Royal Infirmary, Dispensary, and Lunatic Hospital or Asylum. *Ibid.*

4. An Act for authorizing the Sale of the *Bowden Park* Estate in the County of *Wilts*, devised and settled by the Will of *Ezekiel Harman* Esquire, deceased, and certain Codicils thereto, and for laying out the Surplus of the Money produced by such Sale, after Payment of a Mortgage affecting the same, in the Purchase of other Estates to be settled to the same Uses. *Ibid.*

5. An Act to authorize the granting of Leases of Estates devised by the Will of *John Clarkson* Esquire, deceased, situate in the Counties of *Middlesex* and *Surrey*. *Ibid.*

6. An Act to enable the Trustees of the Right Honourable *James* Earl of *Fife*, deceased, to sell and convey the Estate of *Balmoral* in the County of *Aberdeen* to His Royal Highness Prince *Albert* of *Saxe Coburg* and *Gotha*, and to grant Feus of Parts of the Estates vested in them. *Ibid.*

7. An Act to explain and amend the Powers of the Governors of the Hospital in *Edinburgh* founded by *George Watson*, Merchant Burgess of *Edinburgh*. *Ibid.*

8. An Act to enable *Francis Adams* Esquire, or other the Committee of the Estate of *Mary Shute Adams*, a Person of unsound Mind, for and in the Name and on behalf of the said *Mary Shute Adams*, to consent to the Exercise of certain Powers contained in the Marriage Settlement of the said *Francis Adams*, and in a certain Act of Parliament passed in the First Year of the Reign of Her present Majesty, and to exercise the Power of appointing new Trustees contained in the said Settlement; and for extending the Powers of Sale and Exchange contained in such Settlement. *Page* 301

9. An Act for enabling Leases and Sales to be made of Estates subject to the Will of *Micah Gedling* deceased, and for other Purposes, and to be called "*Gedling*'s Estate Act, 1852." *Ibid.*

10. An Act to enable the President and Scholars of the College of *Saint Mary Magdalen* in the University of *Oxford*, as Owners in Fee of Lands at *Wandsworth* in the County of *Surrey*, to grant Building Leases; and for other Purposes. *Ibid.*

11. An Act to incorporate the Society of the Craft of Smiths and Hammermen of the Burgh of *Aberdeen*; to confirm, amend, and regulate the Administration of the Estates and Affairs of the said Society; and for other Purposes relating to the Society. 302

12. An Act to authorize the Sale of the *Leith Exchange Buildings*, and the Application of the Price thereof in the Extinction of Debts affecting the same; to distribute and appropriate any Balance that may arise from said Sale; and to wind up the Concern. *Ibid.*

13. An Act to enable *John Eden Spalding* Esquire, under the Authority of the Judges of the Court of Session in *Scotland*, to raise Money by Sale or upon Security of the Estate of *Holm* and other Lands in the Stewartry of *Kirkcudbright*, for discharging certain

Debts and Liabilities of the said *John Eden Spalding;* and for other Purposes. *Page* 302

14. An Act for the Regulation and Management of the Charity founded by *Thomas Howell* in or about the Year One thousand five hundred and forty, and for other Purposes. *Ibid.*

15. An Act for enabling the Trustees of the Settlement of *Cary Charles Elwes* Esquire to grant Building and other Leases of Land, and to make Improvements on the settled Estates in the County of *Lincoln*, and to purchase Waterworks in the Town of *Glamford Briggs*. *Ibid.*

16. An Act for enabling the Trustees of the settled Estates of the Right Honourable *Henry John Reuben* Earl of *Portarlington* situate in the County of *Dorset* to lay out the Monies arising under the Exercise of the Powers of Enfranchisement and Sale and Exchange contained in the Settlement of the same Estates in the Purchase of other Estates in *England*, *Wales*, or *Ireland*, in lieu of being restricted to laying out the same Monies in the Purchase of Estates in *England* or *Wales*, as directed by the said Settlement. *Ibid.*

17. An Act for the Regulation of the Charity founded by *George Jarvis*, for the Benefit of the poor Inhabitants of the several Parishes of *Stanton-upon-Wye*, *Bredwardine*, and *Letton*, all in the County of *Hereford;* and for other Purposes. *Page* 302

18. An Act for enabling Leases, Sales, and Exchanges to be made of the Family Estates in the County of *Southampton* of the Reverend Sir *John Barker Mill* Baronet, and for other Purposes, and to be called "*Barker Mill*'s Estate Act, 1852." *Ibid.*

19. An Act for enabling Leases, Sales, and Exchanges to be made of the Family Estates, in the *Isle of Wight* and elsewhere in the County of *Southampton*, of *John Brown Willis Fleming* Esquire, and for other Purposes, and of which the Short Title is "*Fleming*'s Estate Act, 1852." *Ibid.*

20. An Act to enable the Infant Tenants in Tail of the Estates in the County of *York*, subject to the Will of *Thomas Thornhill* of *Fixby* in the said County, Esquire, deceased, to grant Building and other Leases of Parts of the said Estates, and to sell or exchange the same, and for other Purposes. *Ibid.*

21. An Act for appointing and incorporating Trustees for the Management of the Boys and Girls Hospitals of *Aberdeen* as One Institution, and for vesting the Estates and Revenues thereof in such Trustees, and for better managing such Estates and Revenues, and for other Purposes connected therewith. *Ibid.*

PRIVATE ACT,

NOT PRINTED.

22. An Act to dissolve the Marriage of *Septimus Moore Hawkins* Esquire with *Harriette Lavinia Hawkins* his now Wife, and to enable him to marry again; and for other Purposes.

A

TABLE

Containing the TITLES of all

THE STATUTES

Passed in the FIRST Session of the SIXTEENTH Parliament

OF

The United Kingdom of *Great Britain* and *Ireland*;

16° & 17° VICTORIÆ.

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1. AN Act to make Provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis on the Day appointed for the Funeral of *Arthur* late Duke of *Wellington*. *Page* 305
2. An Act to amend an Act of the First Year of King *George* the Fourth, for the further Prevention of forging and counterfeiting Bank Notes. *Ibid.*
3. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales*. *Ibid.*
4. An Act to amend an Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the *British* Colonies on the Continent of *South America*, in the *West Indies*, and the *Mauritius*, for certain Purposes. 306
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19. An Act to amend an Act of the Fifteenth Year of Her present Majesty (*New Forest* Deer Removal), as regards the Publication of Claims, and the preferring and delivering Objections thereto. 335
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23. An Act for redeeming or commuting the Annuity payable to the *South Sea* Company, and certain Annuities of Three Pounds *per Centum per Annum*, and for creating new Annuities of Three Pounds Ten Shillings *per Centum per Annum*, and Two Pounds Ten Shillings *per Centum per Annum*, and issuing Exchequer Bonds. *Page* 338
24. An Act to confirm and extend certain Provisional Orders of the General Board of Health for the Towns of *Wakefield*, *Elland*, *Wallasey*, *Dudley*, *Barnsley*, *Dorchester*, and *Welshpool*. 351
25. An Act for raising the Sum of Seventeen millions seven hundred and forty-two thousand five hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-three. 368
26. An Act to provide for the supplying of Vacancies in Town Councils of Burghs in *Scotland* consequent on null or irregular Elections. *Ibid.*
27. An Act for empowering the Sheriff and Commissary of *Berwickshire* to hold Courts at *Dunse*, and for other Purposes. 369
28. An Act to amend the Law as to taking the Poll at Elections of Members to serve in Parliament for *Scotland*. 370
29. An Act for regulating the Weights used in Sales of Bullion. 372
30. An Act for the better Prevention and Punishment of aggravated Assaults upon Women and Children, and for preventing Delay and Expense in the Administration of certain Parts of the Criminal Law. 373
31. An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-three. 374
32. An Act to make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error. *Ibid.*
33. An Act for the better Regulation of Metropolitan Stage and Hackney Carriages, and for prohibiting the Use of advertising Vehicles. 376
34. An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices. 380
35. An Act to make Provision concerning the future Regulation of certain Appointments connected with Cathedral and Collegiate Churches, and concerning certain of the Estates of the Deans and Chapters of *York* and *Carlisle*. 391
36. An Act for disafforesting the Forest of *Whichwood*. 393
37. An Act to impose additional Duties on Sprits in *Scotland* and *Ireland*; and to alter the Countervailing Duties on Spirits the Manufacture of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, imported into *Scotland* or *Ireland*, and the Countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between *Scotland*, *Ireland*, and *England* respectively; and to amend the Laws relating to the collecting and securing the Duties of Excise upon Spirits. 398
38. An Act to extend the Remedies for the Compensation of malicious Injuries to Property in *Ireland*. 408
39. An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap. 409
40. An Act for altering the Mode of Repayment of Advances by the Public Works Loan Commissioners under the Public Health Act, 1848, and other Acts. 410
41. An Act for making further Provisions with respect to Common Lodging Houses. 411
42. An Act for disafforesting the Forest of *Whittlewood* otherwise *Whittlebury*. *Page* 413
43. An Act for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties. 418
44. An Act to enlarge and extend the Powers of an Act of the Fifteenth and Sixteenth Years of Her present Majesty, for enabling the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in *Pimlico*, and in the Neighbourhood of *Buckingham Palace*. 419
45. An Act to consolidate and amend the Laws and to grant additional Facilities in relation to the Purchase of Government Annuities through the Medium of Savings Banks, and to make other Provisions in respect thereof. 423
46. An Act to transfer *Westminster Bridge* and the Estates of "The Commissioners of *Westminster Bridge*" to the Commissioners of Her Majesty's Works and Public Buildings; and to enable such last-mentioned Commissioners to remove the present Bridge, and to build a new Bridge on or near the Site thereof. 429
47. An Act to provide for the Purchase and Extinguishment of all Rights of Common and Lammas and other Commonable Rights over the Site of *Battersea Park* in the County of *Surrey*. 437
48. An Act for the Punishment of Offences in the Colonies in relation to the Coin. 438
49. An Act to extend the Provisions of an Act of the Fifteenth and Sixteenth Years of Her present Majesty, intituled *An Act to enable Colonial and other Bishops to perform certain Episcopal Functions, under Commission from Bishops of* England *and* Ireland. *Ibid.*
50. An Act to effect Exchange of Patronage by Archbishops, Bishops, and other Ecclesiastical Corporations. 439
51. An Act for granting to Her Majesty Duties on Succession to Property, and for altering certain Provisions of the Acts charging Duties on Legacies and Shares of Personal Estates. 440
52. An Act to extend the Time for constructing a new Street from *Spitalfields* to *Shoreditch*, and to amend the Acts relating thereto. 483
53. An Act to amend the Laws relating to Bankruptcy in *Scotland*. 488
54. An Act to alter certain Duties of Customs. 490
55. An Act to make better Provision for the efficient Discharge of the Duties of the Taxing Officer in and for the Common Law Business in *Ireland*. 499
56. An Act to facilitate the Redemption of certain Charges on the Hereditary Possessions and Land Revenues of the Crown, and to make other Provisions in regard to the Management of such Hereditary Possessions and Land Revenues. 500
57. An Act to explain and amend the Copyhold Acts. 503
58. An Act to authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of *Dublin*, and to remove Doubts as to the Rate Books for the Purposes of such Registry. 505
59. An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to amend the Laws relating to Stamp Duties, and to make perpetual certain Stamp Duties in *Ireland*. 506
60. An Act to amend the Acts regulating the Salaries of Resident Magistrates in *Ireland*. 512

61. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls. *Page* 512
62. An Act to extend and continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. 513
63. An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, to repeal the Duty on Advertisements, and otherwise to amend the Laws relating to Stamp Duties. 514
64. An Act for continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in *Ireland*. 517
65. An Act to amend the Acts for the Regulation of Parish Vestries. 519
66. An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads. *Ibid.*
67. An Act for the better Regulation of Public Houses in *Scotland*. *Ibid.*
68. An Act to limit the Time for proceeding to Election in Counties and Boroughs in *England* and *Wales*, and for Polling at Elections for the Universities of *Oxford* and *Cambridge*, and for other Purposes. 524
69. An Act to make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy. 525
70. An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition, and their Estates. 529
71. An Act to amend the Law relating to the Stamp Duties upon Newspapers. 549
72. An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland*. *Ibid.*
73. An Act for the Establishment of a Body of Naval Coast Volunteers, and for the temporary Transfer to the Navy, in case of Need, of Seafaring Men employed in other Public Services. *Ibid.*
74. An Act to reduce the Terms on which the Land Tax in *Great Britain* may be redeemed or purchased. 553
75. An Act for the Remission of the Consolidated Annuities charged upon Districts in *Ireland*. 554
76. An Act to continue certain Acts for regulating Turnpike Roads in *Ireland*. 555
77. An Act to continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. *Ibid.*
78. An Act relating to the Appointment of Persons to administer Oaths in Chancery, and to Affidavits made for Purposes connected with Registration. 556
79. An Act for making sundry Provisions with respect to Municipal Corporations in *England*. 557
80. An Act to facilitate Procedure in the Sheriff Courts in *Scotland*. 559
81. An Act to reduce the Salary and Emoluments of the Registrar of Meetings of the Court of Bankruptcy. 569
82. An Act to provide for the future Regulation and Management and the permanent Endowment of "The College of *Christ* of *Brecknock*," founded by King *Henry* the Eighth, with permissive Powers to unite the same with *Saint David's College*. *Page* 569
83. An Act to amend an Act of the Fourteenth and Fifteenth *Victoria*, Chapter Ninety-nine. 578
84. An Act to amend the Passengers Act, 1852, so far as relates to the Passages of Natives of *Asia* or *Africa*, and also Passages between the Island of *Ceylon* and certain Parts of the *East Indies*. *Ibid.*
85. An Act for removing Doubts as to the Powers of the Registrar of Her Majesty's Privy Council to administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence. *Ibid.*
86. An Act to remove Doubts as to the Rights of the liberated *Africans* in *Sierra Leone*. 579
87. An Act to give to the Commissioners of Her Majesty's Works and Public Buildings extended Time and further Powers for completing the Embankment of the River *Thames* between *Vauxhall* and *Battersea* Bridges, and a new Street from *Lower Sloane Street* in connexion therewith. 580
88. An Act to repeal the Duties payable in respect of Horses let for Hire, and to grant new Duties on Licences to let Horses for Hire. 592
89. An Act to regulate the Admission of Professors to the Lay Chairs in the Universities of *Scotland*. 594
90. An Act to repeal certain Duties of Assessed Taxes, and to grant other Duties of the same Description; and to amend the Laws relating to the Application of the Monies arising from the Redemption and Purchase of the Land Tax. 595
91. An Act to extend for a limited Time the Provision for Abatement of Income Tax in respect of Insurances on Lives. 603
92. An Act to diminish the Number of Sheriffs in *Scotland*, and to unite certain Counties in *Scotland* in so far as regards the Jurisdiction of the Sheriff. *Ibid.*
93. An Act to enable Burghs in *Scotland* to maintain and improve their Harbours. 604
94. An Act to extend the Benefits of the Act of the Eleventh and Twelfth Years of Her present Majesty, for the Amendment of the Law of Entail in *Scotland*. 613
95. An Act to provide for the Government of *India*. 617
96. An Act to amend an Act passed in the Ninth Year of Her Majesty, "for the Regulation of the Care and Treatment of Lunatics." 624
97. An Act to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics, in *England*. 632
98. An Act for the further Relief of the Suitors of the High Court of Chancery. 668
99. An Act to substitute, in certain Cases, other Punishment in lieu of Transportation. 670
100. An Act further to extend and make compulsory the Practice of Vaccination. 672
101. An Act to extend the Public Libraries Act, 1850, to *Ireland* and *Scotland*. 675
102. An Act to prevent the defacing of the current Coin of the Realm. *Ibid.*
103. An Act to amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland*. *Ibid.*
104. An Act further to regulate the Employment of Children in Factories. 676

105. An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. *Page* 677
106. An Act for consolidating Customs Duties Acts. *Ibid.*
107. An Act to amend and consolidate the Laws relating to the Customs of the United Kingdom and of the *Isle of Man*, and certain Laws relating to Trade and Navigation and the *British* Possessions. 702
108. An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*. 767
109. An Act to continue an Act to amend the Laws relating to Loan Societies. *Ibid.*
110. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-three, and to appropriate the Supplies granted in this Session of Parliament. *Ibid.*
111. An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes. 772
112. An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of *Dublin* Metropolis. *Ibid.*
113. An Act to amend the Procedure in the Superior Courts of Common Law in *Ireland*. 795
114. An Act to extend the Municipal Boundaries of the Borough of *Belfast*, and to reduce the Scale of rating upon certain Property within the said Borough. 836
115. An Act to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in *Edinburgh* and *Dublin*, and otherwise to amend the said Act. 839
116. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. 840
117. An Act to amend the Laws relating to the Redemption and Purchase of the Land Tax in *Great Britain*. 853
118. An Act to amend an Act of the Seventh Year of Her Majesty, for the better Apprehension of certain Offenders. *Ibid.*
119. An Act for the Suppression of Betting Houses. *Ibid.*
120. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales*. 856
121. An Act for providing Places of Confinement in *England* or *Wales* for Female Offenders under Sentence or Order of Transportation. 857
122. An Act to render valid certain Marriages in the Church of the *Holy Trinity* in the Township of *Hulme* and Parish of *Manchester* in the County of *Lancaster*. *Page* 858
123. An Act to amend the Laws relating to the Investments of Friendly Societies. *Ibid.*
124. An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. 859
125. An Act to continue and amend the Metropolitan Sewers Acts. *Ibid.*
126. An Act to confirm certain Provisional Orders of the General Board of Health for *Accrington*, *Bangor*, and *Uxbridge*, and to provide for conducting the First Election of a Local Board of Health at *Elland*. 860
127. An Act to reduce the Duties payable in respect of Hackney Caariages used in the Metropolis, and to amend the Laws relating to the granting of Licences and Payment of Duties in respect of Metropolitan Stage and Hackney Carriages, and to make Provision as to the Charge for the Hire of Hackney Carriages in certain Cases. 866
128. An Act to abate the Nuisance arising from the Smoke of Furnaces in the Metropolis and from Steam Vessels above *London Bridge*. 868
129. An Act further to amend the Law relating to Pilotage. 869
130. An Act to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland*. 875
131. An Act to amend various Laws relating to Merchant Shipping. 883
132. An Act to extend the Provisions of an Act of the present Session for redeeming or commuting the Annuity payable to the *South Sea* Company and certain Annuities of Three Pounds *per Centum per Annum*, and to provide for Payments to be made under the said Act. 893
133. An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, and to amend the Law in relation to the Militia in *England*. 896
134. An Act to amend the Laws concerning the Burial of the Dead in *England* beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis. 900
135. An Act to continue certain Turnpike Acts in *Great Britain*, and to make further Provisions concerning Turnpike Roads in *England*. 901
136. An Act for enabling Grand Juries in *Ireland* to borrow Money from private Sources, on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money. 904
137. An Act for the better Administration of Charitable Trusts. 912

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act to consolidate the Stock and Powers of the Corporation of "The *London* Assurance of Houses and Goods from Fire" with the Stock and Powers of the Corporation of "The *London* Assurance," and to confer on the last-named Corporation the Powers of "The *London* Assurance Loan Company," and to give additional Powers to "The *London* Assurance." *Page* 925

ii. An Act for lighting with Gas the Town of *Dudley* and the Suburbs thereof.

iii. An Act to enable the *Sunderland* Corporation Gas Company to raise a further Sum of Money; and to amend and enlarge the Provisions of the Act relating to such Company.

iv. An Act to amend the Act relating to the *Whittle Dean* Water Company, and to enable such Company to maintain additional Works, for better supplying with Water the Inhabitants of the Boroughs of *Newcastle-upon-Tyne* and *Gateshead*, and certain Places adjacent and near thereto, in the Counties of *Northumberland* and *Durham*.

v. An Act for better supplying the Inhabitants of *Bangor* with Water.

vi. An Act to enable the *Redruth* and *Chasewater* Railway Company to construct new Works; and for other Purposes.

vii. An Act to authorize the *Bristol* Waterworks Company to raise an additional Sum of Money by Loan; and for further amending "The *Bristol* Waterworks Act, 1846."

viii. An Act for incorporating the *Ormskirk* Gaslight Company.

ix. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Carmarthen* to provide and maintain a new Cattle Market Place and Slaughter-houses, to amend the Act for regulating the existing Markets in the said Borough, and for other Purposes.

x. An Act for the more equal Division of the Borough of *Cork* into Wards, and to provide for the better Constitution and Regulation of the Municipal Corporation of the said Borough; and for other Purposes.

xi. An Act for lighting with Gas the Town of *Nottingham*, and certain Parishes and Places adjacent thereto.

xii. An Act for increasing the Capital and extending the Powers of the *Devonport* Gas and Coke Company, and for other Purposes.

xiii. An Act to repeal the *Preston* Gas Company's Act, passed in the Second Year of the Reign of Queen *Victoria*, and to make other Provisions in lieu thereof.

xiv. An Act to amend "The *Norfolk* Estuary Act, 1846," and "The *Norfolk* Estuary Amendment Act, 1849."

xv. An Act for constructing and maintaining a Pier at *Great Yarmouth* in the County of *Norfolk*, to be called "The *Great Yarmouth Wellington* Pier."

xvi. An Act for empowering the Mayor, Aldermen, and Burgesses of the Borough of *Evesham* in the County of *Worcester* to build and maintain a Bridge over the River *Avon* in the said Borough; and for other Purposes.

xvii. An Act for supplying the Inhabitants of the Town of *Great Yarmouth* and adjacent Places with Water.

xviii. An Act for providing Waterworks and Gasworks for the Town of *Lowestoft* in the County of *Suffolk*, and for regulating the Market there, and for other Purposes, of which the Short Title is "The *Lowestoft* Water, Gas, and Market Act, 1853."

xix. An Act to amend the Acts relating to the *Dublin and Belfast Junction* Railway Company, and for other Purposes.

xx. An Act to enable the *Crystal Palace* Company to divert certain Roads and to purchase Lands; and for other Purposes relating to the Company.

xxi. An Act for amending the Provisions of certain Acts of Parliament relating to the Civil Court of Record of the Borough of *Liverpool*, and the Process, Practice, and Mode of Pleading in the said Court, and for extending the Jurisdiction thereof.

xxii. An Act for enabling the Company of Proprietors of the *Sheffield* Waterworks to extend their Works, and to obtain a further Supply of Water from the Rivers *Rivelin* and *Loxley* and their Tributaries, and for consolidating the Acts relating to such Company.

xxiii. An Act for supplying the Inhabitants of the University and Borough of *Cambridge* and other Places adjoining thereto with Water.

xxiv. An Act for repealing an Act called "The *Cardiff* Waterworks Act, 1850," and granting other Powers in lieu thereof; and for authorizing the *Cardiff* Waterworks Company to raise further Money.

xxv. An Act for better supplying with Water the Parishes of *Brighton*, *Hove*, and *Preston* in the County of *Sussex*.

xxvi. An Act for amending the Provisions of existing Local Acts relating to the Borough of *Stockport*.

xxvii. An Act for discharging the Inhabitants of the Townships of *Wakefield*, *Alverthorpe-with-Thornes*, *Horbury*, *Stanley-with-Wrenthorpe*, *Sandal Magna*, and *Crigglestone*, in the Parishes of *Wakefield* and *Sandal Magna* in the West Riding of the County of *York*, from the Custom of grinding Corn, Grain, and Malt at certain Corn Mills in the said Townships of *Wakefield* and *Horbury* and Parish of *Sandal Magna*, and for making Compensation to the Proprietors of the said Mills.

xxviii. An Act for the further Improvement of the Borough of *Wolverhampton*, and for regulating the Markets therein, and for other Purposes.

xxix. An Act for better lighting, watching, and otherwise improving the Town of *Blackpool* and the rest of the Township of *Layton* with *Warbrick* in the County Palatine of *Lancaster*, and for other Purposes, and of which the Short Title is "The *Blackpool* Improvement Act, 1853."

xxx. An Act for the Improvement and Regulation of the Borough of *Great Grimsby* in the County of *Lincoln*; for better supplying the Inhabitants thereof with Water; for providing a new Burial Ground; for enlarging the Market Place; for making an Outfall for the Sewers of the Town; and for other Purposes.

xxxi. An Act for supplying with Water several Townships and Places in the Parishes of *Whalley*, *Bury*, *Radcliffe*, *Prestwich-cum-Oldham*, and *Bolton-le-Moors* in *Lancashire*; and for incorporating the *Bury* and *Radcliffe* Waterworks Company.

xxxii. An Act for the Extension of the Boundaries of the Municipal Borough of *Salford* and otherwise improving the said Borough, and for other Purposes.

xxxiii. An Act to empower the *Midland* Railway Company to create new Shares or to grant Annuities for the Extinguishment of their Debenture Debt; and for other Purposes.

xxxiv. An Act to enable the *Scottish Central* Railway Company to convert their Mortgage and Bond Debt into Debenture Stock.

xxxv. An Act for making a Road or Street from the South End of *Waverley Bridge Road*, adjoining the General Railway Station at *Princes Street*, to the *High Street* in the City of *Edinburgh*.

xxxvi. An Act for the Maintenance and Regulation of the Harbour of *Teignmouth* and the Navigation of the River *Teign*, and for other Purposes.

xxxvii. An Act for making a Canal from the *Francis Dock*, connected with the Duke of *Bridgewater*'s Canal at *Runcorn* in the County of *Chester*, to join the *Weston* Canal or River *Weaver* Navigation at or near *Weston Point* in the same Parish, and to be called the *Runcorn and Weston* Canal.

xxxviii. An Act to alter and amend the Provisions of "The City of *Norwich* Waterworks Act, 1850," and to grant further Powers to the Company thereby incorporated.

xxxix. An Act for establishing a Corn Exchange and regulating the Markets in the Borough of *Reading*, and for other Purposes, and of which the Short Title is "The *Reading* Corporation Markets Act, 1853."

xl. An Act to increase the Capital and extend the Powers of *Price*'s Patent Candle Company, and to consolidate the Acts relating to the Company.

xli. An Act for making a Railway from *Chichester* to *Bognor*.

xlii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* in the County Palatine of *Lancaster* to purchase and maintain Gasworks and Waterworks; and for other Purposes.

xliii. An Act for enabling the *Shipley* Gaslight Company to raise a further Sum of Money; and for extending the Limits of their existing Act to the adjoining Township of *Baildon*.

xliv. An Act to extend the Limits of the *Blackburn* Gaslight Company's Act for the Supply of Gas, and to authorize the raising of a further Sum of Money, and for other Purposes.

xlv. An Act to consolidate the Acts relating to the *Leeds* Gaslight Company, to authorize the Company to raise a further Sum of Money, and for other Purposes.

xlvi. An Act for incorporating the *Madras* Railway Company, and for other Purposes connected therewith.

xlvii. An Act for making certain Improvements in the River *Severn*, and for amending the Acts relating thereto.

xlviii. An Act for better supplying with Water the Borough of *Preston* in the County of *Lancaster*, and for authorizing the Local Board of Health for the Borough of *Preston* aforesaid to purchase the *Preston* Waterworks.

xlix. An Act to enable the *Edinburgh* Water Company to raise a further Sum of Money; and for other Purposes.

l. An Act to enable the *Dundee* Water Company to construct additional Works for obtaining a further Supply of Water; and for other Purposes.

li. An Act to authorize the *Wakefield* Borough Market Company to raise a further Sum of Money.

lii. An Act to authorize the Creation of Preference Stock by the *Manchester, Sheffield, and Lincolnshire* Railway Company in lieu of Debentures, and the Reduction, Division, and Consolidation into Stock of the *Manchester and Lincoln Union* Shares of the said Railway.

liii. An Act to repeal the Act for maintaining the Turnpike Road leading out of the *Alston* Turnpike Road at *Branch End* in the County of *Northumberland*, through *Catton*, *Allendale Town*, and *Allenheads*, to *Cows Hill* in the County of *Durham*, and to make other Provisions in lieu thereof.

liv. An Act for making a Railway from *Lough Swilly* in the County of *Donegal* to the River *Foyle* near the City of *Londonderry*.

lv. An Act to renew the Term and continue the Powers of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads leading from* Picks Hill *near the Town of* Langport Eastover *in the County of* Somerset, *through* High Ham, Ashcott, *and other Places, to* Meare *in the said County*.

lvi. An Act to enable the Mayor, Aldermen, and Citizens of the City of *York* to purchase the Undertaking of the *Foss* Navigation Company, and to execute Works for the sanitary Improvement of the said City; to alter the Tolls taken in the Cattle Markets and Fares of the City; and for other Purposes.

lvii. An Act to extend and amend the Powers and Provisions of the "*Portadown and Dungannon* Railway Act, 1847."

lviii. An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company, and to alter the Capital of the said Company.

lix. An Act for better supplying with Water the Town or Village of *Bacup* and the Neighbourhood thereof in *Lancashire*.

lx. An Act to amend the Acts relating to the *Great Northern* Railway Company, to authorize an Increase of Capital, and for other Purposes.

lxi. An Act to consolidate and amend Three several Acts passed in the Reign of King *George* the Third, for draining and preserving certain Fen Lands and Low Grounds lying in the *South Level*, Part of the Great Level of the Fens commonly called *Bedford Level*, and in the County of *Cambridge*, between the River *Cam* otherwise *Grant*, West, and the Hard Lands of *Bottisham*, *Swaffham-Bulbeck*, and *Swaffham Prior*, East; and for other Purposes therein mentioned.

lxii. An Act for more effectually repairing the Road from *Gravesend* to *Wrotham*, and from thence to *Borough Green*, all in the County of *Kent*.

lxiii. An Act for making a Railway from *Dartford* in the County of *Kent* to *Farningham* in the same County, to be called the *Darenth Valley* Railway; and for other Purposes.

lxiv. An Act for constructing a Market for the Sale of Cattle and other Animals in the Borough of *Ludlow* in the County of *Salop*.

lxv. An Act to amend the Acts relating to the Drainage and Embankment of certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*.

lxvi. An Act for supplying with Water the Town of *Weston-super-Mare* in the County of *Somerset*.

lxvii. An Act for supplying the Borough of *Wigan* in the County Palatine of *Lancaster* with Water, for the better Regulation of the Police therein, and for other Purposes.

lxviii. An Act to enable the *Belfast and Ballymena* Railway Company to make a Railway from *Randalstown* to *Cookstown*; and for other Purposes.

lxix. An Act for enabling the *North and South Western Junction* Railway Company to construct a Branch to near *Hammersmith*, and to raise additional Capital; and for other Purposes.

lxx. An Act to authorize the Abandonment of a Portion of the Undertaking of the *Thames Haven* Dock and Railway Company, and to reduce the Capital of the said Company, and to enable the Company to sell Lands not required; and for other Purposes.

lxxi. An Act for more effectually repairing the Roads from *Warminster* and from *Frome* to the *Bath* Road, and other Roads connected therewith, in the Counties of *Wilts* and *Somerset*, called or known by the Name of "The *Black Dog* Road Trust."

lxxii. An Act for enlarging and improving the Shire Hall of the County of *Stafford*; removing the Markets at the Back of the Hall, and providing other Market Accommodation in lieu thereof; erecting Rooms and Offices for the Town Council of *Stafford*; and for other Purposes.

lxxiii. An Act to amend the Acts for the Regulation of Municipal Corporations in *Ireland* so far as relates to the Borough of *Limerick*.

lxxiv. An Act to amend and extend the Provisions of the Act relating to the *Leeds* and *Whitehall* Turnpike Roads, and to create a further Term therein, and for other Purposes.

lxxv. An Act for repairing, maintaining, and rendering more safe certain Reservoirs on the *Adel Beck* in the West Riding of the County of *York*.

lxxvi. An Act to amend "The *Sunderland* Dock Act, 1846," and "The *Sunderland* Dock Amendment Act, 1849," and for other Purposes.

lxxvii. An Act for the Establishment or Improvement and Regulation of Markets and Fairs in the Borough of *Leominster*, and for other Purposes relating to the said Borough.

lxxviii. An Act for making a Railway from the *Hawick* Branch of the *North British* Railway, near to the *Eskbank* Station, to the Royal Burgh of *Peebles*.

lxxix. An Act to authorize an Extension of the *Londonderry and Coleraine* Railway.

lxxx. An Act for making a Railway from *Ballymena* to *Portrush*.

lxxxi. An Act to confirm certain Preference Shares created by the *North British* Railway Company, and to make better Provision for the Payment of the Debts of the said Company, and for other Purposes.

lxxxii. An Act to enable the *Scottish Midland Junction* Railway Company to make Branch Railways to *Blairgowrie* and *Kirriemuir*; and to amend the Acts relating to such Company; and for other Purposes.

lxxxiii. An Act for the better Improvement and Regulation of the Borough of *South Shields* in the County of *Durham*, the Establishment of a Cemetery therein, and for other Purposes.

lxxxiv. An Act to unite into One Company the *Bristol* Gaslight Company and the *Bristol and Clifton* Gaslight Company, and to enable the united Companies to raise further Capital.

lxxxv. An Act for making a Railway from *Staines* to *Wokingham* and *Woking*.

lxxxvi. An Act for making a Railway from *Wimbledon* to *Croydon* in the County of *Surrey*, to be called "The *Wimbledon and Croydon* Railway," and for other Purposes.

lxxxvii. An Act to enable the *Eastern Counties* Railway Company to construct a Railway from the Line of the *Northern and Eastern* Railway near *Stratford* to *Woodford* and *Loughton*; and to repeal certain Provisions of their existing Acts; and to grant further Powers to the said Company for capitalizing their Debt; and for other Purposes.

lxxxviii. An Act for making a Railway from the *London, Brighton, and South Coast* Railway to or near to the Town of *East Grinstead* in the County of *Sussex*.

lxxxix. An Act for better supplying with Water the Towns and Villages of *Haslingden*, *Rawtenstall*, and *Newchurch*, and the Townships of *Haslingden*, *Higher Booths*, *Lower Booths*, *Newchurch*, and *Hapton*, in the Parish of *Whalley*, the Townships of *Cowpe Lench*, *New Hall Hey*, and *Hall Carr*, and *Tottington Higher End*, in the Parish of *Bury*, and the Extra-parochial Places of *Hen Heads* and *Dunnockshaw*, all in the County Palatine of *Lancaster*.

xc. An Act to enable the *Monkland* Railways Company to make certain Railways in the Vicinity of *Bathgate* and *Airdrie*; and for other Purposes.

xci. An Act to authorize the Mayor, Aldermen, and Citizens of the City of *Manchester* to make certain new Streets; and to amend the Acts relating to the said City; and for other Purposes.

xcii. An Act to repeal an Act of the Seventh Year of the Reign of King *George* the Fourth, for making and maintaining a Turnpike Road from *Wimpole* to *Wrestlingworth* and *Potton*, and to make other Provisions in lieu thereof.

xciii. An Act to incorporate a Company for making a Railway from *Kingston-upon-Hull* to or near to *Withernsea* in *Holderness*, with a Branch therefrom; and for other Purposes.

xciv. An Act to enable the *Glasgow and South-western* Railway Company to make a Branch Railway to near *Mayfield* in the County of *Ayr*.

xcv. An Act for extending the Time granted by "The *Rochester Bridge* Act, 1846," for the Completion of such Bridge.

xcvi. An Act to enable the *Limerick, Ennis, and Killaloe Junction* Railway Company to lease their Undertaking; and for other Purposes.

xcvii. An Act to enable the *East and West India Docks and Birmingham Junction* Railway Company to raise additional Capital; and for other Purposes.

xcviii. An Act to amend the *Gorbals* Gravitation Water Company's Acts, to authorize the Extension of their Works to supply the Royal Burgh of *Renfrew* and Suburbs and other Places with Water, and for other Purposes.

xcix. An Act for making a Railway from *Havant* in the County of *Southampton* to *Godalming* in the County of *Surrey*, to be called "The *Portsmouth* Railway;" and for other Purposes.

c. An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Station at *London Bridge*, and their Goods Station at *Brighton*, and to make a Branch Railway to the *Crystal Palace;* and for converting the Debenture Debt of the *London, Brighton, and South Coast* Railway Company into Stock or Shares; and for other Purposes.

ci. An Act to enable the *Aberdeen* Railway Company to raise further Monies; to authorize the Abandonment of the authorized Road to the Quays through the Station at *Aberdeen*, and the Formation of another Road in lieu thereof; to extend the Time for the compulsory Purchase of Lands and for the Completion of the *Aberdeen* Station; to alter, amend, and extend the Acts relating to the Company; and for other Purposes.

cii. An Act to repeal an Act for making and maintaining a Road from the Top of *Hunt's Bank* in the Town of *Manchester* in the County of *Lancaster* to join the *Manchester and Bury* Turnpike Road in *Pilkington* in the same County, and to substitute other Provisions in lieu thereof.

ciii. An Act for amending the Provisions with respect to the Commissioners of the Second District for Drainage by the River *Witham* contained in the *Witham* Drainage Act of the Second Year of *George* the Third, Chapter Thirty-two, and for other Purposes, and of which the Short Title is "The *Witham* Drainage Second District Act, 1853."

civ. An Act for more effectually repairing and maintaining the Road from *Burford* in the County of *Oxford* to *Leachlade* in the County of *Gloucester*, the Road from thence through *Highworth* to the *Cricklade and Swindon* Turnpike Road in the County of *Wilts*, and the Bridge on the said Roads across the River *Isis* or *Thames* at or near the Town of *Leachlade* aforesaid; and for granting a further Term in the said Roads and Bridge; and for other Purposes.

cv. An Act to amend an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for making a Turnpike Road from* Shipley *to* Bramley, *together with certain Branches therefrom, in the West Riding of the County of* York.

cvi. An Act to authorize the *London Dock* Company to make a new Entrance to their Docks from the River *Thames* and other Works, and to augment their Capital Stock; and for other Purposes connected with the said Docks.

cvii. An Act for the Maintenance of the existing Works of the Company of Proprietors of the *Barnsley* Waterworks, and for the Purchase of Lands by them, to repeal their Act, and make other Provisions in lieu thereof.

cviii. An Act to enable the *Midland* Railway Company to make a Line of Railway from near *Leicester* to the *Great Northern* Railway near *Hitchin*, with a Branch, in lieu of the Line of Railway and Branches authorized by "The *Midland* Railways Extension to *Hitchin, Northampton*, and *Huntingdon* Railway Act, 1847," and "The *Midland* Railways Extension to *Hitchin, Northampton*, and *Huntingdon* Railway (*Wellingborough* Deviations) Act, 1848."

cix. An Act to authorize the Re-issue of certain of the Shares in the Capital of the *York and North Midland* Railway Company, called *Hull and Selby* Purchase, &c. Shares, and for other Purposes.

cx. An Act to enable the *London and North-western* Railway Company to acquire and hold certain Lands and Buildings at or near the Terminus of the *Haydon Square* Branch of the *London and Blackwall* Railway; and for other Purposes.

cxi. An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to construct certain Branch Railways in the West Riding of the County of *York;* and for other Purposes.

cxii. An Act to repeal the Act for repairing the *Alston* Turnpike Roads, and to make other Provisions in lieu thereof.

cxiii. An Act for making a Railway from the *Great Southern and Western* Railway near *Roscrea* to *Parsonstown*, to be called "The *Roscrea and Parsonstown Junction* Railway," and for other Purposes.

cxiv. An Act to authorize the Abandonment of a Portion of the Undertaking of the *Limerick, Ennis, and Killaloe Junction* Railway Company, and the Construction of a new Line of Railway in lieu of a Portion of the Line to be abandoned; and to revive in respect of a Portion of the said Undertaking the Powers of the said Company for the compulsory Purchase of Lands, and to extend in respect of the same Portion of the said Undertaking the Powers of the said Company for constructing Works; and to amend and repeal Portions of the Act relating to the said Company; and for other Purposes.

cxv. An Act for the better Maintenance and Repair of the Highways in *Wildmore Fen* and the *East* and *West Fens* in the County of *Lincoln*, and for other Purposes, and of which the Short Title is "The *Wildmore Fen* and *East* and *West Fens* Highways Act, 1853."

cxvi. An Act for reviving the Powers of the *South-eastern* Railway Company for taking Lands and Buildings for the Purpose of enlarging their *London Bridge* Station on the North Side thereof, and for extending for a further Period such Powers, and for other Purposes.

cxvii. An Act to enable the *Eastern Counties* Railway Company to construct Branch Railways from the *North Woolwich* Line of the *Eastern Counties* Railway to *Ham Creek* and the River *Thames;* and for other Purposes,

cxviii. An Act for more effectually improving the Town of *Burton-upon-Trent* in the County of *Stafford*.

cxix. An Act to authorize the Abandonment of the *Carlisle* Canal, and the making of a Railway in lieu thereof, from the *Newcastle-upon-Tyne and Carlisle* Railway at *Carlisle* to *Port Carlisle;* to repeal the Acts relating to the *Carlisle* Canal and Docks, and to re-incorporate the Company; to authorize the raising of a further Sum of Money; and to confer additional Powers; and for other Purposes.

cxx. An Act to alter and amend the Provisions of "The Governor and Company of Copper Miners Act, 1851,"

and to confer further Powers on the said Company.

cxxi. An Act to enable the *South-eastern* Railway Company to extend the *Reading, Guildford, and Reigate* Railway to the *Great Western* Railway at *Reading;* and for other Purposes.

cxxii. An Act to enable the *Warrington and Altrincham Junction* Railway Company to extend their Railway to *Stockport.*

cxxiii. An Act for incorporating and regulating the Electric Telegraph Company of *Ireland,* and for better enabling the Company to establish and work Telegraphs in *Scotland* and *Ireland* and between those Countries; and for other Purposes.

cxxiv. An Act for making a Railway from *Spalding* to *Sutton Bridge* and *Wisbeach.*

cxxv. An Act for making a Railway commencing by a Junction with the *Scottish Central* Railway at *Stirling,* and terminating by a Junction with the *Caledonian and Dumbartonshire Junction* Railway at *Alexandria,* to be called "The *Forth and Clyde Junction* Railway."

cxxvi. An Act for making Turnpike Roads from *Upton Saint Leonard's* to *Brimpsfield* and *Birdlip* in the County of *Gloucester.*

cxxvii. An Act for enabling the Local Board of Health for the District of *Dewsbury* to construct Waterworks; and for other Purposes.

cxxviii. An Act to authorize the opening of a Diversion of the *Wakefield and Sheffield* Turnpike Road, and for other Purposes.

cxxix. An Act for the Improvement of the Harbour of *Saint Ives* in the County of *Cornwall.*

cxxx. An Act to enable the *South-eastern* Railway Company to make a Railway from *Strood* to *Maidstone;* and for other Purposes.

cxxxi. An Act to authorize the Construction of additional Docks and other Works in connexion with the *Victoria* (*London*) Docks, and to consolidate and amend the Provisions of the Act relating to such Docks.

cxxxii. An Act for making a Railway from *Strood* to *Canterbury,* with Branches to *Faversham Quays* and *Chilham.*

cxxxiii. An Act for supplying with Water the Inhabitants of *Walsall, Dudley,* and other Places in the Southern Parts of the County of *Stafford,* and in certain Parts of the County of *Worcester* adjacent thereto.

cxxxiv. An Act to enable the *St. Helen's* Canal and Railway Company to extend their Railway to *Rainford,* and to enlarge their Stations at *Sutton;* and for other Purposes relating to the Company.

cxxxv. An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford* through *Pendleton* and other Places in the County Palatine of *Lancaster.*

cxxxvi. An Act for enabling the *Leeds Northern* Railway Company to create new Shares, and raise Money on Loan for discharging certain Liabilities; and for other Purposes.

cxxxvii. An Act for making a Railway from *Bedale* to *Leyburn* in the North Riding of the County of *York,* to be called "The *Bedale and Leyburn* Railway," and for other Purposes, and of which the Short Title is "The *Bedale and Leyburn* Railway Act, 1853."

cxxxviii. An Act for the Adjustment of the Debts of the Commissioners of the *Holme* Reservoirs, and of the Interest due thereon, and for enabling them to restore and repair their Reservoirs; and for other Purposes.

cxxxix. An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Town and Parish of *Spalding* in the County of *Lincoln;* for making a Cemetery; for erecting a Corn Exchange and Market House therein; and for other Purposes.

cxl. An Act for making a Railway from the *North Devon* Railway at *Fremington Pill* to *Bideford,* to be called "The *Bideford Extension* Railway."

cxli. An Act for the better paving, repairing, lighting, cleansing, watering, regulating, and improving such Parts of the Parish of *Saint Mary Whitechapel* in the County of *Middlesex* as are not within the Liberties of Her Majesty's *Tower of London* and the City of *London;* and for paving, repairing, watering, and regulating certain Parts of other Parishes and Places adjoining; and for removing and preventing Nuisances, Annoyances, and Obstructions therein; and for raising Money for the Relief, Maintenance, and Employment of the Poor within the said Parish; and for raising Money for repairing the Church of the said Parish.

cxlii. An Act to enable the *Great Southern and Western* Railway Company to divert the *Glanmire Road Lower* in the Parish of *Saint Anne's Shandon* in the County of the City or Borough of *Cork,* and to make a small Portion of Railway in that Parish; and for other Purposes.

cxliii. An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Newtown* in the same County, to be called the *Llanidloes and Newtown* Railway; and for other Purposes.

cxliv. An Act to enable the *Waveney Valley* Railway Company to extend their Railway from *Bungay* to *Beccles.*

cxlv. An Act for altering and extending the Line of the *Barnsley* Branch of the *Manchester, Sheffield, and Lincolnshire* Railway Company; for extending the Time for the Completion of certain Works at *Sheffield;* for amending the Acts relating to the said Company; and for other Purposes.

cxlvi. An Act for amending the Acts relating to the "*Llynvi Valley* Railway Company," and for authorizing the Company to make Diversions in and improve their Line of Railway and construct a new Branch, and for better regulating the Harbour of *Porth Cawl* and the Rates leviable thereat; and for other Purposes.

cxlvii. An Act to repeal the Act relating to the *Nantwich and Woore* Turnpike Road, and to make other Provisions in lieu thereof.

cxlviii. An Act to authorize the Extension of the Railway already partly executed between *Smithstown* and *Dalmellington* in the County of *Ayr* to *Dalmellington,* and to the *Glasgow and South-western* Railway near *Ayr.*

cxlix. An Act to enable the *Caledonian* Railway Company to extend the *Glasgow, Barrhead, and Neilston Direct* Railway to *Crofthead;* and for other Purposes.

cl. An Act for confirming a certain Agreement entered into between the *Furness* Railway Company and *John Abel Smith* Esquire, and for enabling the *Furness* Railway Company to raise a further Sum of Money, and for authorizing the Conversion of the borrowed and Preferential Share Capital of the *Furness* Railway

Company into a Stock not exceeding Four Pounds Ten Shillings *per Centum*, and for amending the Acts relating to the said Company and *Pile* Pier.

cli. An Act to enable the *Edinburgh and Glasgow* Railway Company to connect their Line at *Glasgow* by Branches with the *Caledonian* Railway, and to extend their Station at *Cowlairs*.

clii. An Act to sanction certain Arrangements between the *Edinburgh, Perth, and Dundee* Railway Company, and certain Classes of the Creditors thereof.

cliii. An Act for enabling the *Great Western* Railway Company to construct additional Lines and Works, or for conferring further Powers on them in reference to the *Henley* and *Uxbridge* Lines, and other Parts of their Undertaking at *Acton, Chippenham*, and *Reading*; and for other Purposes.

cliv. An Act for incorporating the Lands Improvement Company, and to afford Facilities for the Improvement of Land by enabling the Company to issue transferable Mortgage Debentures.

clv. An Act for making a Railway from the Town of *Saint Ives* to the *West Cornwall* Railway at or near *Saint Erth*, with a Branch therefrom, and for making Arrangements with the *West Cornwall* Railway Company.

clvi. An Act for dissolving the *Canterbury and Whitstable* Railway Company, and for vesting in the *South-eastern* Railway Company the Undertaking of the *South-eastern and Continental* Steam Packet Company, and for other Purposes, and of which the Short Title is "The *South-eastern* Railway (*Canterbury and Whitstable* and Steam Packets) Act, 1853."

clvii. An Act for conferring additional Powers on the *London and North-western* Railway Company with reference to the Construction of their *Oldham* Branch, and for making an Alteration in such Branch; and for other Purposes.

clviii. An Act for the Purchase of the Bridge and Ferry over the River of *Ross* at the Town of *New Ross*, and for maintaining the same free of Toll, and for other Purposes.

clix. An Act for repealing and amending an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, called "The *British* Electric Telegraph Company's Act, 1850."

clx. An Act to enable the *London and North-western* Railway Company to construct a Railway from *Northampton* to *Market Harborough*, with a Branch therefrom, all in the County of *Northampton*; and for other Purposes.

clxi. An Act to enable the *London and North-western* Railway Company to construct a Branch Railway to *Saint Albans*, and for other Purposes.

clxii. An Act to repeal the Acts for repairing the Roads from *West Harptry* to the *Bath and Wells* Turnpike Road at *Marksbury*, and other Roads therein mentioned, in the County of *Somerset*, and to make other Provisions in lieu thereof.

clxiii. An Act to enable the *East Lancashire* Railway Company to extend their Railway to *Rainford*, to enter into Arrangements with the *St. Helen's* Canal and Railway Company, and to convert their Mortgage Debt into Annuities.

clxiv. An Act for amending the Acts passed for the Construction of the *Basingstoke and Salisbury* Railway, and for other Purposes, and of which the Short Title is "The *London and South-western* Railway (*Basingstoke and Salisbury*) Act, 1853."

clxv. An Act for authorizing Arrangements for the Completion of the *Birkenhead* Docks.

clxvi. An Act for enabling the *East London* Waterworks Company to improve their Supply of Water; and for other Purposes.

clxvii. An Act for the Improvement of the Borough of *Halifax*, and for other Purposes, and of which the Short Title is "The *Halifax* Improvement Act, 1853."

clxviii. An Act for making a Railway from *Limerick* to *Foynes*.

clxix. An Act for enabling the *Llanelly* Railway and Dock Company to make new Railways, and for other Purposes, and of which the Short Title is "The *Llanelly* Railway and Dock Act, 1853."

clxx. An Act to repeal the Acts relating to the *Ribble* Navigation Company, of the First Year of the Reign of Her present Majesty, Chapter Eight, and of the Seventh Year of the Reign of Her present Majesty, Chapter One, and some of the Provisions of the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and sixteen, which relate to the Company, and to make other Provisions in lieu thereof respectively; and to grant further Powers to the Company for the Construction of Works, for providing Quays, for raising Capital, for levying Tolls, for regulating the Disposition of the reclaimed Lands, and for other Purposes.

clxxi. An Act to enable the *Whitehaven and Furness Junction* Railway Company to make Branch Railways; and for other Purposes.

clxxii. An Act to enable the *Blyth and Tyne* Railway Company to construct Branches in the County of *Northumberland*; and for other Purposes.

clxxiii. An Act for constructing and maintaining Docks and other Works at or near to *Milford Haven*, and for other Purposes.

clxxiv. An Act for making a Railway from *Enniskillen* to *Sligo*, with a Branch therefrom.

clxxv. An Act for providing additional Station Accommodation at *Birmingham* in connexion with the *Birmingham and Oxford Junction* Railway; and for enabling the *Great Western* Railway Company to use a Portion of the *Oxford, Worcester, and Wolverhampton* Railway; and for making better Provision with reference to the joint Station at *Wolverhampton*; and for other Purposes.

clxxvi. An Act to amend and enlarge the Powers and Provisions of "The *Westminster* Improvement Act 1845," "The *Westminster* Improvement Act, 1847," and "The *Westminster* Improvement Act, 1850;" to extend the Time for the compulsory Purchase of Lands; to authorize further Improvements in the City of *Westminster*; and for other Purposes.

clxxvii. An Act to amend the Acts relating to the *Birkenhead* Dock Company, and to enable the Company to make a Railway for their Works, and for other Purposes, and of which the Short Title is "The *Birkenhead* Dock Company's Act, 1853."

clxxviii. An Act to authorize the *Newport, Abergavenny, and Hereford* Railway Company to make Deviations on their Extension to the *Taff Vale* Railway, and to make certain short Branches.

clxxix. An Act to authorize Deviations at *Hereford* and near *Pontypool* of the *Newport, Abergavenny, and Hereford* Railway, and to amend the Acts relating to that Railway.

clxxx. An Act for making a Railway to the *Crystal Palace*, with Branches to the *London, Brighton, and South Coast* Railway, and to the *London and South-western* Railway.

clxxxi. An Act for the Improvement of the Parish of *Chorley* in the County of *Lancaster*.

clxxxii. An Act for the more effectual Improvement of the Borough of *Newcastle-upon-Tyne*.

clxxxiii. An Act to enable the *Newry and Enniskillen* Railway Company to extend their Railway to the Landing Quay at *Newry*, to effect a Junction with the *Dublin and Belfast Junction* Railway, and for other Purposes.

clxxxiv. An Act for making a Railway from *Worcester* to *Hereford*, with certain Branches therefrom, and for other Purposes.

clxxxv. An Act for improving and maintaining the Port and Harbour of *Westport* in the County of *Mayo*.

clxxxvi. An Act for making a Railway from the North-western District of the Metropolis to *Battle Bridge*, in the County of *Middlesex*.

clxxxvii. An Act to enable the *West Cornwall* Railway Company to make certain new Railways; and for other Purposes.

clxxxviii. An Act for making a Railway from the *Scottish Central* Railway near *Loaninghead* to the Town of *Crieff*.

clxxxix. An Act for making a Railway from *Tralee* to *Killarney*.

cxc. An Act for consolidating and amending the Powers of the Acts of "The *Imperial Continental* Gas Association."

cxci. An Act for reclaiming, inclosing, and appropriating certain Parts of the Harbour or Estuary of *Castlemaine* and the Creeks of *Caragh* and *Rossbehy* in the County of *Kerry*.

cxcii. An Act to revive and amend the Powers of the Acts relating to the *Chard* Railway Company, to regulate the Capital of the Company, and to enable them to extend their authorized Railway into *Taunton*.

cxciii. An Act for constructing a Railway and Landing Places within the Borough of *King's Lynn*, for regulating the Share Capital of the *East Anglian* Railways Company, and for other Purposes, and of which the Short Title is "The *East Anglian* Railways Act, 1853."

cxciv. An Act for the Improvement of the Borough of *Limerick*.

cxcv. An Act for enabling the *Monmouthshire* Railway and Canal Company to make new Railways; and for other Purposes.

cxcvi. An Act to enable the *Severn and Wye* Railway and Canal Company to improve their Railway and Harbour; and for other Purposes relating to the Company.

cxcvii. An Act for making a Railway from the *South Wales* Railway at *Britonferry* to *Glyncorrwg* in *Glamorganshire*, to be called "The *South Wales* Mineral Railway."

cxcviii. An Act to consolidate and amend "The *Staffordshire Potteries* Waterworks Act, 1847," and "The *Staffordshire Potteries* Waterworks Extension Act, 1849," and to extend the Provisions and enlarge the Powers thereof.

cxcix. An Act for making a Railway from *Stamford Baron* in the County of *Northampton* to the *Great Northern* Railway at *Essendine* in the County of *Rutland*, and for other Purposes connected therewith.

cc. An Act for better paving, draining, cleansing, lighting, watching, supplying with Water, regulating in regard to Markets and other Purposes, for making new Streets, and otherwise improving the Town of *Galway*.

cci. An Act for regulating the depasturing and Management of certain Pastures in the Parish of *Richmond* in the County of *York*.

ccii. An Act to consolidate the Acts relating to the *Cork and Bandon* Railway Company, to authorize the Company to construct Extension and Branch Railways, and for other Purposes.

cciii. An Act for granting further Powers to "The Electric Telegraph Company," and to enable such Company to make Arrangements for the working of Telegraphs adjoining their Works.

cciv. An Act for authorizing the *South Wales* Railway Company to deviate the Line of their Railway in the *Forest of Dean*, and for other Purposes.

ccv. An Act to enable the *London and North-western* Railway Company to make a Railway to connect the *Buckinghamshire* Railway with the *Oxford, Worcester, and Wolverhampton* Railway.

ccvi. An Act for reclaiming from the Sea certain Lands near *Harwich*, for constructing Docks and a Pier on such Lands, and for other Purposes.

ccvii. An Act for making a Pier and Breakwater in the Bay of *Galway*, and for conferring additional Powers on the *Galway* Harbour Commissioners, and for other Purposes.

ccviii. An Act for making a Railway from *Banbridge* to join the *Dublin and Belfast Junction* Railway at *Scarvagh*.

ccix. An Act for granting further Powers in reference to the leasing and selling the Undertaking of the *South Wales* Railway Company to the *Great Western* Railway Company, and authorizing working Arrangements between the said Companies, and for other Purposes.

ccx. An Act to enable the *South Wales* Railway Company to extend the *Pembroke* Line of their Railway to *Pennar Mouth*, and to make a Deviation in their said *Pembroke* Line; and for other Purposes.

ccxi. An Act to reduce and regulate the Tolls payable in respect of Traffic passing between *Liverpool* and certain Places on the *Liverpool, Crosby, and Southport* Railway, and also the Payments or Tolls payable to the *Lancashire and Yorkshire* and *East Lancashire* Railway Companies in respect of Traffic to and from the last-mentioned Railway; and for other Purposes.

ccxii. An Act to extend the Periods limited for completing and for purchasing Lands for the *Stratford-upon-Avon* and *Kingswinford* Branches of the *Oxford, Worcester*, and *Wolverhampton* Railway, and to extend such respective Branches, to construct a Branch Railway to *Stourbridge*, and to authorize the raising of certain Sums of Money by Preferential Shares, and for other Purposes.

ccxiii. An Act for the Construction and Maintenance of a Harbour at *Llandudno* in the County of *Carnarvon*.

ccxiv. An Act for making a Railway from *Wellington* to *Coalbrookdale*, and an Extension to the River *Severn*, all in the County of *Salop*; and for other Purposes.

ccxv. An Act for the Incorporation of the *Westminster* Association for improving the Dwellings of the Working Classes.

ccxvi. An Act for enabling the *London and North-western* Railway Company to construct a Railway from *Crewe* to *Shrewsbury*, and other Works in connexion with their Undertaking; and for other Purposes relating thereto.

ccxvii. An Act for making a Railway from the *Newport, Abergavenny, and Hereford* Railway in the Parish of *Llanvihangel Pontymoyle* in the County of *Monmouth* to *Coleford* in the County of *Gloucester*, with a Branch to the *Monmouth* Gasworks; and for other Purposes.

ccxviii. An Act to enable the *Warrington and Altrincham Junction* Railway Company to make Deviations and Branches at *Warrington*, and to use certain neighbouring Railways.

ccxix. An Act to enable the *South Sea* Company to enter into Arrangements with certain Proprietors of the Company.

ccxx. An Act for the Improvement of the Town of *Rochdale*, and for providing a Cemetery there, and for other Purposes, and of which the Short Title is "The *Rochdale* Improvement Act, 1853."

ccxxi. An Act to enable the *Eastern Union* Railway Company to redeem their Preference Shares; and for other Purposes.

ccxxii. An Act for making a Railway from the *London and North-western* Railway at *Willesden* to the *North London* Railway, with a Branch to the *North and South Western Junction* Railway, to be called "The *Hampstead Junction* Railway," and for other Purposes.

ccxxiii. An Act for making a Railway from the *Great Northern* Railway at *Boston* in the County of *Lincoln* to the *Great Northern* Railway at *Barkstone* in the same County, and for other Purposes.

ccxxiv. An Act for incorporating the Life Association of *Scotland*, for enabling the said Association to sue and to be sued, to take and hold Property, and for other Purposes relating to the said Association.

ccxxv. An Act for the Appointment and Regulation of Vestries in the Parishes of *Saint Margaret* and *Saint John the Evangelist* in the City of *Westminster*.

ccxxvi. An Act to amend an Act, intituled *An Act for incorporating the* East Indian *Railway Company, and for other Purposes connected therewith.*

ccxxvii. An Act for making a Railway from the *Oxford, Worcester, and Wolverhampton* Railway near *Hartlebury* in the County of *Worcester* to the Borough of *Shrewsbury* in the County of *Salop*, with a Branch, to be called "The *Severn Valley* Railway;" and for other Purposes.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to enable the Master, Fellows, and Scholars of Lady *Frances Sidney Sussex* College in the University of *Cambridge* to lease on long Leases and otherwise improve their Estate situate at *Clee* in the County of *Lincoln;* and for other Purposes.
2. An Act to authorize the granting of Building Leases of Lands and Hereditaments subject to the Will of *Andrew John Nash* Esquire, deceased.
3. An Act to incorporate the Craft of Tailors of the Burgh of *Aberdeen*, to confirm the Titles and Conveyances and to amend and regulate the Estates and Affairs of the said Craft, and for other Purposes relating to the Society.
4. An Act for extending the Powers of the Trustees of the Settlements on the Marriage of *Charles Pelham Pelham Clinton* Esquire, commonly called Lord *Charles Pelham Pelham Clinton*, and *Elizabeth Pelham Clinton* his Wife, commonly called Lady *Charles Pelham Pelham Clinton*, and of the Trustees of the Contract of Marriage of the Father and Mother of the said Lady *Charles Pelham Pelham Clinton*, so as to authorize the Investment of the Produce of certain Stocks and Shares, Part of the Trust Funds subject to the Trusts of the same Settlements and Contract of Marriage respectively, in the Purchase of Estates in *England, Wales, Scotland*, or *Ireland*, and to authorize the Investment of the same Trust Funds, or the Produce thereof, on the Security of Estates in *England, Wales, Scotland*, or *Ireland*.
5. An Act for enlarging the Powers of the Trustees of the Settlement made on the Marriage of the Baroness *de Graffenried Villars*, and for other Purposes.
6. An Act to authorize the granting for Building Purposes of Demises for long Terms of Years of the Trust Estate of the late *William Penketh Cotham* Esquire, and to authorize the granting of Mining Leases, and for other Purposes.
7. An Act for enabling the Trustees of the Will of *Thomas Brown* Esquire, deceased, to invest the Funds subject to the Trusts of the Will of the said *Thomas Brown* in the Purchase of Real Estates in *Ireland*.
8. An Act for enabling Sales, Exchanges, and Leases of the Family Estates of *Robert Westley Hall Dare* Esquire, and for other Purposes.
9. An Act to authorize the granting of Building Leases of Parts of the Estates devised by the Will of Sir *Robert Holt Leigh* Baronet, deceased, and to extend the Power in the same Will contained to grant Mining Leases, and to authorize the Sale of a Share in the *Wigan* Waterworks, Part of the Estate of the said Sir *Robert Holt Leigh*.
10. An Act for confirming an Exchange between the Right Honourable *Henry Stephen* Earl of *Ilchester* and the Right Honourable *George O'Brien* Earl of *Egremont*, now deceased, and for effecting an Exchange of Lands by the last Will of the Right Honourable *George* Earl of *Egremont*, now deceased, directed to

be sold, for Lands by that Will directed to be settled.

11. An Act for vesting certain Estates belonging to the See of *Canterbury*, now vested in Trustees for Sale, in the Archbishop of *Canterbury*, with Provisions for the Sale thereof, with the Approval of the Church Estates Commissioners; and for other Purposes.

12. An Act for enabling *James Thomas Martin* Esquire, and the Persons in remainder under the Will of *Mary Jackson* deceased, to grant Leases of Parts of the Estates thereby devised in Settlement, for the Purpose of building upon and otherwise improving the same; and for other Purposes.

13. An Act for incorporating the Trustees of the *Bingley* Free Grammar and General Education Schools and other Charities at *Bingley* in the County of *York;* for authorizing the Sale, Exchange, or Mortgage, by the Trustees, when incorporated, of the several Estates belonging to the said Schools and Charities respectively situate in the Parishes of *Bingley* and *Bradford*, both in the said County of *York;* and for other Purposes relating to the said Schools and Charities.

14. An Act to amend an Act of Parliament made and passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to enable the Governors of the Free Grammar School of* Clitheroe *in the County of* Lancaster *to sell and grant Building Leases of the School Estates, and to enlarge the Powers of the Governors;* and to authorize the Court of Chancery to apply Parts of the Proceeds of the Sales effected under such Act towards Discharge of certain Debts of the said School, and to vary the Investment of such Proceeds, and apply the Income thereof towards the Maintenance of the School; and to enlarge the Powers of granting Building Leases created by the said Act; and for other Purposes.

15. An Act to authorize the Trustees of the late *John* Fourth Duke of *Atholl* to denude themselves of the Trusts created by his Trust Deed, and to convey the Trust Estates to his Grace *George Augustus Frederick John* Duke of *Athole*, and the Series of Heirs specified in the said Trust Deed, and under the Provisions therein contained, and to enable the said Duke, or the Heir in possession for the Time, to sell Parts of the said Estate, and other Estates, for Payment of the Debts of the said *John* Fourth Duke of *Atholl*.

16. An Act to enable certain Persons to grant Leases for Mining Purposes of the Estates at *Oakthorpe* in the Counties of *Leicester* and *Derby*, or one of them, devised by the Will of the Reverend *John Piddocke* Clerk, deceased.

17. An Act to enable the Master or Keeper, Fellows, and Scholars of *Jesus College* in the University of *Cambridge* to alter and vary the Mode of dealing with the Benefaction of Doctor *Edmund Proby* and Sir *Thomas Proby*, and to appropriate the same for the Benefit of the said College in erecting and providing Parsonage Houses for Livings belonging to the said College, and in augmenting such Livings; and for other Purposes, including the Repeal of existing Legislative Enactments relating to the said Benefaction.

18. An Act to enable the Trustees of the Will of *William Ward Jackson* deceased to grant Mining, Building, and Improving Leases of and to open and work Mines in the Estates thereby devised upon Trusts by way of Settlement, and for other Purposes, and of which the Short Title is "*Ward Jackson's* Estate Act, 1853,"

19. An Act for enabling Leases, Sales, and Exchanges to be made of the Estates of the late *Philip Duncombe Pauncefort Duncombe* Esq., deceased, and for other Purposes.

20. An Act authorizing and enabling the Trustees under the Will of the late *Warden Sergison* Esquire to raise Money by Mortgage of Part of the Estates settled by his Will, for the Purchase of adjoining Property, and for obtaining Enfranchisement of Copyhold Lands comprised in the Will, and for enabling the Trustees to obtain and grant Enfranchisement of Copyhold Lands, and to grant Building Leases of Parts of the settled Lands, and for other Purposes.

21. An Act to enable the Bishop of *Durham* and the Freemen and Stallingers of the Borough of *Sunderland* to give up their respective Interests in certain Lands and Monies, for the Purpose of endowing an Orphan Asylum at *Sunderland*, and of making better Provision for the Spiritual Wants of the Parish of *Sunderland;* and to enable such Asylum to acquire and hold additional Land; and to enlarge the Powers and to provide for the better Regulation and Management of the said Asylum; and for other Purposes.

22. An Act to authorize the Executors in Trust of the Residuary Personal Estate bequeathed by the Will of The Most Honourable *John Crichton Stuart* Marquess of *Bute* and Earl of *Dumfries*, deceased, to postpone the Sale of certain Parts of such Residuary Estate, and to indemnify such Executors in respect of such Postponement; and for other Purposes.

23. An Act to enable the Trustees of the Estate of *Henry Smith* Esquire, deceased, to apply certain Funds held upon Trusts for the Relief of his poor Kindred in the Purchase of a Plot of Ground and Buildings called *Strong's Place* in the Parish of *Kensington* in the County of *Middlesex*.

24. An Act for authorizing the granting of Building Leases of Lands held under the Will of *John Pidgley* otherwise *John Moor Pidgley*, situate at *Dawlish* in the County of *Devon*.

25. An Act for better enabling the Trusts of the Will of *Joseph Thomas Treffry* deceased to be executed, under the Authority of the High Court of Chancery, and for other Purposes, and of which the Short Title is "*Treffry's* Estate Act, 1853."

26. An Act to settle Estates in the Counties of *Cornwall* and *Devon* devised by the Will of the late Right Honourable *Richard Hussey* Baron *Vivian* deceased, dated the Twenty-fourth Day of *September* One thousand eight hundred and forty-one, and thereby directed to be settled, and to enable the Trustees of such settled Estates to carry into effect an Agreement to grant a Building Lease of Part of such devised Estates to the *West Cornwall* Railway Company; and for other Purposes.

27. An Act for enabling the Trustees of certain Estates in *Carmarthenshire* devised by the Will of *Francis Charles James Pemberton* Esquire, deceased, to grant Mining and Building Leases of Parts of the said Estates; and for other Purposes.

28. An Act for raising by Sale or Mortgage of the Real

Estates devised by the Will of Sir *William Chaytor* Baronet, deceased, Monies for Payment of his Debts and Legacies, in aid of his Personal Estate, and for other Purposes, and of which the Short Title is "*Chaytor's* Estate Act, 1853."

29. An Act to extend the Powers of the Trustees of the Will of the late Duke of *Cleveland*, and to enable such Trustees to raise certain Monies on certain of the Trust Estates in the County of *Durham* by the said Will devised.

PRIVATE ACTS,

NOT PRINTED.

30. An Act to enable *William Yates Rooker* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment, in the United Church of *England* and *Ireland*.

31. An Act for the Restitution in Blood of *George Drummond* Esquire, Duke *de Melfort* and Comte *de Lussan* in *France*, and to relieve the said *George Drummond* and the Heirs Male of *James* First Earl of *Perth* from the Effect of the Attainder of *James Drummond*, commonly called Lord *Drummond*, eldest Son of *James* Fourth Earl of *Perth*, and from the Effect of the Attainder of *John Drummond*, Second Son of the said *James Drummond*, and from the Effect of a Decreet of Forfaulture pronounced by the Parliament of *Scotland* against *John* Earl of *Melfort*.

32. An Act to dissolve the Marriage of *Alfred Richard Cutbill* with *Elizabeth* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

33. An Act to dissolve the Marriage of *George Fisher* Esquire with *Mary Matilda Fisher* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

34. An Act to enable *Charles Crowe* Clerk to exercise his Office of a Priest, and to hold any Benefice or Preferment, in the United Church of *England* and *Ireland*.

35. An Act to dissolve the Marriage of *Robert Frederick Brownlow Rushbrooke* with *Albinia Maria* his now Wife, and to enable him to marry again; and for other Purposes.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Decimo Quinto & Decimo Sexto.

'AT the Parliament begun and holden at *Westminster*, the Eighteenth Day of *November*, *Anno Domini* 1847, in the Eleventh Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith; And from thence continued, by several Prorogations, to the Third Day of *February* 1852; being the Fifth Session of the Fifteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-two. [30th *March* 1852.]

CAP. II.

An Act to authorize the Inclosure of certain Lands, in pursuance of the Seventh Annual and also of a Special Report of the Inclosure Commissioners for *England* and *Wales*. [20th *April* 1852.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of the Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and eighteen, issued Provisional Orders for and concerning the several proposed Inclosures mentioned in the First Schedule to this Act, and have, in the Seventh Annual General Report of their Proceedings, certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the Authority of Parliament: And whereas, before the Date of the said Annual General Report, the said Inclosure Commissioners issued their Provisional Order for and concerning the proposed Inclosure mentioned in the Second Schedule to this Act, and the requisite Consents thereto had been given, but the said Commissioners had not received Information of such Consents having been so given at the Time of making their said Report: And whereas the said Commissioners have, by a Special Report, certified their Opinion that such last-mentioned proposed Inclosure would be expedient; but the same cannot be proceeded with without such Authority:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several proposed Inclosures mentioned in the Schedules to this Act be proceeded with, and as respects the proposed Inclosure mentioned in the Second Schedule to this Act, in the same Manner as if the Expediency of such Inclosure had been certified by the Commissioners in their said Annual General Report. 8 & 9 Vict. c. 118. Inclosures mentioned in Schedules may be proceeded with.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Annual Inclosure Act, 1852." Short Title.

SCHEDULES to which this Act refers.

FIRST SCHEDULE.

Inclosure.	County.	Date of Provisional Order.
The Wastes of the several Manors of Magor and Redwick, Duram and Ragland, Magor and Green Moor, Salisbury and Magor le Green Moor, and Redwick	Monmouth - -	11th October 1850.

Inclosure.	County.	Date of Provisional Order.
Bromsgrove and Upton Warren	Worcester	24th June 1851.
Fulshaw	Chester	17th July 1851.
Seal	Surrey	24th June 1851.
Hartwith High Pasture	York	4th July 1851.
Nantglyn	Denbigh	28th August 1851.
West End Down	Southampton	24th September 1851.
Clewelsy	Salop	24th June 1851.
Bettws Hills	Salop	24th June 1851.
Winterborne Gunner	Wilts	21st November 1851.
Waunmeirws	Carmarthen	3d September 1851.
Trowle Common	Wilts	23d January 1852.
Upham	Southampton	23d January 1852.
Asterton	Salop	6th December 1851.
Eachwick Common	Northumberland	23d January 1852.
Billinge	Lancaster	8th January 1852.
Thorpe by Water	Rutland	21st October 1851.
The Waste of the Manor of Ruthin in the Parishes of Llanfairdyffryn Clwyd, Llanelidan, Derwen, Efenechtyd, Clocaenog, and Gyffylliog	Denbigh	8th January 1852.

SECOND SCHEDULE.

Inclosure.	County.	Date of Provisional Order.
Urishay Common	Hereford	4th July 1851.

CAP. III.

An Act to provide for the Administration of Personal Estates of Intestates and others to which Her Majesty may be entitled in right of Her Prerogative or in right of Her Duchy of *Lancaster*. [20th *April* 1852.]

'WHEREAS Letters of Administration of the Effects of several Intestates and others to whose Personal Estates Her Majesty and Her Predecessors became entitled in right of the Royal Prerogative were from Time to Time in the Lifetime of *George Maule* Esquire, deceased, late the Solicitor for the Affairs of Her Majesty's Treasury, granted to the said *George Maule*, as the Nominee and for the Use of the Sovereign, and many of such Estates have not been fully administered: And whereas it is expedient to provide for the Continuance of the said Administrations which have determined by the Death of the said *George Maule*, and to make further Provision concerning the like Administrations hereafter to be granted to Her Majesty's Use:' Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Administration of the Personal Estate of Intestates and others, where Her Majesty is entitled, may be granted to the Solicitor of the Treasury for the Time being (as Nominee of Her Majesty) and his Successors.

I. So often as Her Majesty, by any Warrant under Her Sign Manual, shall be pleased to direct the Solicitor for the Time being for the Affairs of Her Majesty's Treasury to apply for and obtain Letters of Administration of the Personal Estate and Effects of any Person dying intestate to whose Personal Estate and Effects Her Majesty may have become entitled in right of Her Royal Prerogative, or Letters of Administration (whether general or limited) of the Personal Estate and Effects of any other Person deceased, where in respect of the Interest of Her Majesty in such Estate and Effects such Administration may be rightfully granted to a Nominee of Her Majesty, it shall be lawful for any competent Court in *England*, upon Application, in pursuance of such Warrant, to grant Administration accordingly to such Solicitor for the Time being and his Successors in the Office of Solicitor for the Affairs of Her Majesty's Treasury, for the Use and Benefit of Her Majesty; and in every such Case the Administration so granted, and the Office of Administrator under the Grant, with all the Estates, Rights, Duties, and Liabilities of such Administrator, shall, upon the Death, Resignation, or Removal of the Solicitor for the Affairs of Her Majesty's Treasury for the Time being, devolve upon and become vested and continue in the succeeding Solicitor by virtue of his Appointment, and so in perpetual Succession without any further Grant of Administration or any Assignment or Transfer of the Estates of the Administrator; and all Actions, Suits, Informations, and other Proceedings whatever at Law or in Equity by or against any such Solicitor for

for the Time being as such Administrator at the Time of his Death, Resignation, or Removal, shall continue and may be proceeded with by, in favour of, and against the succeeding Solicitor in like Manner; saving always the Effect of every Limitation in Duration or otherwise under the Terms of the Grant of any such Administration; and saving to every Court having Jurisdiction in this Behalf all such Right and Authority to revoke or repeal any such Administration as such Court would have had during the Continuance of a like Administration granted to a Nominee of Her Majesty in case this Act had not been passed.

Administration Bond not necessary, notwithstanding Provisions of 22 & 23 Car. 2. c. 10.

II. It shall not be necessary for the Solicitor for the Affairs of the Treasury for the Time being, or the Solicitor for the Affairs of Her Majesty's Duchy of *Lancaster* for the Time being, applying for or obtaining Grant of Administration to the Use or Benefit of Her Majesty, to enter into or cause to be entered into any Bond to the Ordinary, commonly called an Administration Bond (the Act of the Session of Parliament holden in the Twenty-second and Twenty-third Years of King *Charles* the Second, Chapter Ten, or any other Law or Usage notwithstanding); but the Solicitor for the Affairs of the Treasury for the Time being, or the Solicitor for the Affairs of Her Majesty's Duchy of *Lancaster* for the Time being, shall, in relation to every such Administration, be subject to all the Liabilities and Duties imposed on an Administrator by the Condition of the Bond prescribed by the said Act of the Twenty-second and Twenty-third Year of King *Charles* the Second.

Administrations granted to the late George Maule, as Nominee of Her Majesty, to be continued by the Solicitor of the Treasury for the Time being.

III. In every Case where Letters of Administration of any Personal Estate or Effects of any Intestate or other Person deceased have been granted to the said *George Maule* as the Nominee or for the Use and Benefit of any of Her Majesty's Predecessors, or as the Nominee of Her Majesty, or for the Use and Benefit of Her Majesty, and now remain unrevoked, such Letters of Administration shall not be deemed to have determined by his Decease, but such Administration and the Office of Administrator under the Grant, and all the Estates, Rights, Duties, and Liabilities vested in the said *George Maule* as such Administrator at the Time of his Decease, or which would have been vested in the said *George Maule* as such Administrator if living, shall, upon the passing of this Act, devolve upon and become vested and continue in the Solicitor for the Affairs of the Treasury for the Time being, with the like Succession and in like Manner as in case of the Administrations which may be granted to the Solicitor for the Affairs of the Treasury for the Time being in pursuance of this Act; and all Actions, Suits, Informations, and other Proceedings at Law or in Equity had, commenced, or taken by or against the said *George Maule* as Administrator under any such Administration, and pending at the Time of his Decease, shall not be deemed to have abated or been discontinued by the Decease of the said *George Maule*, but shall continue and take effect by, in favour of, and against the said Solicitor for the Time being for the Affairs of Her Majesty's Treasury, as the same would have continued and taken effect if such Administration had been granted to the said *George Maule* as Solicitor for the Time being of Her Majesty's Treasury under the Provisions of this Act.

Monies accruing under the Administrations and Forfeitures to be carried to a general Account.

IV. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment into a general Account, under such Arrangements as they shall think expedient, of all Monies accruing under Administrations granted to the Solicitor for the Affairs of the Treasury as Nominee of Her Majesty, or received by such Solicitor in respect of the Personal Estate of any deceased Person or of any forfeited Property accruing to Her Majesty by virtue of Her Prerogative; and it shall be lawful for the said Commissioners to cause to be transferred into an Account or Accounts which shall be opened in the Books of the Governor and Company of the Bank of *England*, in the Names of the Assistant Paymaster General and Solicitor of the Treasury for the Time being, all Stock and Annuities accruing under such Administrations as aforesaid, or recovered or received by such Solicitor, in respect of any such Personal Estate or forfeited Property accruing to Her Majesty as aforesaid, or to cause any Monies accruing or received as aforesaid to be laid out in the Purchase of Stock or Annuities, in the Names of such Assistant Paymaster General and Solicitor of the Treasury for the Time being; and all such Stock and Annuities so transferred and purchased respectively shall and may be transferred or sold from Time to Time as the Commissioners of Her Majesty's Treasury shall direct, and the Monies arising from any Sale thereof, and the Dividends accruing in respect of such Stock and Annuities for the Time being, shall be paid into such general Account as herein-before mentioned; and every Stock Account so opened in the Names of the said Assistant Paymaster General and Solicitor of the Treasury at the Bank of *England* shall be a public Account; and upon the Death, Resignation, or Removal of both or either of them the said Assistant Paymaster General and the Solicitor of the Treasury for the Time being, and upon the Appointment of their or his Successors or Successor, the Stock and Annuities standing in every such Stock Account shall vest in the then Assistant Paymaster General and the Solicitor of the Treasury jointly, and when and so long as the Office of One only of them the said Assistant Paymaster General and the Solicitor of the Treasury shall be vacant, the said Stock and Annuities respectively shall vest in the other of them the said Assistant Paymaster General or the Solicitor of the Treasury for the Time being, without any Transfer or Act in any of the Cases aforesaid.

Treasury to make Rules, &c. as to Payment of Monies into and out of the general Account, &c.

V. It shall be lawful for the Commissioners of Her Majesty's Treasury to make such Rules and Orders from Time to Time as they may think expedient as to the Payment of Monies into and out of the said general Account, and as to the Payment from Time to Time of such Monies as may not be required for the Purposes of such Account into the Consolidated Fund of the United Kingdom, and as to the Period after which any Monies or Personal Estate granted by Her Majesty or any of Her Predecessors out of Property accrued to the Crown by virtue of the Royal Prerogative, and for the Time being remaining unclaimed under the Grants thereof, shall be carried to and form Part of the Consolidated Fund.

VI. Where

Monies not claimed by Grantees of the Crown to be carried to the Consolidated Fund, and Claims afterwards established to be paid out of the Consolidated Fund.

VI. Where any Personal Estate of any Intestate or other Person deceased, or any forfeited Property, to which Her Majesty or any of Her Predecessors has become entitled by virtue of the Royal Prerogative, or any such Personal Estate or Property to which Her Majesty may hereafter become entitled in like Manner, or any Money out of any such Personal Estate or Property, has been granted by Her Majesty or any of Her Predecessors, or shall hereafter be granted by Her Majesty, to any Person, and such Personal Estate, Property, or Money shall not have been claimed by the Person entitled under the Grant within such Period as the Commissioners of Her Majesty's Treasury may from Time to Time, by their Rules or Orders in this Behalf, direct, it shall be lawful for the said Commissioners to cause such Personal Estate or Property, or the Money arising from the Conversion thereof, or the Money so granted and remaining unclaimed, to be paid into and form Part of the Consolidated Fund of the United Kingdom; and in case at any Time thereafter any Person shall show, to the Satisfaction of the said Commissioners, his Right or Title under such Grant to such Personal Estate or Property or Money so granted, or to any Part thereof, it shall be lawful for the said Commissioners to direct such Sum as shall have been paid into the Consolidated Fund under this Provision, or any Part thereof, to which such Person may have established his Title as aforesaid, to be paid to such Person out of the growing Produce of the said Consolidated Fund.

Executors of George Maule to transfer Trust Funds to the Trust Accounts; upon such Transfer Executors, &c. discharged from all Liabilities.

VII. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to authorize and direct the Executors of the said *George Maule* to pay and transfer into the Accounts to be opened as herein-before mentioned all Monies and Stock of which the said *George Maule* was at the Time of his Decease possessed under the several Administrations herein-before referred to, or otherwise, as the Nominee of Her Majesty or of any of Her Predecessors, and any Monies since received by such Executors in respect of any such Stock; and upon the Payment or Transfer of any such Monies or Stock, in pursuance of such Warrant, such Executors, and the Estate of the said *George Maule*, shall be absolutely discharged from all Liabilities, Claims, and Demands, at Law or in Equity, whatsoever, in respect of the Monies or Stock so paid or transferred, and in respect of the Property from the Conversion of which the same may have arisen; and all Persons having or claiming, or who otherwise might have or claim, any Right or Title, Claim or Demand whatsoever, at Law or in Equity, to or upon such Monies or Stock, or against or upon such Executors, or the Estate of the said *George Maule*, in respect thereof, or in respect of the Property from the Conversion of which the same may have arisen, shall and may prosecute their Rights, Titles, Claims, or Demands in respect of such Monies, Stock, or Property against the Solicitor for the Time being of Her Majesty's Treasury, in like Manner as in the Case of Monies and Stock or Property received or possessed by such Solicitor under an Administration to Her Majesty's Use granted under the Provisions of this Act; and it shall be lawful for the Commissioners of Her Majesty's Treasury to direct, in respect of such Rights, Titles, Claims, or Demands, such Payments or Transfers as Circumstances may require.

CAP. IV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [20th *April* 1852.]

[*This Act is the same, except as to Dates, as* 14 *&* 15 *Vict. c.* 10.]

CAP. V.

An Act further to explain and amend the Acts for the Regulation of Municipal Corporations in *England* and *Wales*, and in *Ireland*. [20th *April* 1852.]

5 & 6 W. 4. c. 76.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, it is (among other things) enacted, that no Person shall be qualified to be elected or to be a Councillor or an Alderman of any Borough during such Time as he shall have, directly or indirectly, by himself or his Partner, any Share or Interest in any Contract or Employment with, by, or on behalf of the Council of such Borough: And whereas by another Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty intituled *An Act for the Regulation of Municipal Corporations in* Ireland, it is (among other things) enacted, that no Person shall be qualified to be elected or to be a Councillor, or an Alderman, or a Municipal Commissioner of any Borough, during such Time as he shall have, directly or indirectly, by himself or his Partner, any Share or Interest in any Contract or Employment with, by, or on behalf of any such Council, Commissioners, or Charitable Trustees of such Borough: And whereas Doubts have arisen whether the said Enactments may not be deemed to extend to the Persons herein-after mentioned, and it is expedient that such Doubts should be removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

3 & 4 Vict. c. 108.

Proprietors of Newspapers not to be deemed

I. That from and after the passing of this Act no Person shall be deemed to have had or to have an Interest in a Contract or Employment with, by, or on behalf of such Council, Commissioners, or Trustees, by

by reason only of his having had or having a Share or Interest in any Newspaper in which any Advertisement relating to the Affairs of any such Borough, Council, Commissioners, or Trustees may have been or may hereafter be inserted. Contractors by reason of Advertisements.

II. That immediately from and after the passing of this Act it shall be lawful for any Person or Persons against whom any original Writ, Suit, Action, Plaint, or Information shall have been sued out, commenced, or prosecuted on or before the Day of the passing of this Act, for the Recovery of any pecuniary Penalty or Penalties incurred under the said Enactments, (by reason only of any Extension of the Words "Contract" or "Employment," therein contained, to the Case of any such Insertion of Advertisements in any Newspaper as aforesaid,) to apply to the Court in which such original Writ, Suit, Action, Bill, Plaint, or Information shall have been sued out, commenced, or prosecuted, or to any Judge of One of the Superior Courts at *Westminster* or *Dublin*, as the Case may be, for an Order that such Writ, Suit, Action, Bill, Plaint, or Information shall be discontinued, upon Payment of the Costs thereof out of Pocket incurred to the Time of such Application being made, such Costs to be taxed according to the Practice of such Court; and every such Court or Judge is hereby authorized and required, upon such Application, and Proof that sufficient Notice has been given to the Plaintiff or Plaintiffs, or to his or to their Attorney, of the Application, to make such Order as aforesaid, and upon the making such Order, and Payment or Tender of such Costs as aforesaid, such Writ, Suit, Action, Bill, Plaint, or Information shall be forthwith discontinued. Suits commenced for certain Penalties under recited Acts may be stayed on Payment of Costs out of Pocket.

III. Provided always, That in all Cases in which any such Writ, Suit, Action, Bill, Plaint, or Information sued out or commenced on or before the Fifth Day of *February* One thousand eight hundred and fifty-two shall have been renewed or continued before the passing of this Act, or upon which any Declaration shall have been filed or delivered, or other Proceedings had, after the said Fifth Day of *February*, and before the passing of this Act, it shall be lawful for such Court or Judge, upon such Application and Proof as aforesaid, to make such Order as aforesaid for discontinuing the same, upon Payment of the Costs out of Pocket of all Proceedings had on or before the said Fifth Day of *February*, to be taxed as aforesaid, and such Costs out of Pocket (if any) of any Proceedings had after the said Fifth Day of *February*, as the Court or Judge making such Order shall think fit to direct, and upon making such Order, and upon Payment or Tender of such Costs, such Writ, Suit, Action, Bill, Plaint, or Information shall be forthwith discontinued. Suits, &c. renewed or continued may be discontinued on Payment of Costs out of Pocket.

IV. Provided also, That in all Cases in which any such Writ, Suit, Action, Bill, Plaint, or Information shall have been sued out or commenced at any Time subsequent to the said Fifth Day of *February*, it shall be competent for such Court or Judge as aforesaid to make such Orders as aforesaid for discontinuing the same, without Payment of any Costs; and upon making such Order such Writ, Suit, Action, Bill, Plaint, or Information shall be forthwith discontinued. Court may make Order for discontinuing Suit, without Payment of Costs.

V. That nothing herein contained shall extend to any Action, Bill, Plaint, or Information, or any legal Proceeding of any kind whatsoever, in which any Judgment shall have passed on or before the Day of the passing of this Act, but such Proceedings may be thereupon had and taken, and any such Judgment may be dealt with in all respects, as if this Act had not passed. Judgments not to be affected.

VI. That from and after the passing of this Act no Municipal Commissioner, Councillor, Alderman, or Mayor, in any Municipal Corporation within the Provisions of either of the said Acts, shall be deemed to have been or to be disqualified to be elected or to be such Municipal Commissioner, Councillor, Alderman, or Mayor, by reason only of his having had or having any Share or Interest in any Newspaper in which any such Advertisement as aforesaid may have been or may be inserted, but all Elections of Municipal Commissioners, Councillors, Aldermen, or Mayors as aforesaid shall be deemed and taken to have been and to be valid (unless in Cases where Judgment may have been obtained before the passing of this Act) notwithstanding any such Share or Interest as aforesaid. Proprietors of Newspapers not disqualified from Election to Municipal Offices by reason of Advertisements, &c.

CAP. VI.

An Act for extending the Term of the provisional Registration of Inventions under "The Protection of Inventions Act, 1851." [20th *April* 1852.]

'WHEREAS by "The Protection of Inventions Act, 1851," it was provided, that the provisional 'Registration of any new Invention registered thereunder should continue in force for the Term of 'One Year from the Time of the same being so registered: And whereas it is expedient that the said 'Term should be extended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 Vict. c. 8.

I. The Registration of every Invention provisionally registered under the said Act shall continue in force until the First Day of *February* One thousand eight hundred and fifty-three, in like Manner, and with the like Effect and Consequences, as if every such Registration had been continued in force till that Day by the said Act, instead of for the Term of One Year from the Time of the Invention being registered as therein mentioned. Provisional Registration under the recited Act to continue in force till 1st Feb. 1853.

CAP. VII.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [20th *April* 1852.]

[*This Act is the same, except as to Dates and the Contents of it here inserted, as* 14 & 15 *Vict. c.* 6.]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by Her Majesty, and this present Parliament, that a Body of Forces should be continued, for the Safety of the United Kingdom, the Defence of the Possessions of Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred and one thousand nine hundred and thirty-seven Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his Peers and according to the known and established Laws of this Realm; yet nevertheless it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted, *&c.*

Numbers.

General Courts-martial.

VII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, and the Settlements on the Coast of *China*, and *Prince of Wales Island*, *Singapore*, and *Malacca*, shall consist of not less than Five Commissioned Officers; if convened in *Jamaica*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in Southern *Africa*, or in any Part out of the Queen's Dominions, excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

District or Garrison Courts-martial.

VIII. A District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in Southern *Africa*, *Saint Helena*, *Jamaica*, *Honduras*, *Newfoundland*, *New Zealand*, the *Australian* Colonies, the *Windward* and *Leeward* Islands, *British Guiana*, *Hong Kong*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in the Settlements on the Western Coast of *Africa*, where it may consist of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act: Provided always, that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

Proceedings at Trial.

XIV. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers; and if the Prisoner shall then object to the President, such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so as aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall have been made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate General or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Swearing and summoning Witnesses.

XV. All General and other Courts-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General, or his Deputy, or the Person officiating as Judge Advocate, and in the Case of all other Courts-martial, by the President of the Court; and all Persons

so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or attending upon or returning from such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or not produce the Documents under their Power or Control required to be produced by them, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or in Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness, after having been duly summoned or subpœnaed, had neglected to attend upon a Trial in any Proceeding in the Court in which such Complaint shall be made.

Previous Convictions to be put in Evidence.

XVI. After a Prisoner has been found guilty of any Charge or Charges, the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, when the Court-martial Book cannot conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in the Court-martial Book or in the Regimental or Company's Defaulters Book, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-after provided to the Officer commanding a Regiment by the Clerk of any such Court, or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him: Provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Crimes punishable with Death.

XIX. If any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's Service; or shall leave his Post before being regularly relieved; or shall be found sleeping on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his superior Military Officer, being in the Execution of his Office; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of Her Majesty's Dominions,

Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Embezzlement punishable by Transportation.

XXII. Every Paymaster or other Commissioned Officer of Her Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to Her Majesty's Forces or for Her Majesty's Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to be transported as a Felon, when such Sentence shall be confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, with Intent thereby to render himself or such other Soldier unfit for Service:

In tampering with his Eyes with Intent thereby to render himself unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXII. Any General, Garrison, or District Court-martial before which any Soldier shall be convicted of habitual Drunkenness shall deprive such Soldier of such Portion of his Pay, for such Period, not exceeding Two Years, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and every Regimental or Detachment Court-martial shall deprive a Soldier, convicted of a Charge of habitual Drunkenness, of such Portion of his additional or regular Pay, for such Period, not exceeding Six Months, and under such Restrictions and Regulations, as may accord with Her Majesty's Articles of War, subject to Restoration on subsequent good Conduct, and, in addition to such Deprivation of Pay, the Court may, if it shall think fit, sentence such Offender to any other Punishment which the Court may be competent to award: Provided always, that a Soldier so sentenced to the Forfeiture of Pay, who shall be quartered at or removed to a Station where Liquor forms Part of his Ration and is issued in Kind, shall be deprived of his Liquor in Kind instead of being deprived of One Penny of his daily Pay for so long a Time as he shall remain at such Station, and such Sentence of Forfeiture of Pay shall remain in force.

Power of Imprisonment by different Kinds of Courts-martial.

XXXVI. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days

Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Soldier may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement; provided that when any Court-martial, whether General, Garrison, or District, or Regimental or Detachment, shall direct that the Imprisonment shall be solitary only, the Periods shall in no Case exceed Fourteen Days.

Recovery of Penalties.

XCVI. All Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within* England *and* Wales, *with respect to summary Convictions and Orders*: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland*, for the Recovery of all such Penalties and Forfeitures, as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Sessions in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Parts of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

CAP. VIII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[20th *April* 1852.]

[*This Act is the same, except as to Dates and the Sections here inserted, as* 14 *&* 15 *Vict. c.* 5.]

The ordinary Course of Law not to be interfered with.

IV. Nothing in this Act shall be construed to extend to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law when accused of Felony, or when accused of any Misdemeanor committed with Violence to the Person, Estate, or Property of any of Her Majesty's Subjects punishable by the well-known Laws of the Land; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine, or who shall wilfully obstruct, neglect, or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

General Courts-martial.

VIII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, *Prince of Wales Island*, *Singapore*, and *Malacca*, and the Settlements on the Coast of *China*, shall consist of not less than Five Commissioned Officers; if convened in *Jamaica*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in Southern *Africa*, or in any Part out of the Queen's Dominions, excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

District or Garrison Courts-martial.

IX. A District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in Southern *Africa*, *Saint Helena*, *Jamaica*, *Honduras*, *Newfoundland*, *New Zealand*, the *Australian* Colonies, the *Windward* and *Leeward* Islands, *British Guiana*, *Hong Kong*, and the Settlements on the Coast of *China*, where it may consist of not less than Five Commissioned Officers, and in the Settlements on the Western Coast of *Africa*, where it may consist of not less than Three Commissioned Officers; and such Court-martial shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District

or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony, and that such Court-martial shall not have Power to try a Commissioned Officer, nor to pass any Sentence of Death or Transportation.

Proceedings at Trial.

XVI. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President such Objection shall be referred to the Decision of the Authority by whom such President shall have been appointed, but if he object to any Officer other than the President such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer, in respect of whom any Challenge shall have been made and allowed, shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

Previous Convictions to be put in Evidence.

XVIII. After a Prisoner has been found guilty of any Charge or Charges the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, when the Court-martial Book cannot conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in the Court-martial Book, or in the Divisional or Company's Defaulters Book, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Crimes punishable with Death.

XXI. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subject to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon

abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded.

Embezzlement punishable by Transportation.

XXIV. Every Officer and other Person employed in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to Her Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military or Royal Marine Stores, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to be transported as a Felon, when such Sentence shall be duly confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXXI. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Marine, whether at the Instance of such other Marine or not, with Intent thereby to render himself or such other Marine unfit for Service:

In tampering with his Eyes, with Intent thereby to render himself unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay and Liquor for habitual Drunkenness.

XXXIV. Any General, Garrison, or District Court-martial before which any Marine shall be convicted of habitual Drunkenness shall deprive such Marine of such Portion of his Pay for such Period not exceeding Two Years, and under such Restrictions and Regulations, as may accord with the Articles of War to be made in pursuance of this Act, subject to Restoration on subsequent good Conduct; and every Divisional or Detachment Court-martial shall deprive a Marine convicted of a Charge of habitual Drunkenness of such Portion of his additional or regular Pay for such Period not exceeding Six Months, and under such Restrictions and Regulations, as may accord with the said Articles of War, subject to Restoration on subsequent good Conduct; and in addition to such Deprivation of Pay the Court may, if it shall think fit, sentence such Offender to any other Punishment which the Court may be competent to award: Provided that a Marine so sentenced to the Forfeiture of Pay who shall be quartered or removed to a Station where Liquor forms a Part of his Ration, and is issued in Kind, shall be deprived of his Liquor in Kind, instead of being deprived of One Penny of his daily Pay, for so

long a Time as he shall remain in such Station, and such Sentence of Forfeiture of Pay shall remain in force.

Power of Imprisonment by different Kinds of Courts-martial.

XXXIX. A General or District or Garrison Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Marine may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement: Provided always, that when any Court-martial, whether General, Garrison, or District, or Divisional or Detachment, shall direct that the Imprisonment shall be solitary only, the Period shall in no Case exceed Fourteen Days.

Officers not to be Sheriffs or Mayors.

LVIII. No Person who shall be commissioned and in Full Pay as an Officer in the Royal Marine Forces, or who shall be employed in enlisting for such Forces, shall be capable of being nominated or elected to be Sheriff, Constable, or Overseer, Guardian of any Union, or any Officer of a like Description, of any County, Hundred, Riding, City, Borough, Town, Division, Parish, or other Place, or to be Mayor, Portreeve, Alderman, or shall be capable of holding any Office in any Municipal Corporation in any City, Borough, or Place in *Great Britain* or *Ireland*, or be summoned or shall serve as a Grand or Petit Juror or upon any Inquest, and any Summons for him to attend to serve as a Grand or Petit Juror or upon an Inquest shall be null and void; and every such Person is hereby exempted from Attendance and Service in accordance with any such Summons, and from all Fines, Pains, and Penalties for or in consequence of not attending or serving as aforesaid.

Billeting of Marines.

LIX. 'And whereas there is and may be Occasion for the marching and also for the quartering of 'the Royal Marine Forces when on shore:' Be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, or upon the Order or Orders in Writing in that Behalf under the Hand of any Colonel Commandant or Commanding Officer of any Division of Royal Marines, it shall be lawful for all Constables and other Persons specified in this Act in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished by such Victualler with proper Accommodation in such Houses, and with a separate Bed for each Marine, or if any Victualler shall not have sufficient Accommodation in the House upon which a Marine is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on their March shall any of them be billeted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in One and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situated: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present, or to the Non-commissioned Officer on the Spot; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person having Stables by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing

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the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided also, that to prevent or punish all Abuses in billeting Marines it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful for Constables to billet Officers and Marines in *Scotland* according to the Provisions of the Laws in force in *Scotland* as regards billeting Officers and Soldiers in the Royal Army at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*: Provided also, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Recovery of Penalties.

LXXXVI. All Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

CAP. IX.

An Act to disfranchise the Borough of *Saint Alban*. [3d *May* 1852.]

14 & 15 Vict. c. 106.

'WHEREAS an Act was passed in the last Session of Parliament "for appointing Commissioners to inquire into the Existence of Bribery in the Borough of *Saint Alban*," whereby, after reciting that there was reason to believe that the Practice of Bribery at Elections of Members to serve in Parliament for the Borough of *Saint Alban's* had long prevailed in the said Borough, and that Bribery to a great Extent had been systematically committed there at the last Election of a Member to serve in Parliament, certain Commissioners were therein named and appointed for inquiring into the Manner in which Elections of Members or a Member to serve in Parliament for the said Borough, and in particular the last Election of a Member, had been conducted, and whether any Bribery had been committed at such Elections or any of them, and into the Particulars of such alleged Bribery, as in the said Act is more fully set forth; and by the said Act the said Commissioners were directed from Time to Time to report to Her Majesty the Evidence which should be taken by them, and what they should find concerning the Premises: And whereas the said Commissioners made their Report in Writing to Her Majesty dated the Second Day of *February* in the Year One thousand eight hundred and fifty-two, and thereby, after detailing various corrupt and illegal Practices in relation to Elections of Members for the said Borough, finally reported that the Practice of Bribery at Elections of Members to serve in Parliament for the Borough of *Saint Alban's* had long prevailed in the said Borough, and that Bribery to a great Extent was systematically committed there at the last Election of a Member to serve in Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Borough of *Saint Alban's* in the County of *Hertford* shall from and after the passing of this Act cease to return any Members or Member to serve in Parliament.

The Borough of Saint Alban's to cease to return Members.

CAP.

CAP. X.

An Act for raising the Sum of Seventeen millions seven hundred and forty-two thousand eight hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-two. [3d *May* 1852.]

CAP. XI.

An Act to continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [3d *May* 1852.]

[11 & 12 *Vict. c.* 107. *continued until* 1st *September* 1853.]

CAP. XII.

An Act to enable Her Majesty to carry into effect a Convention with *France* on the Subject of Copyright; to extend and explain the International Copyright Acts; and to explain the Acts relating to Copyright in Engravings. [28th *May* 1852.]

7 & 8 Vict. c. 12.

'WHEREAS an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled 'An Act to amend the Law relating to International Copyright, herein-after called "The International Copyright Act:" And whereas a Convention has lately been concluded between Her Majesty 'and the *French* Republic, for extending in each Country the Enjoyment of Copyright in Works of 'Literature and the Fine Arts first published in the other, and for certain Reductions of Duties now 'levied on Books, Prints, and Musical Works published in *France:* And whereas certain of the Stipula- 'tions on the Part of Her Majesty contained in the said Treaty require the Authority of Parliament: And 'whereas it is expedient that such Authority should be given, and that Her Majesty should be enabled 'to make similar Stipulations in any Treaty on the Subject of Copyright which may hereafter be con- 'cluded with any Foreign Power:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Translations.

7 & 8 Vict. c. 12. s. 18. repealed.

I. The Eighteenth Section of the said Act of the Seventh Year of Her present Majesty, Chapter Twelve, shall be repealed, so far as the same is inconsistent with the Provisions herein-after contained.

Her Majesty may by Order in Council direct that Authors of Foreign Books may for a limited Time prevent unauthorized Translations.

II. Her Majesty may, by Order in Council, direct that the Authors of Books which are, after a future Time, to be specified in such Order, published in any Foreign Country, to be named in such Order, their Executors, Administrators, and Assigns, shall, subject to the Provisions herein-after contained or referred to, be empowered to prevent the Publication in the *British* Dominions of any Translations of such Books not authorized by them, for such Time as may be specified in such Order, not extending beyond the Expiration of Five Years from the Time at which the authorized Translations of such Books herein-after mentioned are respectively first published, and in the Case of Books published in Parts, not extending as to each Part beyond the Expiration of Five Years from the Time at which the authorized Translation of such Part is first published.

Thereupon the Law of Copyright shall extend to prevent such Translations.

III. Subject to any Provisions or Qualifications contained in such Order, and to the Provisions herein contained or referred to, the Laws and Enactments for the Time being in force for the Purpose of preventing the Infringement of Copyright in Books published in the *British* Dominions shall be applied for the Purpose of preventing the Publication of Translations of the Books to which such Order extends which are not sanctioned by the Authors of such Books, except only such Parts of the said Enactments as relate to the Delivery of Copies of Books for the Use of the *British Museum*, and for the Use of the other Libraries therein referred to.

And by Order in Council may direct that Authors of Foreign Dramatic Works may for a limited Time prevent unauthorized Translations.

IV. Her Majesty may, by Order in Council, direct that Authors of Dramatic Pieces which are, after a future Time, to be specified in such Order, first publicly represented in any Foreign Country, to be named in such Order, their Executors, Administrators, and Assigns, shall, subject to the Provisions herein-after mentioned or referred to, be empowered to prevent the Representation in the *British* Dominions of any Translation of such Dramatic Pieces not authorized by them, for such Time as may be specified in such Order, not extending beyond the Expiration of Five Years from the Time at which the authorized Translations of such Dramatic Pieces herein-after mentioned are first published or publicly represented.

Thereupon the Law for protecting their Representation shall extend to unauthorized Translations.

V. Subject to any Provisions or Qualifications contained in such last-mentioned Order, and to the Provisions herein-after contained or referred to, the Laws and Enactments for the Time being in force for ensuring to the Author of any Dramatic Piece first publicly represented in the *British* Dominions the sole Liberty of representing the same shall be applied for the Purpose of preventing the Representation of any Translations of the Dramatic Pieces to which such last-mentioned Order extends, which are not sanctioned by the Authors thereof.

Adaptations, &c. of Dramatic Pieces.

VI. Nothing herein contained shall be so construed as to prevent fair Imitations or Adaptations to the *English* Stage of any Dramatic Piece or Musical Composition published in any Foreign Country.

All Articles in Newspapers, &c. relating to

VII. Notwithstanding anything in the said International Copyright Act or in this Act contained, any Article of political Discussion which has been published in any Newspaper or Periodical in a Foreign Country may, if the Source from which the same is taken be acknowledged, be republished or translated in

in any Newspaper or Periodical in this Country; and any Article relating to any other Subject which has been so published as aforesaid may, if the Source from which the same is taken be acknowledged, be republished or translated in like Manner, unless the Author has signified his Intention of preserving the Copyright therein, and the Right of translating the same, in some conspicuous Part of the Newspaper or Periodical in which the same was first published, in which Case the same shall, without the Formalities required by the next following Section, receive the same Protection as is by virtue of the International Copyright Act or this Act extended to Books.

Politics, &c. may be republished or translated; unless Author has notified his Intention to reserve the Right.

VIII. No Author, or his Executors, Administrators, or Assigns, shall be entitled to the Benefit of this Act, or of any Order in Council issued in pursuance thereof, in respect of the Translation of any Book or Dramatic Piece, if the following Requisitions are not complied with; (that is to say,)

No Author to be entitled to Benefit of this Act without complying with the Requisitions herein specified.

1. The original Work from which the Translation is to be made must be registered and a Copy thereof deposited in the United Kingdom in the Manner required for original Works by the said International Copyright Act, within Three Calendar Months of its First Publication in the Foreign Country:
2. The Author must notify on the Title Page of the original Work, or if it is published in Parts, on the Title Page of the First Part, or if there is no Title Page, on some conspicuous Part of the Work, that it is his Intention to reserve the Right of translating it:
3. The Translation sanctioned by the Author, or a Part thereof, must be published either in the Country mentioned in the Order in Council by virtue of which it is to be protected or in the *British* Dominions, not later than One Year after the Registration and Deposit in the United Kingdom of the original Work, and the whole of such Translation must be published within Three Years of such Registration and Deposit:
4. Such Translation must be registered and a Copy thereof deposited in the United Kingdom within a Time to be mentioned in that Behalf in the Order by which it is protected, and in the Manner provided by the said International Copyright Act for the Registration and Deposit of original Works:
5. In the Case of Books published in Parts, each Part of the original Work must be registered and deposited in this Country in the Manner required by the said International Copyright within Three Months after the First Publication thereof in the Foreign Country:
6. In the Case of Dramatic Pieces the Translation sanctioned by the Author must be published within Three Calendar Months of the Registration of the original Work:
7. The above Requisitions shall apply to Articles originally published in Newspapers or Periodicals if the same be afterwards published in a separate Form, but shall not apply to such Articles as originally published.

Pirated Copies prohibited to be imported, except with Consent of Proprietor;

IX. All Copies of any Works of Literature or Art wherein there is any subsisting Copyright by virtue of the International Copyright Act and this Act, or of any Order in Council made in pursuance of such Acts or either of them, and which are printed, reprinted, or made in any Foreign Country except that in which such Work shall be first published, and all unauthorized Translations of any Book or Dramatic Piece the Publication or public Representation in the *British* Dominions of Translations whereof not authorized as in this Act mentioned shall for the Time being be prevented under any Order in Council made in pursuance of this Act, are hereby absolutely prohibited to be imported into any Part of the *British* Dominions, except by or with the Consent of the registered Proprietor of the Copyright of such Work or of such Book or Piece, or his Agent authorized in Writing; and the Provision of the Act of the Sixth Year of Her Majesty "to amend the Law of Copyright," for the Forfeiture, Seizure, and Destruction of any printed Book first published in the United Kingdom wherein there shall be Copyright, and reprinted in any Country out of the *British* Dominions, and imported into any Part of the *British* Dominions by any Person not being the Proprietor of the Copyright, or a Person authorized by such Proprietor, shall extend and be applicable to all Copies of any Works of Literature and Art, and to all Translations the Importation whereof into any Part of the *British* Dominions is prohibited under this Act.

Provisions of 5 & 6 Vict. c. 45. as to Forfeiture, &c. of pirated Works, &c. to extend to Works prohibited to be imported under this Act.

Incorporation with 7 & 8 Vict. c. 12.

X. The Provisions herein-before contained shall be incorporated with the International Copyright Act, and shall be read and construed therewith as One Act.

French Translations to be protected as herein-before mentioned, without further Order in Council.

XI. 'And whereas Her Majesty has already, by Order in Council under the said International Copyright Act, given effect to certain Stipulations contained in the said Convention with the *French* Republic; and it is expedient that the Remainder of the Stipulations on the Part of Her Majesty in the said Convention contained should take effect from the passing of this Act without any further Order in Council:' During the Continuance of the said Convention, and so long as the Order in Council already made under the said International Copyright Act remains in force, the Provisions herein-before contained shall apply to the said Convention, and to Translations of Books and Dramatic Pieces which are, after the passing of this Act, published or represented in *France*, in the same Manner as if Her Majesty had issued Her Order in Council in pursuance of this Act for giving effect to such Convention, and had therein directed that such Translations should be protected as herein-before mentioned for a Period of Five Years from the Date of the First Publication or public Representation thereof respectively, and as if a Period of Three Months from the Publication of such Translation were the Time mentioned in such Order as the Time within which the same must be registered and a Copy thereof deposited in the United Kingdom.

XII. 'And

Reduction of Duties.

Recital of 9 & 10 Vict. c. 58.

XII. 'And whereas an Act was passed in the Tenth Year of Her present Majesty, intituled *An Act 'to amend an Act of the Seventh and Eighth Years of Her present Majesty, for reducing, under certain 'Circumstances, the Duties payable upon Books and Engravings:* And whereas by the said Convention 'with the *French* Republic it was stipulated that the Duties on Books, Prints, and Drawings published 'in the Territories of the *French* Republic should be reduced to the Amounts specified in the Schedule to 'the said Act of the Tenth Year of Her present Majesty, Chapter Fifty-eight: And whereas Her Majesty 'has, in pursuance of the said Convention, and in exercise of the Powers given by the said Act, by 'Order in Council declared that such Duties shall be reduced accordingly: And whereas by the said 'Convention it was further stipulated that the said Rates of Duty should not be raised during the 'Continuance of the said Convention; and that if during the Continuance of the said Convention any 'Reduction of those Rates should be made in favour of Books, Prints, or Drawings published in any other 'Country, such Reduction should be at the same Time extended to similar Articles published in *France:* 'And whereas Doubts are entertained whether such last-mentioned Stipulations can be carried into 'effect without the Authority of Parliament:' Be it enacted, That the said Rates of Duty so reduced as aforesaid shall not be raised during the Continuance of the said Convention; and that if during the Continuance of the said Convention any further Reduction of such Rates is made in favour of Books, Prints, or Drawings published in any other Foreign Country, Her Majesty may, by Order in Council, declare that such Reduction shall be extended to similar Articles published in *France*, such Order to be made and published in the same Manner and to be subject to the same Provisions as Orders made in pursuance of the said Act of the Tenth Year of Her present Majesty, Chapter Fifty-eight.

Rates of Duty not to be raised during Continuance of Treaty, and if further Reduction is made for other Countries it may be extended to France.

XIII. 'And whereas Doubts have arisen as to the Construction of the Schedule of the Act of the 'Tenth Year of Her present Majesty, Chapter Fifty-eight:'

For Removal of Doubts as to Construction of Schedule to 9 & 10 Vict. c. 58.

It is hereby declared, That for the Purposes of the said Act every Work published in the Country of Export, of which Part has been originally produced in the United Kingdom, shall be deemed to be and be subject to the Duty payable on "Works originally produced in the United Kingdom, and republished in the Country of Export," although it contains also original Matter not produced in the United Kingdom, unless it shall be proved to the Satisfaction of the Commissioners of Her Majesty's Customs by the Importer, Consignee, or other Person entering the same that such original Matter is at least equal to the Part of the Work produced in the United Kingdom, in which Case the Work shall be subject only to the Duty on "Works not originally produced in the United Kingdom."

Lithographs, &c.

Recital of 8 G. 2. c. 13. 7 G. 3. c. 38. 17 G. 3. c. 57. 6 & 7 W. 4. c. 59.

XIV. 'And whereas by the Four several Acts of Parliament following; (that is to say,) an Act of the 'Eighth Year of the Reign of King *George* the Second, Chapter Thirteen; an Act of the Seventh Year 'of the Reign of King *George* the Third, Chapter Thirty-eight; an Act of the Seventeenth Year of the 'Reign of King *George* the Third, Chapter Fifty-seven; and an Act of the Seventh Year of King '*William* the Fourth, Chapter Fifty-nine, Provision is made for securing to every Person who invents, or 'designs, engraves, etches, or works in Mezzotinto or Chiaro-oscuro, or, from his own Work, Design, or 'Invention, causes or procures to be designed, engraved, etched, or worked in Mezzotinto or Chiaro-oscuro, 'any Historical Print or Prints, or any Print or Prints of any Portrait, Conversation, Landscape, or 'Architecture, Map, Chart, or Plan, or any other Print or Prints whatsoever, and to every Person who 'engraves, etches, or works in Mezzotinto or Chiaro-oscuro, or causes to be engraved, etched, or worked 'any Print taken from any Picture, Drawing, Model, or Sculpture, notwithstanding such Print has not 'been graven or drawn from his own original Design, certain Copyrights therein defined: And whereas 'Doubts are entertained whether the Provisions of the said Acts extend to Lithographs and certain 'other Impressions, and it is expedient to remove such Doubts:'

For Removal of Doubts as to Lithographs, Prints, &c.

It is hereby declared, That the Provisions of the said Acts are intended to include Prints taken by Lithography, or any other mechanical Process by which Prints or Impressions of Drawings or Designs are capable of being multiplied indefinitely, and the said Acts shall be construed accordingly.

CAP. XIII.

An Act to amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland*. [28th *May* 1852.]

5 & 6 W. 4. c. 27.

'WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of 'the Reign of His Majesty King *William* the Fourth, intituled *An Act to continue and amend 'certain Regulations for the Linen and Hempen Manufactures in* Ireland: And whereas an Act was 'passed in the Session of Parliament held in the Third and Fourth Years of Her present Majesty,

3 & 4 Vict. c. 91.

'intituled *An Act for the more effectual Prevention of Frauds and Abuses committed by Weavers, 'Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manu- 'factures in* Ireland, *and for the better Payment of their Wages, for One Year, and from thence to the 'End of the then next Session of Parliament:* And whereas an Act was passed in the Session of Par-

5 & 6 Vict. c. 68.

'liament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to 'amend, and continue to the Twenty-seventh Day of* July *One thousand eight hundred and forty-three, 'and to the End of the next Session of Parliament, an Act of the Third and Fourth Years of Her 'present Majesty, for the more effectual Prevention of Frauds and Abuses committed by Weavers, 'Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manu- 'factures in* Ireland, *and for the better Payment of their Wages:* And whereas an Act was passed in

'the

'the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present 'Majesty, intituled *An Act to amend and continue for Five Years, and to the End of the next Session of* 7 & 8 Vict. c. 47.
'*Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in* Ireland: And whereas 'an Act was passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her 'present Majesty's Reign, Chapter Forty-eight, whereby the said herein-before recited Acts were 'continued as therein mentioned: And whereas it is expedient that the first herein-before recited Act, 'and the secondly and thirdly and fourthly herein-before recited Acts, should be further continued, 'subject to the respective Amendments thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first herein-before recited Act, except as to such Parts thereof as have been repealed by the said secondly herein-before recited Act, and subject to the Amendments thereof in the said subsequent recited Acts contained, and the said secondly and thirdly and fourthly herein-before recited Acts, subject to the respective Amendments thereof, shall be continued and shall be and remain in force from the passing of this Act for One Year, and until the End of the then next Session of Parliament.

Continuation of Acts for One Year and to the End of the next Session.

CAP. XIV.

An Act to continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. [28th *May* 1852.]

'WHEREAS by an Act passed in the Fifteenth Year of Her Majesty, Chapter One hundred and 14 & 15 Vict.
'five, certain Provisions made by the several Acts therein referred to for charging upon the c. 105.
'Common Fund of the Union the Costs of the Relief and the Expenses of the Burial of certain poor 'Persons in the several Acts described, and the Costs of removing and maintaining certain lunatic 'Paupers, were continued until the Thirtieth Day of *September* One thousand eight hundred and fifty-'two, and to the End of the then next Session of Parliament, and it is expedient that all the said Pro-'visions should be continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the said several temporary Provisions in the said Acts above referred to shall continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament.

Temporary Provisions of recited Act further continued.

CAP XV.

An Act to continue an Act to amend the Laws relating to Loan Societies. [28th *May* 1852.]

[3 & 4 *Vict. c.* 110. *continued until* 1*st October* 1853.]

CAP. XVI.

An Act to amend the Acts relating to the Repayment of Advances made to Districts in *Ireland*. [28th *May* 1852.]

'WHEREAS under the Provisions of an Act passed in the Thirteenth Year of Her Majesty, 'intituled *An Act to authorize a further Advance of Money to certain distressed Poor Law* 13 & 14 Vict.
'*Unions, and to make Provision for the Repayment of Advances made and authorized to be made to* c. 14.
'*Poor Law Unions and other Districts in* Ireland, and by several Orders under the Seal of the Com-'missioners for administering the Laws for Relief of the Poor in *Ireland*, Annuities have been charged 'on several Electoral Divisions, Townlands, and other Denominations and Places in several Unions in '*Ireland*: And whereas, upon Representations contained in Memorials from many Unions in *Ireland* 'of the Pressure upon the local Resources of several Electoral Divisions on account of the necessary 'Expenditure for the Relief of the Poor, and in anticipation of a Measure to be submitted to Parlia-'ment, the Commissioners of Her Majesty's Treasury, by a Minute dated the Twenty-first Day of '*October* One thousand eight hundred and fifty-one, authorized the said Poor Law Commissioners in '*Ireland* to direct the Treasurer of any Union in *Ireland* to retain in his Hand any Sum which he 'might have received from or on account of any Electoral Division in which the Expenditure for the 'Relief of the Poor in the Year ending the Twenty-ninth Day of *September* One thousand eight 'hundred and fifty-one had amounted to Four Shillings in the Pound on the Valuation then in force, 'and not to pay over to the Paymaster of Civil Services in *Ireland* the Annuity due from such 'Electoral Division for the current Year, and where the Annuity for the current Year, added to such 'Expenditure, amounted, for any Electoral Division, to a Sum exceeding Four Shillings in the Pound 'on such Valuation, to pay over to the Paymaster of Civil Services such Sum only in respect of the 'Annuity as, together with the Charge for Relief of the Poor in the past Year, would amount to Four 'Shillings in the Pound, and to retain the Remainder in his own Hands: And whereas it is expedient 'that the Directions contained in the said Minute of the Commissioners of the Treasury should be 'confirmed, and that the Sums retained in respect of Annuities should be remitted:' Be it enacted by the

Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Treasury Minute of 21st Oct. 1851 confirmed.

I. The said Minute of the Commissioners of Her Majesty's Treasury shall be valid; and the Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, and the Treasurers of Unions, and others, who may have acted in pursuance of the Directions of the said Minute, shall be acquitted and saved harmless in respect of their Acts, in pursuance of the said Minute; and all such Sums as are by the said Minute, and the Directions of the Commissioners for administering the Laws for Relief of the Poor in *Ireland* (in pursuance of such Minute), authorized to be retained in the Hands of the several Treasurers of Unions in *Ireland* to which such Minute and Directions relate, shall be carried by such respective Treasurers to the Credit of the several Electoral Divisions from the Rates of which such Sums may have been or may be reserved; and the Sums payable in the Year One thousand eight hundred and fifty-one in respect of the Annuities mentioned in such Minute and Directions, where the Treasurers under the Terms of such Minute and Directions are not to pay over to the Paymaster of Civil Services any Part thereof, and the Parts of the Sums so payable which the Treasurers were authorized to retain where they were authorized to retain Parts only thereof, shall be remitted, and deemed to be discharged without further Payment.

Orders of Poor Law Commissioners amending previous Orders founded on erroneous Valuations of Property confirmed.

II. 'And whereas in some Cases the Amount of Annuity charged upon Electoral Divisions, Townlands, 'or other Denominations by Orders under the Seal of the Commissioners for administering the Laws for 'Relief of the Poor in *Ireland*, under the Provisions of the said recited Act, exceeded and in other Cases 'was less than the Proportion of the consolidated Liabilities which ought to have been charged on such 'Electoral Divisions, Townlands, or other Denominations, such Proportion having been calculated upon 'Returns of the net annual Value of the Property rated for the Relief of the Poor according to the 'Valuation which was in force at the Date of the passing of the said Act, which Returns were afterwards 'found to be erroneous, and the said last-mentioned Commissioners have, under the Directions of the 'Commissioners of Her Majesty's Treasury, issued further Orders under their Seal amending the Orders 'originally issued in relation to such Electoral Divisions, Townlands, or other Denominations as aforesaid:'

Such last-mentioned Orders shall be and are hereby declared to be as valid and effectual as if the Amendments thereby declared to be made had formed Part of the Orders originally issued to such Unions under the Provisions of the said Act, although the total Amount of the Annuities payable by or from the Union in which such Electoral Divisions, Townlands, or other Denominations are comprised may be altered by such amending Orders.

Power to Treasury to cause erroneous Charges to be corrected.

III. If it shall hereafter appear to the said Commissioners of Her Majesty's Treasury, that through Error in the Returns which were adopted as the Basis of the Apportionment of the said consolidated Debts and Liabilities, or by reason of any other Cause shown to the Satisfaction of the said Commissioners, any Electoral Division, Townland, or other Denomination shall be charged with a greater or less Proportion of the said consolidated Debts and Liabilities than that with which it shall appear to the Commissioners of Her Majesty's Treasury such Electoral Division, Townland, or other Denomination is justly chargeable, it shall be lawful for the said Commissioners of Her Majesty's Treasury to cause such Proportion to be re-calculated, and the Annuity previously charged in respect thereof to be altered as to the said Commissioners of Her Majesty's Treasury shall seem just; and the Commissioners for administering the Laws for Relief of the Poor in *Ireland*, upon receiving from the said Commissioners of Her Majesty's Treasury a Statement of the Annuities which should be charged upon any Townland or Electoral Division in lieu of the Annuities previously charged thereon, shall issue an Order under their Seal amending and altering any Order previously issued by them in respect to the Amount, Duration, or Day of Payment of the Annuities previously charged on the several Electoral Divisions, Townlands, or other Denominations, and Places, as the said Commissioners of Her Majesty's Treasury may direct.

Poor Law Commissioners may cause Adjustments to be made for the Indemnification of Electoral Divisions, &c. who may have paid more than their due Proportion of Charges.

IV. In any Case in which a Rate or Rates shall have been made, containing or including Provision for Payment of the Annuity charged upon any Electoral Division, Townland, or other Denomination previously to the Issue of such last-mentioned Orders of the said Commissioners for administering the Laws for Relief of the Poor in *Ireland*, it shall be lawful for the said Commissioners of Her Majesty's Treasury to direct that such Adjustment and Indemnification of the Electoral Division, Townland, or other Denomination so erroneously charged shall be made as the Circumstances of the Case may, after due Inquiry and Examination, appear to require; and the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* shall issue under their Seal such Order or Orders, addressed to the Guardians of the Union in which such Electoral Division, Townland, or other Denomination may be situated, providing for such Adjustment or Indemnification, by reducing or increasing the Amount of the then next or of any subsequent Payment or Payments of the Annuity chargeable on any such Electoral Division, Townland, or other Denomination, as the said Commissioners of Her Majesty's Treasury shall direct and approve.

Power to Poor Law Commissioners to rescind Orders, and act upon further Directions of the Treasury.

V. It shall be lawful for the said Commissioners for administering the Laws for Relief of the Poor in *Ireland* to rescind any Order under their Seal which shall have been issued by them in pursuance of the Provisions of the said Act or of this Act, and to receive and act upon the further Directions of the said Commissioners of Her Majesty's Treasury in respect of any Matter contained in the said Order; and every such Order which shall have been rescinded by them before the passing of this Act shall be deemed to have been as duly rescinded as if this Act had then been passed.

CAP. XVII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*. [28th *May* 1852.]

'WHEREAS an Act was passed in the Session holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law as to Ecclesiastical Jurisdiction in* England, by which it was enacted, that certain of the Provisions therein contained should continue until the First Day of *August* One thousand eight hundred and forty-eight, and, if Parliament were then sitting, until the End of the then Session of Parliament; and such Provisions have been continued by sundry Acts until the First Day of *August* One thousand eight hundred and fifty-two, and to the End of the then next Session of Parliament: And whereas it is expedient that the said Provisions should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisions of the said Act shall continue until the First Day of *August* One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament. 10 & 11 Vict. c. 98. Certain Provisions of recited Act further continued.

CAP. XVIII.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. [28th *May* 1852.]

[3 & 4 *Vict. c.* 89. *continued until* 1*st Oct.* 1853.]

CAP. XIX.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads. [28th *May* 1852.]

[4 & 5 *Vict. c.* 59. *continued until* 1*st Oct.* 1853.]

CAP. XX.

An Act to continue the Duties on Profits arising from Property, Professions, Trades, and Offices. [28th *May* 1852.]

'Most Gracious Sovereign,

'WHEREAS by an Act passed in the Fifth and Sixth Years of Your Majesty's Reign, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices until the Sixth Day of* April *One thousand eight hundred and forty-five*, certain Rates and Duties arising from Property, Professions, Trades, and Offices were granted to Your Majesty for a Term therein limited and now expired; and by Three several Acts passed respectively in the Eighth, Eleventh, and Fourteenth Years of Your Majesty's Reign the same Rates and Duties were continued for Three several and successive Terms, the latter of such Terms expiring with the Fifth Day of *April* One thousand eight hundred and fifty-two:' We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public Expenses, have freely and voluntarily resolved to continue the said Rates and Duties, and to grant the same to Your Majesty for the Period herein-after limited; and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That— 5 & 6 Vict. c. 35. 8 & 9 Vict. c. 4. 11 & 12 Vict. c. 8. 14 & 15 Vict. c. 12.

I. The several Rates and Duties by the said first-recited Act granted shall be and the same are hereby continued, and shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, from and after the Fifth Day of *April* One thousand eight hundred and fifty-two, for the Term of One Year thence next ensuing, and until the Assessments made or which ought to be made for the said last-mentioned Term, or for any preceding Year, shall be completed, collected, levied, and paid. Rates and Duties granted by first-recited Act further continued for One Year.

II. The said first-recited Act, and all and every other Act and Acts in force upon or immediately before the Fifth Day of *April* One thousand eight hundred and fifty-two in relation to the Duties granted by the said first-recited Act, shall severally be continued and remain in full Force and Effect in relation to the Duties hereby continued and granted as aforesaid; and all and every the Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Acts or any of them, and in force as aforesaid, shall (so far as the same shall be consistent with and shall not be superseded by the express Provisions of this Act) severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties hereby continued and granted, as well during the Term herein limited as after the Expiration thereof respectively, for assessing, levying, recovering, paying, deducting, and accounting for the said Duties and all Arrears thereof, and for re-assessing the same in default of Payment, and for granting any Abatement or Relief from Over-payment thereof, First-recited Act and the several other Acts continued in force.

thereof, and also the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred in relation to the said Duties, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby continued and granted as aforesaid.

5 & 6 Vict. c. 35. s. 87.

III. 'And whereas under and by virtue of the said several recited Acts, the Assessments made for the 'First Year of the respective Terms of Three Years in the said Acts mentioned of the Duties chargeable 'under the respective Schedules (A.) and (B.) of the said first-recited Act, were continued in force for the 'Space of Three Years, under and subject to certain Rules, Regulations, and Conditions in that Behalf 'specified in the said Acts:'

Assessments under Schedules (A.) and (B.) for the Year ending 5th April 1852 to be in force for the succeeding Year.

The Assessments of the same Duties made for the Year expiring on the Fifth Day of *April* One thousand eight hundred and fifty-two shall in like Manner be and remain in force as, and be deemed and taken to be, the Assessments for the Year commencing from and after the said last-mentioned Day, and shall be collected and levied accordingly; nevertheless under and subject to the same Rules, Regulations, and Conditions as are specified in the said Acts respectively with regard to the Assessments made under the same Schedules for the respective Terms of Three Years as before recited.

CAP. XXI.

An Act to continue the Stamp Duties granted by an Act of the Fifth and Sixth Years of Her present Majesty, to assimilate the Stamp Duties in *Great Britain* and *Ireland*, and to make Regulations for collecting and managing the same. [17th *June* 1852.]

'Most Gracious Sovereign,

5 & 6 Vict. c. 82.

'WHEREAS by an Act passed in the Fifth and Sixth Years of Your Majesty's Reign, intituled *An 'Act to assimilate the Stamp Duties in* Great Britain *and* Ireland, *and to make Regulations for 'collecting and managing the same, until the Tenth Day of* October *One thousand eight hundred and 'forty-five*, certain Rates and Duties denominated Stamp Duties were granted to Your Majesty for a 'Term therein limited and now expired; and by Three several Acts passed respectively in the Eighth, 'Eleventh, and Fourteenth Years of Your Majesty's Reign, the same Rates and Duties were continued 'for Three several and successive Terms, the latter of which will expire on the Tenth Day of *October* 'One thousand eight hundred and fifty-two:' We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses, have freely and voluntarily resolved to continue the said Rates and Duties, and to grant the same to Your Majesty for the Period herein-after mentioned; and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

8 & 9 Vict. c. 2.
11 & 12 Vict. c. 9.
14 & 15 Vict. c. 18.

Duties continued for One Year.

I. All the several Sums of Money and Duties and Composition for Duties granted by the said first-recited Act, and not repealed by any subsequent Act, and also all Duties now payable in lieu or instead of any of the said Duties which may have been so repealed shall be and the same are hereby continued, and shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, for the Term of One Year, to commence on and to be computed from the Tenth Day of *October* One thousand eight hundred and fifty-two.

First-recited Act and other Acts continued in force.

II. The said first-recited Act, and all and every other Act and Acts now in force in relation to the Duties and Composition for Duties which are continued by this Act, shall severally be continued and remain in full Force in all respects in relation to the said Duties and Composition for Duties hereby continued and granted, and all and every the Powers and Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things, contained in the said Acts or any of them, and in force as aforesaid, shall severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties and Composition for Duties hereby continued and granted, as well during the Term herein limited as after the Expiration thereof, for the charging, raising, levying, paying, accounting for, and securing of the said Duties and Composition for Duties, and all Arrears thereof, and for the preventing, detecting, and punishing of all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties and Compositions for Duties hereby granted.

CAP. XXII.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland*. [17th *June* 1852.]

4 & 5 Vict. c. 6.
14 & 15 Vict. c. 44.

'WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* 'were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of 'the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas 'the said Acts were further continued from Time to Time, save as specially excepted: And whereas, 'under the Provisions of an Act of the last Session of Parliament, the said Acts, save as therein 'excepted, are further continued, and will remain in force until the Thirty-first Day of *July* in the 'present

'present Year, or, if Parliament be then sitting, until the End of the then Session of Parliament: And 'whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads 'in *Ireland* should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Acts for making, &c. Turnpike Roads in Ireland, which will expire on 31st July 1852, &c. further continued.

I. That any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present or next ensuing Session of Parliament, or before the Thirty-first Day of *July* One thousand eight hundred and fifty-three, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the Thirty-first Day of *July* One thousand eight hundred and fifty-three, or, if Parliament be then sitting, until the End of the then Session of Parliament.

Acts 38 G. 3. c. 22. and 39 G. 3. c. 52. continued till 1st October 1853.

II. Provided always, That an Act of the Thirty-eighth Year of His late Majesty *George* the Third, intituled *An Act for improving and repairing the Turnpike Roads leading from the City of* Cork *to the Brook which bounds the Counties of* Cork *and* Tipperary, *near the Foot of* Kilworth Mountain, *and for repealing the several Laws heretofore made relating to the said Act*, and also an Act of the Thirty-ninth *George* the Third, to explain and amend the said Act passed in the Thirty-eighth Year of the Reign of His said late Majesty, shall be continued until the First Day of *October* in the Year of our Lord One thousand eight hundred and fifty-three, and no longer, unless Parliament shall in the meantime further continue the said Acts.

Nothing in this Act to apply to 7 G. 4. c. xxvi.

III. Provided always, That nothing herein contained shall extend or apply to an Act of the Seventh Year of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road leading from the Bounds of the Counties of* Limerick *and* Cork, *between the Towns of* Kilmallock *and* Charleville, *to the City of* Cork.

CAP. XXIII.

An Act to shorten the Time required for assembling Parliament after a Dissolution thereof.

[17th *June* 1852.]

'WHEREAS the Time required by Law to intervene between the Date of the Proclamation for 'assembling Parliament and the Day appointed for the Meeting thereof may be reasonably 'shortened:' Be it declared and enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so often as Her Majesty shall, by Her Royal Proclamation, appoint a Time for the First Meeting of the Parliament of the United Kingdom of *Great Britain* and *Ireland* after a Dissolution thereof, the Time so to be appointed may be any Time not less than Thirty-five Days after the Date of such Proclamation, the Act of the Fifth Year of Queen *Anne*, Chapter Eight, or the Act of the Seventh and Eighth Years of *William* the Third, Chapter Twenty-five, or any other Law or Usage, to the contrary notwithstanding.

Parliament may be appointed to meet 35 Days after the Date of the Proclamation.

CAP. XXIV.

An Act for the Amendment of an Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for the Amendment of the Laws with respect to Wills.*

[17th *June* 1852.]

'WHEREAS the Laws with respect to the Execution of Wills require further Amendment:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same (as follows):

1 Vict. c. 26.

I. Where by an Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for the Amendment of the Laws with respect to Wills*, it is enacted, that no Will shall be valid unless it shall be signed at the Foot or End thereof by the Testator, or by some other Person in his Presence, and by his Direction: Every Will shall, so far only as regards the Position of the Signature of the Testator, or of the Person signing for him as aforesaid, be deemed to be valid within the said Enactment, as explained by this Act, if the Signature shall be so placed at or after, or following, or under, or beside, or opposite to the End of the Will, that it shall be apparent on the Face of the Will that the Testator intended to give Effect by such his Signature to the Writing signed as his Will, and that no such Will shall be affected by the Circumstance that the Signature shall not follow or be immediately after the Foot or End of the Will, or by the Circumstance that a blank Space shall intervene between the concluding Word of the Will and the Signature, or by the Circumstance that the Signature shall be placed among the Words of the Testimonium Clause or of the Clause of Attestation, or shall follow or be after or under the Clause of Attestation, either with or without a blank Space intervening, or shall follow or be after, or under, or beside the Names or One of the Names of the subscribing Witnesses, or by the Circumstance that the Signature shall be on a Side or Page or other Portion of the Paper or Papers containing the Will whereon no Clause or Paragraph or disposing Part of the Will shall be written above the Signature, or by the Circumstance that there shall appear to be sufficient Space on or at the Bottom

When Signature to a Will shall be deemed valid.

of

of the preceding Side or Page or other Portion of the same Paper on which the Will is written to contain the Signature; and the Enumeration of the above Circumstances shall not restrict the Generality of the above Enactment; but no Signature under the said Act or this Act shall be operative to give Effect to any Disposition or Direction which is underneath or which follows it, nor shall it give Effect to any Disposition or Direction inserted after the Signature shall be made.

Act to extend to certain Wills already made.

II. The Provisions of this Act shall extend and be applied to every Will already made, where Administration or Probate has not already been granted or ordered by a Court of competent Jurisdiction in consequence of the defective Execution of such Will, or where the Property, not being within the Jurisdiction of the Ecclesiastical Courts, has not been possessed or enjoyed by some Person or Persons claiming to be entitled thereto in consequence of the defective Execution of such Will, or the Right thereto shall not have been decided to be in some other Person or Persons than the Persons claiming under the Will, by a Court of competent Jurisdiction, in consequence of the defective Execution of such Will.

Interpretation of "Will."

III. The Word "Will" shall in the Construction of this Act be interpreted in like Manner as the same is directed to be interpreted under the Provisions in this Behalf contained in the said Act of the First Year of the Reign of Her Majesty Queen *Victoria*.

Short Title.

IV. This Act may be cited as "The Wills Act Amendment Act, 1852."

CAP. XXV.

An Act to amend an Act for registering Births, Deaths, and Marriages in *England*. [17th *June* 1852.]

6 & 7 W. 4. c. 86.

'WHEREAS by an Act passed in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in* England, His Majesty was empowered to provide a proper Office in *London* or *Westminster*, to be called "the General Register Office," for keeping a Register of all Births, Deaths, and Marriages of His Majesty's Subjects in *England:* And whereas under the Authority of the said Act an Office, called "the General Register Office," was provided in *Somerset Place* in the *Strand;* and it has become necessary for the Public Service that such Office should be removed from *Somerset Place*, and that another Office should be provided in lieu thereof; but Doubts have arisen whether such Office ought not by the said recited Act to be provided in the City of *London* or in the City or Liberty of *Westminster*, and not elsewhere;' to remove which Doubts, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty, Her Heirs or Successors, from Time to Time to provide a proper Office, to be called "The General Register Office," in such Place or Places as may appear to the Commissioners of Her Majesty's Treasury for the Time being to be fit and convenient for the Purpose, anything in the said recited Act or in any other Act of Parliament, or otherwise, to the contrary notwithstanding.

For providing a General Register Office.

CAP. XXVI.

An Act to enable Her Majesty to carry into effect Arrangements made with Foreign Powers for the Apprehension of Seamen who desert from their Ships. [17th *June* 1852.]

'WHEREAS Arrangements have been made with certain Foreign Powers for the Recovery of Seamen deserting from the Ships of such Powers when in *British* Ports, and for the Recovery of Seamen deserting from *British* Ships when in the Ports of such Powers: And whereas it is expedient to enable Her Majesty to carry such Arrangements into effect, and likewise to enable Her Majesty to carry into effect any similar Arrangements of a like Nature which may be made hereafter:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty may by Order in Council declare that Deserters from Foreign Ships may be apprehended and given up.

I. Whenever it is made to appear to Her Majesty that due Facilities are or will be given for recovering and apprehending Seamen who desert from *British* Merchant Ships in the Territories of any Foreign Power, Her Majesty may, by Order in Council stating that such Facilities are or will be given, declare that Seamen, not being Slaves, who desert from Merchant Ships belonging to a Subject of such Power, when within Her Majesty's Dominions or the Territories of the *East India* Company, shall be liable to be apprehended and carried on board their respective Ships, and may limit the Operation of such Order, and may render the Operation thereof subject to such Conditions and Qualifications, if any, as may be deemed expedient.

Upon Publication of Order in Council Justices shall aid in recovering Deserters from the Ships of Foreign Powers,

II. Upon such Publication as herein-after mentioned of any such Order in Council, then, during such Time as the same remains in force, and subject to such Limitations and Qualifications, if any, as may be therein contained, every Justice of the Peace or other Officer having Jurisdiction in the Case of Seamen who desert from *British* Merchant Ships in Her Majesty's Dominions or in the Territories of the *East India* Company shall, on Application being made by a Consul of the Foreign Power to which such Order in Council relates, or his Deputy or Representative, aid in apprehending any Seaman or Apprentice who deserts from any Merchant Ship belonging to a Subject of such Power, and may for that Purpose,

Purpose, upon Complaint on Oath duly made, issue his Warrant for the Apprehension of any such Deserter, and, upon due Proof of the Desertion, order him to be conveyed on board the Vessel to which he belongs, or to be delivered to the Master or Mate of such Vessel, or to the Owner of such Vessel or his Agent, to be so conveyed; and thereupon it shall be lawful for the Person ordered to convey such Deserter, or for the Master or Mate of such Vessel, or the Owner or his Agent, (as the Case may require,) to convey him on board accordingly. and may apprehend them, and send them on board.

III. If any Person protects or harbours any Deserter who is liable to be apprehended under this Act, knowing or having Reason to believe that he has deserted, such Person shall for every Offence be liable to a Penalty not exceeding Ten Pounds, and every such Penalty shall be recovered, paid, and applied in the same Manner as Penalties for harbouring or protecting Deserters from *British* Merchant Ships. Penalty on Persons harbouring such Deserters.

IV. Every Order in Council to be made under the Authority of this Act shall be published in the *London Gazette* as soon as may be after the making thereof. Orders published in London Gazette.

V. Her Majesty may by Order in Council from Time to Time revoke or alter any Order in Council previously made under the Authority of this Act. Orders may be revoked, &c.

VI. This Act may be cited as the "Foreign Deserters Act, 1852." Short Title.

CAP. XXVII.

An Act to amend the Law of Evidence in *Scotland*. [17th *June* 1852.]

'WHEREAS it is expedient to alter and amend the Law of Evidence in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; *viz*.

I. No Person adduced as a Witness in *Scotland* before any Court or before any Person having by Law or by Consent of Parties Authority to take Evidence, shall be excluded from giving Evidence, by reason of having been convicted of or having suffered Punishment for Crime, or by reason of Interest, or by reason of Agency or of partial Counsel, or by reason of having appeared without Citation, or by reason of having been precognosced subsequently to the Date of Citation; but every Person so adduced, who is not otherwise by Law disqualified from giving Evidence, shall be admissible as a Witness, and shall be admitted to give Evidence as aforesaid, notwithstanding of any Objections offered on the above-mentioned Grounds: Provided always, that nothing herein contained shall affect the Right of any Party in the Action or Proceeding in which such Witness shall be adduced to examine him on any Point tending to affect his Credibility: Provided also, that it shall not be competent to adduce as a Witness in any Action or Proceeding any Person who shall at the Time when he is so adduced as a Witness be acting as Agent in the Action or Proceeding in which he is so adduced, excepting in so far as the same may be competent by the existing Law and Practice of *Scotland;* and where any Person who is or has been an Agent shall be adduced and examined as a Witness for his Client, touching any Matter or Thing, to prove which he could not competently have been adduced and examined according to the existing Law and Practice of *Scotland*, it shall not be competent to the Party adducing such Witness to object, on the Ground of Confidentiality, to any Question proposed to be put to such Witness on Matter pertinent to the Issue. Witnesses not to be excluded by reason of Crime, &c. Right to examine Witnesses as to Credibility not affected. Not competent to adduce as a Witness any Person who shall be Agent in the Action. Where any Person adduced has been an Agent no Plea of Confidentiality allowable.

II. It shall be competent to adduce and to examine as a Witness as aforesaid in any Action or Proceeding any Party to such Action or Proceeding, even although individually named in the Record or Proceeding, unless it shall be shown to the Satisfaction of the Court, or of the Person having Authority to take Evidence as aforesaid, that such Party has a substantial Interest in such Action or Proceeding, and is not merely nominally a Party thereto. Party to an Action may be adduced as a Witness, unless interested.

III. It shall be competent to examine any Witness who may be adduced in any Action or Proceeding as to whether he has on any specified Occasion made a Statement on any Matter pertinent to the Issue different from the Evidence given by him in such Action or Proceeding; and it shall be competent in the course of such Action or Proceeding to adduce Evidence to prove that such Witness has made such different Statement on the Occasion specified. Witness may be examined as to having made a different Statement.

IV. It shall be competent to the presiding Judge or other Person before whom any Trial or Proof shall proceed, on the Motion of either Party, to permit any Witness who shall have been examined in the course of such Trial or Proof to be recalled. Witness may be recalled, after Examination.

V. All Statutes, Laws, and Practice now in force respecting Evidence in *Scotland* shall be and the same are hereby repealed, in so far as inconsistent or at variance with the Provisions of this Act, but the same shall in all other respects remain in full Force. Laws and Practice inconsistent with this Act repealed.

CAP. XXVIII.

An Act to amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for the Direction of Public Works and Buildings; and to vest the Buildings appropriated for the Accommodation of the Supreme Courts of Justice in *Edinburgh* in the Commissioners of Her Majesty's Works and Public Buildings. [17th *June* 1852.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The

Commissioners of Works and Public Buildings incorporated for the Purpose of holding Lands, &c. under this Act.

I. The Persons who for the Time being, under the Provisions of the Act passed in the last Session of Parliament, Chapter Forty-two, shall be the Commissioners of Her Majesty's Works and Public Buildings shall be and they are hereby constituted a Corporation, by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, for the Purpose of taking and holding all the Lands, Tenements, and Hereditaments whatsoever, of every Tenure, by this Act vested in them, or hereafter to be vested in or purchased by them under or by virtue of the Provisions of this Act, and of conveying, assigning, leasing, underleasing, or otherwise disposing of the same Lands, Tenements, and Hereditaments, and of entering into any Covenants or Agreements respecting any such Hereditaments vested or to be purchased, taken, or disposed of as aforesaid, but not for any other Purpose.

Commissioners empowered to purchase, sell, &c. Lands, &c., and the First Commissioner or Two of them may act.

II. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings to purchase, take, or accept any Hereditaments, of what Tenure soever, necessary for the Public Service, and to sell or exchange the same, and give a good Discharge for the Purchase Money thereof to any Purchaser or other Person, and to grant any Lease or Leases, Underlease or Underleases of any such Hereditaments so taken as aforesaid, and to enter into any Agreements for such Sale, Exchange, Lease, or Underlease, so nevertheless that all such Hereditaments shall be purchased, taken, exchanged, sold, or leased, and the Produce and Income thereof applied, by the Direction of the Commissioners of Her Majesty's Treasury, and so as every Conveyance of any Freehold Hereditaments in *England*, *Wales*, or *Ireland*, made to or by the said Commissioners of Her Majesty's Works and Public Buildings under the Authority of this Act, be enrolled amongst the Records of the Court of Exchequer in *England* or *Ireland*, as the Case may be; and all Acts by this Act authorized to be done by the Commissioners of Her Majesty's Works and Public Buildings, and all and every the Powers and Authorities whatsoever by the Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Forty-three, and vested in or transferred to the Commissioners thereby appointed, may be executed and done by the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, or by any Two of the said Commissioners.

As to Security required from Officers.

III. In all Cases in which the Commissioners of Her Majesty's Works and Public Buildings are or shall be required or authorized to take Security from any Receiver, Collector, Clerk, or other Officer or Contractor, or shall think it proper so to do, for securing the due Performance of any Duty or Contract, such Security shall be taken by Bond to the Queen's most Excellent Majesty, Her Heirs and Successors; and the said Commissioners may in any Case, if they think fit, dispense with the taking any Sureties, so as that they take in lieu thereof (if they think fit) for the due Performance of any Duty or Contract any Security by way of Deposit, Investment, Mortgage, Lien or Charge, Insurance or Guarantee.

Courts and Buildings of the Courts of Session, Justiciary, &c. at Edinburgh vested in the Commissioners of Public Works.

IV. All the Courts, Court Houses, and Buildings for the Accommodation of the Courts of Session, Justiciary, Exchequer, Jury Court, or other the Supreme Courts at *Edinburgh*, and of the Clerks and Officers thereof, and all the Lands and Buildings connected therewith, and all Lands whereon the same are built, and all Lands or Heritages held therewith, or purchased or acquired under or by virtue of the Acts passed in the Forty-sixth Year of the Reign of His late Majesty *George* the Third, Chapter One hundred and fifty-four, the Forty-eighth Year of the Reign of His said Majesty, Chapter One hundred and forty-six, the Fifty-ninth Year of the Reign of His said Majesty, Chapter Thirty-five, and the Sixth Year of the Reign of His late Majesty *George* the Fourth, Chapter Eighty-six, or any of them, shall from the passing of this Act be vested in the Commissioners of Her Majesty's Works and Public Buildings, and their Successors for ever, in their corporate Capacity, for the Purposes specified in the aforesaid Acts respectively, and shall be maintained and kept in repair by the said Commissioners by and out of all Funds (if any) now applicable for that Purpose, and which Funds shall be vested in or payable to the said Commissioners, or by and out of such Funds as shall be directed by Parliament to be applied to such Purposes.

Commissioners may sell, exchange, &c. Lands and Buildings not required for their original Purpose.

V. That as regards such of the said Lands, Buildings, or other Heritages so hereby vested in the said Commissioners as may not have been or shall not be required for the Purposes for which they were acquired, the said Commissioners may from Time to Time grant, sell, exchange, or convey the same, and lease or agree to lease the same till sold, exchanged, or conveyed; and the Monies arising from any such Sale or Lease shall be paid to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, but the Receipts of the said Commissioners shall be sufficient Discharges to any Purchaser or Lessee paying any Monies to them; and the said Commissioners may complete or carry into effect any Contract for Sale, Grant, Exchange, or Lease of any Part of the said Lands, Buildings, and Heritages herein-before entered into by any Trustees of the same, or by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Person or Persons on their Behalf.

No Sale, &c. without Consent of Treasury.

VI. Provided nevertheless, That no such Sale, Grant, Exchange, or Lease shall be made except with the Consent of the Commissioners of Her Majesty's Treasury.

Registry of Documents in Chancery in Scotland not necessary;

but Entry of Memorandum

VII. That, notwithstanding the Provisions of the Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, it shall not be necessary, after the passing of this Act, to register or record in the Books kept in the Office of Chancery in *Scotland* any of the Documents by the Seventh Section of the said Act directed to be registered or recorded, but a Minute or Memorandum of every such Conveyance, Deed, or other Document, describing the same, shall be entered in the Minute Book of the Office of Chancery in *Scotland*, and the same shall be

be taken to be a sufficient Compliance with the Provisions of the said Seventh Section of the last-mentioned Act; and further, that the said Provisions of the said last-mentioned Act, as altered by this Act, relating to the Transmission of Documents to the Office of Chancery in *Scotland*, and other the Provisions of the said Act, as altered by this Act, shall apply to any Conveyance, Deed, or other Document executed by the Commissioners of Her Majesty's Works and Public Buildings in pursuance of the Powers of this Act.

Deed in Chancery to be sufficient.

CAP. XXIX.

An Act to empower the Commissioners of Her Majesty's Works and Public Buildings to inclose and lay out *Kennington Common* in the County of *Surrey* as Pleasure Grounds for the Recreation of the Public. [17th *June* 1852.]

'WHEREAS His Royal Highness *Albert Edward* Prince of *Wales*, Duke of *Saxony*, Duke of *Cornwall* and *Rothsay*, Earl of *Chester*, *Carrick*, and *Dublin*, Baron of *Renfrew*, Lord of the Isles, and Great Steward of *Scotland*, is seised, in right of His Duchy of *Cornwall*, of the Lordship of the Manor of *Kennington* in the Parish of *Lambeth* in the County of *Surrey*, of which Two Pieces or Parcels of Land situate in the said Parish, and usually called or known by the Name of *Kennington Common*, together with a small Piece of Land near thereto, usually called or known as the Pound of the Manor of *Kennington*, and a small Piece of vacant Land adjoining such Pound in the said Parish, are Parcel: And whereas the said Pieces or Parcels of Land are now open and uninclosed, and it has been represented to Her Majesty, by the Council of His said Royal Highness, that it would tend greatly to the Comfort and Benefit of the Inhabitants of the District in the Neighbourhood of the said Common if the same were inclosed and laid out as Pleasure Grounds for the Recreation and Enjoyment of the Inhabitants of the said District, and others resorting thereto, subject to such Regulations as may be necessary for preventing Nuisances and improper Practices therein, and for that Purpose that the Commissioners of Her Majesty's Works and Public Buildings should be incorporated as herein-after mentioned, and should have and be invested with such Powers of purchasing Lands, stopping up and diverting Roads, and of improving the Lands to be inclosed as are herein-after contained or referred to: And whereas the said Commissioners of Her Majesty's Works and Public Buildings caused a Map or Plan of the said intended Improvements to be made, and which Map or Plan has been signed by the Chairman of the Select Committee of the House of Commons, to whom this Act was referred:' May it therefore please Your Majesty, His said Royal Highness the Duke of *Cornwall* assenting thereto, that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Commissioners of Works empowered to inclose the Lands for public Pleasure Grounds.

I. That it shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings for the Time being, and they are hereby authorized and empowered, with the Consent of the Lord High Treasurer, or of the Commissioners of the Treasury for the Time being, to inclose the said Common and Pieces of Land, and lay out the same as public Pleasure Grounds, and to carry the Purposes of this Act into execution in manner herein-after mentioned, and according to such Map or Plan as aforesaid.

Commissioners incorporated for the Purposes of the Act.

II. That for the Purposes of this Act, and of all Matters and Things hereby authorized to be done under the Authority of this Act, the said Commissioners of Her Majesty's Works and Public Buildings for the Time being (and herein-after called the Commissioners) shall be and they are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name for the Purposes aforesaid shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take and hold Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

Map to be authenticated, and deposited in the Office of Works.

III. That the said Map or Plan, after the same shall have been authenticated in Duplicate by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited in the Office of the Commissioners, and in the Office of the Duchy of *Cornwall*, and the Map or Plan so deposited shall remain at the said Offices, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Kennington Common and Lands vested in the Commissioners.

IV. That from and immediately after the passing of this Act the said Common and Pieces or Parcels of Land shall become and be absolutely vested in the Commissioners, their Successors and Assigns, freed and discharged from all Rights of Common and all other Rights whatsoever, for the Purposes of this Act, and during such Time only as this Act shall continue in force.

Commissioners in completing Inclosure and purchasing Toll House, to have like Powers as given to Commissioners of Woods by 9 & 10 Vict. c. 39.

V. That for the Purpose of making, forming, and completing the said Inclosure, as shown on the said Plan, and for effecting the Purchase of the Toll House after mentioned, the Commissioners and their Successors shall have such and the same or the like Powers, Authorities, and Privileges of purchasing and taking Lands, and as regards Exemption from Stamp Duties, as in and by an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to empower the Commissioners of Her Majesty's Woods to form a Royal Park in* Battersea Fields *in the County of* Surrey, are given to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purpose of or with reference to the Formation of the Park therein specified, and in all respects as if the same were herein repeated and made applicable to the

Commissioners hereby incorporated; and also that all Powers authorizing incapacitated Persons to contract and convey in the said Act contained shall extend to the Toll House with its Appurtenances to be taken under this Act, and to the Persons or Bodies entitled thereto or interested therein.

Commissioners to lay out, plant, drain, and improve the Inclosure for the Recreation of the Public, and may accept Subscriptions for that Purpose.

VI. That it shall be lawful for the Commissioners to lay out and plant the said intended Inclosure, and to drain and otherwise improve the same, and from Time to Time to keep the same and the Fences thereof in good and sufficient Repair, and to erect and build any Lodge or Lodges or other ornamental Buildings thereon, and to keep the same in good and sufficient Repair, and to employ Gate or Lodge Keepers, and all other necessary Persons for the Order and Management of the said Inclosure, and to make and form convenient Approaches to the same Inclosure, in such Manner in all respects as they may deem suitable and proper, and shall allow the same, when so inclosed, laid out, and improved as aforesaid, to be used and enjoyed as Pleasure Grounds for the Recreation and Enjoyment of the Public, under such Orders and Regulations for preventing Nuisances and improper Practices, and for opening and closing the Gates of the said Inclosure, or any of them, at such Hours, or otherwise, as the Commissioners may from Time to Time prescribe, and for appointing Keepers and other Officers to preserve Order therein, and for the general Management thereof in all respects, as the Commissioners shall from Time to Time deem expedient; and for effecting any of the Objects of this Act it shall be lawful for the Commissioners to accept private Subscriptions from Persons willing to contribute towards making the aforesaid Inclosure and otherwise carrying into execution the Powers of this Act.

Commissioners empowered to stop up a Portion of the Brixton Road, and to alter the Camberwell New Road.

VII. That it shall be lawful for the Commissioners to stop up a Portion of the public Highway or Road intersecting the South-western End of *Kennington Common* aforesaid known as the *Brixton Road*, as the same is described in the said Map or Plan as being proposed to be stopped up and diverted, and to divert the same as in the said Map or Plan, and also to alter, widen, and improve the public Highway or Road called the *Camberwell New Road* at or near its Junction with the *Clapham Road* in the said Parish of *Saint Mary Lambeth* within the Limits marked out in the said Map or Plan, in such Manner as the Commissioners shall think fit, and to inclose such Parts of the said Lands not wanted for the said Roads in all respects as is shown by the said Plan, but so that such Diversion and Inclosure shall not be made until the new or substituted Road shall be made and fit for Use, and opened to the Public.

Commissioners may purchase and pull down the Toll House and Gate, and erect another.

VIII. That it shall be lawful for the Commissioners to purchase, pull down, and remove the Toll House and Toll Gate, and the Site thereof, situate in the *Clapham Road* aforesaid, adjoining the said Common; and in case the same shall be so purchased the same shall not be pulled down until the Commissioners shall have erected and built a new Toll House and Gate at or near the Junction of the said intended Diversion of the *Brixton Road* with the *Clapham Road* aforesaid.

Power to stop up certain Roads, &c. now crossing the Site of the intended Inclosure.

IX. That it shall be lawful for the Commissioners to stop up, divert, widen, or alter all or any of the Roads, Ways, Paths, or Passages, Sewers, Pipes, Drains, or Watercourses which now lead into, upon, through, across, or over any Part or Parts of the Site or intended Site of the said intended Inclosure, and to set out and make such other Roads, Ways, Paths, or Passages, Sewers, Drains, or Watercourses, as to the Commissioners may seem fit and necessary; and that as well the Ground and Soil of such Portion of the said *Brixton Road* as the Commissioners are herein-before empowered to stop up and divert as aforesaid, as the Ground and Soil of such Roads, Ways, Paths, or Passages, Drains or Watercourses, as, under the Authority of this Act, shall be stopped up, and the Fee Simple and Inheritance thereof respectively, shall be and the same are hereby vested in the Commissioners and their Successors for the Purposes of this Act, freed and discharged from all Estates, Rights, and Interests whatsoever.

Road not to be stopped up until Diversion has been completed.

X. Provided always, That the Commissioners shall not stop up or interfere with the said Portion of the public Road or Highway intersecting the End of *Kennington Common* aforesaid before they shall have caused the said intended Diversion of the same Road to be made and completed.

If Inclosure is not maintained as Pleasure Ground for the Public, it is to revert to Duke of Cornwall.

XI. Provided always, That if the said Inclosure shall at any Time hereafter cease to be maintained as Pleasure Grounds for the Recreation and Enjoyment of the Public, the same shall thereupon revert to His said Royal Highness, His Heirs and Successors, as Parcel of the Possessions of the Duchy of *Cornwall*, and be subject to the same Limitations, Powers, and Authorities, in every respect, as the other Lands and Possessions of the said Duchy, and in the same Manner as if this Act had not been passed; without Prejudice to any Roads or Ways made, stopped up, or diverted under the Powers of this Act.

CAP. XXX.

An Act to empower the Commissioners of Her Majesty's Customs to acquire certain Lands and Houses in the Borough of *Belfast*, for the Purpose of erecting a Custom House and other Offices and Buildings required for the Public Service in the said Borough. [17th *June* 1852.]

'WHEREAS, in consequence of the Increase of the Trade and Population of the Borough of *Belfast*, it has become necessary to erect a new Custom House and other Offices and Buildings for the 'Public Service in the said Borough: And whereas the Commissioners of Her Majesty's Customs 'require to take certain Lands and Houses in the said Borough for the Site of the said Custom House 'and other Offices and Buildings; but the same cannot be effected without the Aid and Authority of 'Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. That

Provisions of 8 & 9 Vict. c. 18. extended to this Act.

I. That the several Provisions of the "Lands Clauses Consolidation Act, 1845," shall, so far as the same may be applicable to and are not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act, and shall be applicable to the Purposes thereof.

Short Title.

II. That in citing this Act in other Acts of Parliament, and in any legal Instruments or other Documents, it shall be sufficient to use the Expression "The *Belfast* Custom House Act, 1852."

Power to purchase Lands, &c. delineated on deposited Plans.

III. That it shall be lawful for Her Majesty's Commissioners of Customs on behalf of Her Majesty, and they are hereby authorized and empowered, by and out of any Monies which have been or may hereafter be granted by Parliament for a new Custom House and other Offices and Buildings for the Public Service in the Borough of *Belfast*, and subject to the Provisions herein and in the said "Lands Clauses Consolidation Act, 1845," contained, to purchase, take, and enter upon the Lands and Houses delineated on the Plan deposited with the Clerk of the Peace for the County of *Antrim*, showing the Property intended to be taken, and mentioned in the Schedule to this Act annexed, and all Estates and Interests therein, of what Kind soever, for the Purposes of this Act.

Errors and Omissions in Schedule may be corrected by Two Justices, who may certify the same.

Certificate to be deposited.

IV. That if any Omission, Mis-statement, or wrong Description shall have been made of any Lands and Houses, or of the Owners, Lessees, or Occupiers of any Lands and Houses, mentioned in the Schedule to this Act annexed, the Commissioners, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands and Houses affected by such proposed Correction, may apply to Two Justices for the Correction thereof, and if it shall appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited with the said Clerk of the Peace, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Schedule shall be deemed to be corrected according to such Certificate, and the said Commissioners may take any Lands or Houses in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Powers for compulsory Purchase of Lands limited.

V. That the Powers of the Commissioners for the compulsory Purchase or taking of Lands and Houses for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers given to Commissioners to apply to Purchases made.

VI. That the Powers and Authorities by this Act given to the said Commissioners for the Purchase or taking of the Lands and Houses mentioned and comprised in the Schedule to this Act annexed shall be applied as well to any Lands or Houses already purchased or taken, or agreed to be purchased or taken, as to such as shall hereafter be purchased or taken under the Provisions of this Act.

Lands, &c. purchased by the Commissioners to vest in the Secretary for the Time being.

VII. That the Lands and Houses which shall be purchased or taken by the said Commissioners under the Provisions of this Act shall be vested and remain in the Secretary for the Time being to the Commissioners, and his Successors in the Service of Her Majesty's Customs, according to the respective Nature and Quality of the said Lands and Houses, and the several Estates and Interests of and in the same, respectively in trust for Her Majesty, Her Heirs and Successors.

Secretary, under Authority of Commissioners, may sell or let surplus Lands.

VIII. That it shall be lawful for the said Secretary, by and under the Authority and Directions of the said Commissioners testified by Writing under their Hands and Seals, or under the Hands and Seals of any Two or more of them, to sell, exchange, or in any Manner dispose of, or to let or demise, any Lands or Houses purchased, taken, or acquired by them under the Authority of this Act, with their respective Appurtenances, which shall not in the Opinion of the said Commissioners be required for the Purposes thereof, either by Public Auction or Private Contract, and it shall be lawful for the Secretary to convey and assign or to grant or demise the same, or any Part thereof, to any Person who shall be willing to purchase or take the same, and also to carry into execution any Contract already entered into for the Sale of any such Lands or Houses, with such Alterations or Variations as the said Commissioners shall by Writing under their Hands direct, and for that Purpose to make and execute all such Conveyances, Assurances, and Agreements as may be thought proper, and also to do any other Act, Matter, or Thing in relation to such Lands or Houses which shall by the said Commissioners be deemed beneficial for the Public Service in relation thereto, or for the better Management thereof, and which might be done by any other Person having a like Interest in any such Lands or Houses.

Monies produced by Sale of Lands and Houses to be paid to the Receiver General of Customs.

IX. That the Monies to arise and to be produced by Sale or Exchange of any Lands or Houses which shall be sold or exchanged or conveyed under the Provisions of this Act shall be paid by the Purchaser thereof, or the Person making such Exchange, to the Receiver General of Her Majesty's Customs, or to such Person as the said Commissioners shall direct or appoint to receive the same, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of the said Customs, and that the Receipt of the Receiver General or such other Person as aforesaid for such Monies (such Receipt to be endorsed on every such Conveyance or Assignment as aforesaid) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be so paid.

After Payment Purchasers to stand possessed of the Lands or Houses so purchased.

X. That immediately from and after the Payment of such Purchase Money, and the Execution of every such Conveyance and Assignment as aforesaid, the Purchaser therein named shall be deemed to stand seised and possessed of the Lands and Houses which shall be so purchased by, and conveyed, assigned, or made over to him, freed and absolutely discharged of and from all and all manner of prior Estates, Rights, Interests, Charges, Incumbrances, and Demands whatsoever which can or may be had, made, or set up in respect of such Lands and Houses by any Person whomsoever by, from, under, or in trust for Her Majesty, Her Heirs and Successors, or on any Account whatsoever, save and except such

Estates, Rights, Interests, Charges, Incumbrances, Claims, and Demands (if any) as in any such Conveyance, Surrender, or Assignment shall be excepted.

Commissioners may exchange Lands with Belfast Corporation.

XI. 'And whereas a Portion of the Lands required to be taken for the Purposes of this Act is now 'vested in the Mayor, Aldermen, and Burgesses of the Borough of *Belfast:* And whereas by the Local 'and Personal Act, Eighth and Ninth *Victoria*, Chapter One hundred and forty-two, the said Mayor, 'Aldermen, and Burgesses, acting by the Council of the said Borough, are authorized to agree with the 'Owner of any Houses or Grounds within the said Borough for the Purchase thereof, for the Purpose of 'widening, enlarging, and rendering more commodious the Streets of the said Borough, and for the other 'Purposes of the said Act: And whereas it is expedient to enable the Commissioners to effect Exchanges 'and Sales with the said Council in respect of such Portions of the Lands as are now vested or shall 'hereafter be vested in the Commissioners and the said Council respectively:' Be it therefore enacted, That it shall be lawful for the Secretary of the Commissioners, by and under the Authority and Direction of the Commissioners, testified by Writing under their Hands and Seals, or under the Hands and Seals of any Two or more of them, to exchange, sell, or in any Manner dispose of, or to let or demise, with or to the said Mayor, Aldermen, and Burgesses or the said Council, any Lands to be acquired by the Commissioners under the Authority of this Act which shall not in the Opinion of the Commissioners be required for the Purposes thereof; and it shall be lawful for the said Mayor, Aldermen, and Burgesses, acting by the Council of the said Borough, to exchange, sell, or in any Manner dispose of, or to let or demise, with or to the Commissioners any Lands vested in the said Mayor, Aldermen, and Burgesses, under the Authority of the said Act of the Eighth and Ninth *Victoria*, Chapter One hundred and forty-two, which may be required for the Purposes of this Act, and that all and every the Provisions hereinbefore contained with respect to Exchanges or Sales made under the Authority of the Commissioners, and the Application of the Purchase Money to be paid on such Exchanges or Sales, and to the Conveyances to be executed thereunder, and to the vesting of the Lands and Houses so exchanged or sold in the Purchaser thereof, shall extend or apply to such Exchanges or Sales made under the Authority of the Commissioners with or to the said Mayor, Aldermen, and Burgesses or the said Council, and that all and every the Powers and Provisions with respect to the Sale, Leasing, Demise, or Grant of Lands purchased or acquired by the said Mayor, Aldermen, and Burgesses under the Provisions of the Local and Personal Act of the Eighth and Ninth *Victoria*, Chapter One hundred and forty-two, which are contained in the said Act and in the Local and Personal Acts of the Tenth and Eleventh *Victoria*, Chapter Two hundred and fifty-four, and the Thirteenth and Fourteenth *Victoria*, Chapter One hundred and eight, amending the same, shall extend and apply to all Lands which shall become vested in the said Mayor, Aldermen, and Burgesses or the said Council by virtue of any such Exchange or Sale made with or to them by or under the Authority of the Commissioners under the Provisions of this Act, as fully and effectually as if such Lands so exchanged or sold with or to the said Mayor, Aldermen, and Burgesses or the said Council formed Part of the Lands acquired by the said Mayor, Aldermen, and Burgesses or the said Council under the Authority of the said Act of the Eighth and Ninth *Victoria*, Chapter One hundred and forty-two.

Commissioners may take Lands on Lease.

XII. That it shall be lawful for the Commissioners, if they shall deem it expedient, to take upon Lease any of the Lands required for the Purposes of this Act, or any Interest therein, for such Term, at such Rent, and subject to such Conditions and Covenants, as the said Commissioners may think proper.

Power to Commissioners to take Portion of Albert Square, and apply it to the Purposes of this Act.

XIII. 'And whereas by the "*Belfast* Harbour Act, 1847," it is provided that the *Belfast* Harbour 'Commissioners should amongst other things fill up the old Dock, then known by the Name of "*Lime-*'*kiln Dock*," in the said Borough within Two Years from the passing thereof, and that the Site of the 'said Dock should be for ever thereafter left open and free from all Obstruction: And whereas the said 'Dock has been filled up as required by the said Act, and the Site thereof now forms Part of the Street 'or Square called "*Albert Square*," a Portion of which will be required for the Purposes of this Act:' Be it therefore enacted, That so much of the said "*Belfast* Harbour Act, 1847," as provides that the Site of the *Limekiln Docks* shall be for ever thereafter left open and free from all Obstruction shall, so far as relates to the Portion of *Albert Square* mentioned in the Schedule to this Act, and defined upon the Plan deposited as aforesaid showing the Property required to be taken for the Purposes of this Act, be and the same is hereby repealed.

Interpretation of certain Terms.

XIV. That the following Words and Expressions used in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Word "Commissioners" shall mean the Commissioners of Her Majesty's Customs for the Time being, or any Two or more of them:

The Word "Secretary" shall mean the Secretary for the Time being to the Commissioners of Her Majesty's Customs:

The Words "Receiver General" shall mean the Receiver General of Her Majesty's Customs for the Time being:

The Word "Lands" and the Word "Houses" shall extend to Messuages, Lands, Streets, Squares, Lanes, Tenements, and Hereditaments of any Tenure:

The Words "Mayor, Aldermen, and Burgesses" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Belfast:*

The Word "Council" shall mean the Council of the Borough of *Belfast.*

The SCHEDULE to which the foregoing Act refers.

BOROUGH OF BELFAST.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Queen's Square	Offices - -	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg, and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, Andrew John Barnett.	Hugh S. Hind.
	Shop and Stores -	The same - -	Thesame, and Hugh S. Hind.	Peter Quin.
	Office - -	The same - -	Thomas Greg and his Trustee Thomas Batt, Eliza Scott, Executrix of Alexander Scott deceased, and James Scott.	William Porter
	House, Office, Yard, Stables, Lofts, Gateway, Right of Passage, and Outbuildings.	The same - -	The same - -	James Scott.
	House, Offices, Yard, Stables, Gateway, Lofts, Outbuildings, and Right of Passage to Albert Square.	The same - -	The same - -	William Wilkinson.
	Offices - -	The same - -	Thomas Greg and his Trustee Thomas Batt, George Montgomery, Mary Foster, and William Newett.	William Newett.
	Gateway, Yard, Stores, Office, Lofts, Stables, and Outbuildings.	The same - -	The same - -	Robert Henry.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Queen's Square (*continued*).	Office, Passage over Yard of adjoining Yard, Outbuildings, and Stores, extending to Albert Square.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, George Thomas Mitchell, John Cunningham, and James Hamilton, Trustees of Robert Simms deceased, and James Hamilton.	James Hamilton.
	House with Rooms and Cellar under Office of adjoining Yard, and Out-conveniences.	The same	The same	The Commissioners of Her Majesty's Customs and Charles William Hoffmeister their Collector.
	House, Offices, Yard, Sail Loft, Canvass Factory, Stores, Outbuildings, and Rear Frontage to Albert Square.	The same	Thomas Greg and his Trustee Thomas Batt, Elizabeth Davison, William Dummett and Mary Dummett, William Thomas Waterson, Representatives of Henry Waterson deceased, who was Executor of Thomas Ekenhead deceased, and James Lemon.	James Lemon.
	House, Shop, Yard, Stores, Lofts, Sheds, and Outbuildings.	The same	Thomas Greg and his Trustee Thomas Batt, Robert James Tennent, Robert Greer, and Agnes Gemmill, Representatives of Robert Gemmill deceased, and John Crawford Trotter.	John Crawford Trotter.
	House, Shop, Yard, and Outbuildings.	The same	Thomas Greg and his Trustee Thomas Batt, Robert James Tennent, and Alexander Gunn.	Alexander Gunn.
	House, Shop, Yard, Stores, and Outbuildings.	The same	Thomas Greg and his Trustee Thomas Batt, Jane Greg, and John Johnson.	John Johnston.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Queen's Square (*continued*).	Harbour Offices, House, Yard, Cellars, and Outbuildings.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, Rev^{d} William Crawford, Hugh Crawford, and Hugh Wm. Crawford, John Wallace, and the Belfast Harbour Commissioners, Valentine Whitla (Chairman) and Edmund Getty (Secretary).	The Belfast Harbour Commissioners, Valentine Whitla (Chairman) and Edmund Getty (Secretary).
	Public Square, Street, or Passage, called Queen's Square.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Store Lane -	Office, Stores, and Lofts.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, Andrew John Barnett, and Terence O'Brien.	Terence O'Brien.
	House and Shop -	The same -	Thomas Greg and his Trustee Thomas Batt, Robert Thompson, and Andrew John Barnett.	James M'Convil.
	House, Shop, and Yard.	The same -	The same -	James Savage.
	House, Shop, and Yard.	The same -	The same -	Macline Henry.
	House, Shop, and Yard.	The same -	The same -	James Ferguson.
	Public Street or Passage called Store Lane.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Albert Square -	House, Shop, Store, and Cellars.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, and Arthur Alexander.	Arthur Alexander and John Welsh.
	Shop and Store -	The same -	The same -	Arthur Alexander and John M'Kenna.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Albert Square (*continued*).	Lofts and Stores adjoining.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, and Arthur Alexander, and John Smith and Thomas Smith.	John Smith and Thomas Smith.
	Stores and Lofts	The same	Thomas Greg and his Trustee Thomas Batt, Eliza Scott Executrix of Alexander Scott deceased, and James Scott, and John Smith and Thomas Smith.	John Smith and Thomas Smith.
	Gateway, Yard, Lofts, Stores, Office, Cellars under Stores, and Lofts adjoining, and Outbuildings.	The same	Thomas Greg and his Trustee Thomas Batt, Eliza Scott Executrix of Alexander Scott deceased, and James Scott.	James Scott.
	Lofts and Stores	The same	Thomas Greg and his Trustee Thomas Batt, Mary Foster, and John Porter.	Vacant.
	Office	The same	The same	Vacant.
	Gateway, Lofts, Stores, and Yard.	The same	The same	Jasper Macauley.
	Yard, Stores, Lofts, and Cellar under House and Shop adjoining.	The same	Thomas Greg and his Trustee Thomas Batt, Robert Greer and Agnes Gemmill, Representatives of Robert Gemmill deceased, and James Lemon.	James Lemon.
	House and Shop	The same	Thomas Greg and his Trustee Thomas Batt, Robert Greer and Agnes Gemmill, Representatives of Robert Gemmill deceased, and Richard M'Cune.	Richard M'Cune.
	House, Shop, and Cellars.	The same	Thomas Greg and his Trustee Thomas Batt, John Wallace, and Bernard Fitzpatrick.	Bernard Fitzpatrick.
	Passage in common	The same	The same and John Colvil.	Bernard Fitzpatrick and John Colvil.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Albert Square (*continued*).	House, Shop, Yard, and Out-convenience.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, the Revd Wm Crawford, Hugh Crawford and Hugh Willm Crawford, and James Nichol.	James Nichol.
	Gateway and Yard, and Cellars under Stores, and Lofts adjoining.	The same - -	The same - -	James Nichol.
	Public Square, Street, or Passage, called Albert Square.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Donegall Quay	Stores and Lofts over Cellars and Gateway.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, the Reverend William Crawford, Hugh Crawford, and Hugh Wm Crawford, John Cunningham and James Hamilton, Trustees of Robert Simms deceased, and James Hamilton.	James Hamilton.
	House, Shop, Cellars, Yard, Out-conveniences, and Cellar under Part of House and Shop in Albert Square.	The same - -	Thomas Greg and his Trustee Thomas Batt, John Wallace, and John Colvill.	John Colvill.
	Public Street or Passage called Donegall Quay.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen and Burgesses of the Borough of Belfast.	Themselves and the Public.
Quay Lane -	House, Shop, Yard, Pigstye, and Out-convenience.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, Adam John Macrory and James Heron.	George M'Cracken.
	Building Ground extending back to Victoria Street.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Northern Banking Company, and James Bristow and Hugh Montgomery, public Officers of the said Company.	The Northern Banking Company.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Quay Lane (*continued*).	Public Street or Passage called Quay Lane.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Waring Street	Office - -	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, Adam John Macrory, and James Heron.	Thomas Quin.
	Rooms over Office, adjoining Passage and Staircase.	The same - -	The same -	Robert Malcom, Adam Chambers, James Templeton, John Larmour, Owen Fitzpatrick, and Charles M'Lean.
	Shop and Room -	The same - -	The same -	William Garrett.
	Shop and Room -	The same - -	The same -	John Hughes.
	House and Shop -	The same - -	The same -	Patrick Smith.
	House, Office, Stores, Shed, and Yard.	The same - -	The same -	James Frazer and John Finch.
	House and Offices	The same -	Thomas Greg and his Trustee Thomas Batt, Adam John Macrory, James Heron, James Frazer and John Finch, and John Richey.	John Richey and James M'Donnell.
	Shop, Stores, Sail Loft, and Yard.	The same -	Thomas Greg and his Trustee Thomas Batt, Adam John Macrory, and Robert M. Carson.	Robert M. Carson.
	Shop - -	The same -	Henry Joy Tomb and William Hanvey.	Thomas Parker junior.
	Public Street or Passage called Waring Street.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Queen's Square	House, Shop, Stores, Stable, and Yard.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, and John Barnett.	Vacant.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Queen's Square (*continued*).	House, Shop, Stores, Lofts, and Passage into Store Lane.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, and James Caughy.	Robert Mehany.
	House, Shop, and Room under House and Shop adjoining in Store Lane.	The same -	Thomas Greg and his Trustee Thomas Batt, and Hill Hamilton.	Rose Ann Pray.
Irelands Entry	Public Street, Entry, or Passage off Queen's Square.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Store Lane -	House and Shop -	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt, and Hill Hamilton.	Arthur Carson.
	House and Shop -	The same - -	The same - -	James Webb.
	House and Shop -	The same - -	Thomas Greg and his Trustee Thomas Batt, and William B. Ritchie.	Benjamin Alexander.
	Passage in common	The same - -	Thomas Greg and his Trustee Thomas Batt, James Caughey, and Andrew John Barnett.	Robert Mehany and Andrew John Barnett.
	Shop, Stores, Yard, Lofts, and Out-convenience.	The same - -	Thomas Greg and his Trustee Thomas Batt, and Andrew John Barnett.	Vacant.
	Shop and Stores -	The same - -	The same - -	James Savage.
	Office, Stores, Shed, Lofts, and Yard.	The same - -	The same - -	Andrew John Barnett.
	House and Shop -	The same - -	Thomas Greg and his Trustee Thomas Batt, and Mary Magee.	EdwardM'Glaughlin.
	Shop - -	The same - -	Thomas Greg and his Trustee Thomas Batt, and Andrew Dool.	James Kelly.

Name of Street or Place.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Store Lane (*continued*).	House, Shop, Yard and Pigstye, and Out-convenience.	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt.	Andrew Dool.
Chichester Lane	House - -	The same -	The same -	Ann Shaw.
	House and Yard -	The same -	The same -	William Andrews.
	House and Yard -	The same -	The same -	James Bode.
	House and Yard -	The same -	The same -	Bernard Vallely.
	House and Shop -	The same -	The same -	Mary Tallon.
	House - -	The same -	The same -	Mary Mooney.
	House - -	The same -	The same -	John Robinson.
	House, Shop, and Yard.	The same -	The same -	ElizabethM'Alice.
	House, Shop, and Yard.	The same -	The same -	John Clarke.
	House, Shop, and Yard.	The same -	The same -	Anne Lane.
	House, Shop, and Yard.	The same -	The same -	David Lindsay.
	House, Shop, and Yard.	The same -	The same -	Hugh Donnely.
	Public Street or Passage called Chichester Lane.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	The Mayor, Aldermen, and Burgesses of the Borough of Belfast.	Themselves and the Public.
Albert Square	House and Shop -	The Marquess of Donegall and his Trustees John Hopton Russell Chichester and Thomas Verner, the Earl of Belfast, Thomas Greg and his Trustee Thomas Batt.	Thomas Greg and his Trustee Thomas Batt.	Peter Mackerell.
	Part of Shop adjoining.	The same -	The same -	Mary Shoveland.
	House, Shop, Yard, and Shed.	The same -	The same -	William M'Ferran.
	House, Shop, and Yard.	The same - -	Adam John Macrory.	Charlotte Shields.
	House, Shop, Yard, and Stores.	The same - -	The same - -	Patrick Moyne.
	House and Shop -	The same - -	Henry Joy Tomb and William Hanvey.	William Hanvey.

CAP. XXXI.

An Act to legalize the Formation of Industrial and Provident Societies. [30th *June* 1852.]

'WHEREAS by an Act passed in the Thirteenth Year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to Friendly Societies*, it was enacted, that a Society might be established under the Provisions of the said Act for any of the Objects therein mentioned; that was to say, (amongst other Objects,) "for the Relief, Maintenance, and Endowment of the "Members, their Husbands, Wives, Children, and Kindred;" "and for the frugal Investment of the "Savings of the Members, for better enabling them to purchase Food, Firing, Clothes, or other Necessaries, or the Tools or Implements of their Trade or Calling, or to provide for the Education of their "Children or Kindred, provided (amongst other things) that the Shares in any such Investment should "not be transferable:" And whereas various Associations of Working Men have been formed for the mutual Relief, Maintenance, Education, and Endowment of the Members, their Husbands, Wives, Children, or Kindred, and for procuring to them Food, Lodging, Clothing, and other Necessaries, by exercising or carrying on in common their respective Trades or Handicrafts; and it is expedient to extend the Provisions of the said recited Act to such Associations, and otherwise to regulate the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 115.

I. It shall be lawful for any Number of Persons to establish a Society under the Provisions of this and the said recited Act, for the Purpose of raising by voluntary Subscriptions of the Members thereof a Fund for attaining any Purpose or Object for the Time being authorized by the Laws in force with respect to Friendly Societies, or by this Act, by carrying on or exercising in common any Labour, Trade, or Handicraft, or several Labours, Trades, or Handicrafts, except the working of Mines, Minerals, or Quarries beyond the Limits of the United Kingdom of *Great Britain* and *Ireland*, and also except the Business of Banking, whether in the said United Kingdom or elsewhere; and this Act shall apply to all Societies already established for any of the Purposes herein mentioned, so soon as they shall conform to the Provisions hereof. Societies of Working Men may be established for attaining the Objects of Friendly Societies Acts by means of joint Trade.

II. The Rules of any such Society shall provide, Rules of the Society.

1st, For allowing Payments to be made from Time to Time to all Members of the Society in respect of any Work or Service which they may do or perform for or on behalf of the same:

2d, Upon what Terms and Conditions (if any) Persons not Members of the Society shall be employed for or on behalf of the same; yet so that any Person not a Member of the Society who shall be employed for or on behalf of the same shall receive in respect of any Work or Service done or performed by him on behalf of such Society, whether by way of Wages or otherwise, at least the same Amount or Value as if he were a Member of the Society:

3d, Whether or not any Loans shall be contracted with Persons (whether Members of the Society or not) for the better effecting the Purposes thereof, and how such Loans and Interest thereon (if any) shall be secured; yet so that the Interest on any such Loan shall not exceed the rate of Six Pounds *per Centum per Annum*, and so that the total Amount of Monies to be owing on Loan by the Society at any One Time shall not exceed Four Times the Amount of paid-up Subscriptions for the Time being; and a Declaration under the Hands of the Trustees or Trustee of the Society, certified by the Registrar of Friendly Societies, shall be sufficient Evidence in that Behalf of the Amount of paid-up Subscriptions:

4th, For the Receipt of Subscriptions from Persons, Members of the Society, and for the Payment of Dividends on such Subscriptions at any Rate not exceeding Five Pounds *per Centum per Annum*; but so that no Dividend shall be paid to any Member of the Society out of the Capital of the same:

5th, For the Appropriation from Time to Time of the net Proceeds of any Trade, Labour, or Handicraft exercised or carried on by the Society, after such Payments as herein-before mentioned, in the first place, to the Repayment of any Loans made to the Society, or any Instalment thereof, and, subject thereto, to all or any of the following Purposes; *viz.* to the Increase of the Capital or Business of the Society; to such provident Purposes, or any of them, as shall be from Time to Time authorized by the Laws in force with respect to Friendly Societies; to a Division or Return to or amongst the Members of the Society of the Profits on or in respect of any Purchases made by them respectively of Goods or Articles made, produced, or sold by the Society; to the Payment to or amongst the Members of the Society, or other such Persons as herein mentioned, in respect of any Works or Services done or performed by them respectively for or on behalf of the Society, of any Part not exceeding One Third of such net Proceeds:

6th, For the Appointment of such Managers or other Officers, whether Members of the Society or not, at such Salaries, or for such Compensations, and with such Powers and Authorities, Duties and Responsibilities, and subject to such Conditions, as to Removal or otherwise, as shall appear requisite from Time to Time for the better carrying out of the Objects of the Society:

7th, For the making or confirming of all such Contracts as shall be necessary or expedient for the Purposes of the Society, which Contracts, when executed or entered into in accordance with the Rules of the Society, shall be binding on all Members of the same; and for the Enforcement of the Liability of Members in respect of such Contracts:

8th, For

8th, For the due Payment by the Members, their Executors or Administrators, of all Subscriptions, Debts, Fines, or other Sums of Money which they may owe to the Society, from Time to Time, in accordance with the Rules thereof:

9th, For enabling Members to withdraw from the Society, on Notice given, for a Period to be fixed by the Rules; and for determining whether and to what Extent Members shall be compelled to discharge their Obligations to the Society before withdrawing from the same, and for otherwise regulating Withdrawals:

10th, For regulating the Claims (if any) of the Executors or Administrators of deceased Members of the Society upon the Funds of the same, in respect of the Interest of their respective Testators or Intestates in the same:

11th, For keeping Account of all the Transactions of the Society, for the balancing and auditing of such Accounts twice at least in every Year, and for the Inspection of the Accounts by the Members:

12th, For referring to Arbitration all Disputes which may arise between any Member of the Society and the Trustees, Treasurer, Manager, Committee, or Officers of the same, or any of them:

13th, For determining under what Conditions of pecuniary Loss or otherwise, and by what Meetings and how composed, and by what special or other Majorities of the Members or other Persons present at such Meetings, the Society shall be dissolved; and whether, and in what Cases, and by what Means, a single Member may summon a Meeting for the Dissolution of the Society; and for winding up the Affairs of the Society on the Dissolution thereof.

Interest of Members not transferable.

III. The Interest of any Member in any such Society shall not be transferable, but the whole Amount of the Balance due to any Member shall be paid to him on Withdrawal from the same according to the Rules of the Society.

As to Members becoming bankrupt or insolvent.

IV. If any Member in any such Society shall become bankrupt, or shall take the Benefit of any Act for the Relief of Insolvent Debtors, such Member shall be taken to have withdrawn from the Society on the Day of the Date of the filing of the Petition for Adjudication of Bankruptcy, or (in the Case of any Insolvent Debtor) of the Declaration of Insolvency, or the Petition for Discharge or for a Vesting Order respectively, as the Case may be; and the Assignees of any such Bankrupt or Insolvent shall have such Claim upon the Society, and no other, as the Bankrupt or Insolvent would have had if he had actually withdrawn at the Date aforesaid.

Awards of Arbitrators may be enforced by County Courts where Sum, &c. in dispute is within its Jurisdiction.

V. If either of the Parties to any Arbitration which shall take place under this Act for the Settlement of a Dispute shall refuse or neglect to comply with or conform to the Decision of the Arbitrators or the major Part of them, then, in case the Sum or Value in dispute shall not exceed the Limit fixed by Law for the Time being for any Debt or Damages claimable in the County Court in *England* or in the Court of the Assistant Barrister in *Ireland* respectively (as the Case may be), it shall be lawful for the Judge of the County Court or the Assistant Barrister respectively (as the Case may be), within whose Jurisdiction the Society shall be established or shall carry on Business for the Time being, upon Proof adduced before him to his Satisfaction of an Award having been made by the Arbitrators according to the Rules of the Society, to cause the Award to be entered as a Judgment in his Court, and such Award shall thereupon take effect and be enforceable in the same Manner, to all Intents and Purposes, as a Judgment of such Court in a Cause between the same Persons as shall be Parties to the said Reference, except that the same shall be final and without Appeal; but in case the Sum or Value in dispute shall exceed the Limit fixed by Law for the Time being for any Debt or Damages claimable in the County Court or the Court of the Assistant Barrister respectively, then the same may, on the Application of either Party, be made a Rule of any of Her Majesty's Superior Courts at *Westminster* or at *Dublin* (as the Case may be).

Where it exceeds such Jurisdiction, to be submitted to Superior Courts.

Sheriffs Jurisdiction in Scotland.

VI. The Sheriff in *Scotland* shall within his County have the like Jurisdiction as is hereby given to the Judge of the County Court in any Matter arising under this Act.

Investment of Funds.

VII. Notwithstanding anything contained in the Laws for the Time being in force relating to Friendly Societies, it shall not be incumbent on any Treasurer or other Officer of any Society constituted under the Provisions of this Act to invest any of the Funds of such Society in manner provided by the Laws relating to Friendly Societies, nor shall any such Society be allowed to invest any Portion of such Funds with the Commissioners for the Reduction of the National Debt.

Friendly Societies Acts to be applicable, except as varied by this Act or certified to be inapplicable.

7&8 Vict. c. 110. not to extend to Societies under this Act.

VIII. All the Provisions of the Laws relating to Friendly Societies shall apply to every Society to be constituted under this Act, and to every Officer and Member of such Society, and to every Proceeding under this Act, except so far as any such Provision may be expressly varied by this Act, or by any Rule expressly authorized to be made by this Act, and also except so far as the Registrar of Friendly Societies from Time to Time, by Writing under his Hand, to be endorsed on the Rules of any such Society, shall certify that any such Provision is not applicable to such Society; and no such Society shall be considered to be within the Provisions of an Act passed in the Session of Parliament of the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.*

Limitation of Interest of Members in Funds of Society.

IX. No Society shall be entitled to the Benefit of this Act whereof the Rules shall not provide that the Amount of the Share or Interest in the Funds of the same to be held at any One Time by or in trust for any One Member of the same, or any Persons claiming by or through him, otherwise than by way of Annuity, shall be restricted to a Sum to be therein fixed, but which shall not exceed One hundred Pounds, exclusively of any Annuity; nor shall any Member or other Person be entitled by way of Annuity to any Interest in the Funds of such Society to an Amount exceeding Thirty Pounds *per Annum*.

X. The

X. The General Statement of the Funds and Effects of any Society or Branch constituted under this Act, which by the Laws relating to Friendly Societies is provided to be transmitted to the Registrar once in every Year, shall exhibit fully the Assets and Liabilities of the Society, and shall be prepared and made out within such Period, and in such Form, and shall comprise such Particulars, as the Registrar shall from Time to Time require, and shall be filed and preserved in such Manner as he shall direct. Annual Returns to be prepared as Registrar may direct.

XI. Nothing in this or the said recited Act shall be construed to restrict in anywise the Liability of the Members of any Society established under or by virtue of this Act, or claiming the Benefit thereof, to the lawful Debts and Engagements of such Society: Provided always, that no Person shall be liable for the Debts or Engagements of any such Society after the Expiration of Two Years from his ceasing to be a Member of the same. Liability of the Members not to be restricted.

XII. No Provision of the Laws relating to Friendly Societies whereby any Money due to any such Society from any Officer of the same or other Person intrusted with the keeping of the Accounts, or having in his Hands any Money or Effects belonging to any such Society, or from the Estate of any such Officer or Person, is made payable in preference to or before any other Creditor, shall apply to any Society constituted under the Provisions of this Act; and no Exemption from Stamp Duties allowed by the Laws relating to Friendly Societies shall apply to any Society constituted under the Provisions of this Act, except so far as relates to any Copy of the Rules of such Society, and to any other Instrument or Document whatsoever relating to such Society, which might have been given, issued, signed, made, or produced under the Laws relating to Friendly Societies by or on behalf of or respecting a Society constituted under the Laws in force relating to such Societies previously to the passing of this Act, and would have been exempt from Duty in such Case. Provisions of Friendly Societies Acts giving such Societies Priority over other Creditors in certain Cases not to apply to Societies constituted under this Act.

XIII. The Words "County Court," when occurring in this Act, shall apply only to County Courts established or holden under the Provisions of an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, and the Acts amending the same. Meaning of Words "County Court." 9 & 10 Vict. c. 95.

XIV. This Act may be cited as the "Industrial and Provident Societies Act, 1852." Short Title.

CAP. XXXII.

An Act to alter and amend certain Provisions in the Laws relating to the Number and Election of Magistrates and Councillors in the Burghs in *Scotland*. [30th *June* 1852.]

'WHEREAS an Act was passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland: And whereas another Act was passed in the Fourth and Fifth Years of the Reign of His said late Majesty, intituled *An Act to explain certain Provisions of an Act of the Third and Fourth Years of the Reign of His present Majesty, to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland: And whereas it is expedient to alter the Number of Magistrates and Councillors in certain of the Royal Burghs in *Scotland*, and to make Provision for the Case of the Provost and Magistrates of any Burgh being included in the One Third of the Council going out of Office annually, and also for a new Election taking place in such Royal Burghs as now are or shall in future be under the Administration of Managers lawfully appointed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 3 & 4 W. 4. c. 76. 4 & 5 W. 4. c. 87.

I. That in construing this Act the Word "Council" shall be held to include Provost, Bailies, and Councillors; the Word "Magistrates" shall be held to mean Provost and Bailies, or Bailies, as the Case may be. Interpretation Clause.

II. At and after the next annual Election of Councillors in each of the Royal Burghs in *Scotland* specified in the Schedule to this Act annexed, the Number of the Councils of such Royal Burghs shall be limited to the Numbers specified in the said Schedule as applicable to each such Burgh respectively, and at such next annual Elections respectively the whole Number of Councillors specified in the said Schedule as applicable to each such Burgh, and no larger Number, shall be elected according, or as nearly as may be according, to present Use, and no Member of Council shall continue in Office in respect of any prior Election. Number of the Councils in certain Royal Burghs limited to the Number specified in the Schedule.

III. At and after such next annual Elections respectively the Magistrates of each such Burgh shall be the Number and Description of Magistrates specified in the said Schedule to this Act annexed as applicable to each such Burgh respectively; and it shall be competent for the Councillors of each such Burgh elected under this Act to elect according, or as nearly as may be according, to present Use, such Number and Description of Magistrates in each such Burgh respectively as are specified in the said Schedule as applicable to such Burgh. Magistrates in such Burghs limited to the Number specified in the Schedule.

IV. On the Completion of such next annual Elections respectively the whole Magistrates and Council previously in Office in each such Burgh shall go out, and their whole Powers, Duties, and Functions shall cease and determine, without Prejudice, nevertheless, to the Re-election under this Act of any of the On Completion of next annual Elections Magistrates and

Councils previously in Office shall go out.

the Persons so to go out, and from and after such next annual Election of Councillors in each such Burgh a Majority of the whole Council of such Burgh shall constitute a Quorum.

Magistrates to retain Office until their Successors are elected and come into Office.

V. 'Whereas by the said first-recited Act, and by the Seventy-seventh Chapter of the Statute passed 'in the same Year of King *William* the Fourth, it is provided that One Third of the Councils of the 'Burghs therein respectively referred to shall go out of Office annually, and Difficulties have arisen in 'consequence of the Provost and Magistrates of a Burgh having been included in the Third Part of the 'Council so going out of Office, whereby their Powers ceased before their Successors were elected:' For Remedy whereof, whenever it shall so happen that the Provost and Magistrates of any of the said Burghs shall all be included in the One Third of the Council going out of Office as aforesaid, they shall nevertheless retain and continue to exercise all the Powers and Functions of their several Offices of Provost and Magistrates respectively until the Election and coming into Office of their Successors; but they shall not, after the Period of their so going out of Office, be entitled to act or vote as Councillors.

Provost or Chief Magistrate to preside at First Meeting of Council after annual Election.

VI. At the First Meeting of the Council of any such Burgh after the annual Election, but before the Election of the Provost and Magistrates, the Provost or Senior Magistrate who may continue to be a Member of Council and be present at the said Meeting shall preside thereat, and shall at such Meeting have a deliberative and in case of Equality of Votes a Casting Vote; and if the Provost and all the Magistrates shall be in the Number of Councillors retiring from Office, then the retiring Provost or Chief Magistrate, or failing them the retiring Magistrate next in Seniority, shall attend and preside at such Meeting until the Meeting shall have elected the Provost and Magistrates respectively, as the Case may be, and no longer, and such Provost or Magistrate shall have no deliberative Vote in such Meeting, but shall, in case of Equality of Votes, have a Casting Vote.

Election in Burghs not contained in Schedule F. of 3&4 W.4. c. 76. having no legal Councils and being under the Administration of Managers.

VII. Where any Burgh not contained in Schedule F. annexed to the said first-recited Act shall at the Time of the passing of this Act be without any legal Council, and be under the Administration of Managers lawfully appointed, the qualified Electors of such Burgh shall, before the First *Tuesday* of *November* next after the passing of this Act, proceed to choose the Number of Councillors provided to such Burgh by this or the said first-recited Act; and where any such Burgh shall, in consequence of the Decision of a Court of Law or otherwise, be without a legal Council at any future Time, and under the Administration of Managers, the qualified Electors of such Burgh shall, before the First *Tuesday* of *November* next ensuing after the Date of the Appointment of such Managers, proceed to choose the Number of Councillors provided to such Burgh by this or the said first-recited Act; and in all such Cases the Sheriff of the County within which such Burgh is situated shall, on Application made to him by any qualified Elector of such Burgh, appoint One of the Managers thereof to discharge the Duties and exercise the Powers directed in the said first-recited Act and this Act to be performed and exercised by the retiring Provost or Senior Magistrate of such Burgh; and every such Election shall proceed and be carried on in all other respects in the Manner provided by the said first-recited Act and this Act until the Council of such Burgh shall be completed.

Election of Magistrates, &c. in Cases where Burgh has been without Council and under Managers.

VIII. Immediately after the Election of Councillors in any such Burgh shall be completed in manner herein-before provided the Councillors so elected shall proceed to elect from among their own Number the Magistrates of such Burgh, and shall also elect a Treasurer and the other usual and ordinary Office Bearers fixed by the Set or Usage of such Burgh, and shall elect Managers of any charitable Institution which may be connected with such Burgh and the Appointment of Managers to which is vested in the Magistrates and Council of such Burgh, all in the Manner provided in the said first-recited Act with regard to the Election of Magistrates and other Office Bearers, the Councillor who had the greatest Number of Votes at the Election of Councillors presiding at such Election, and having a casting or double Vote in case of Equality; and in the event of Two or more Councillors having an equal Number of Votes, One of the Managers of such Burgh to be appointed as aforesaid shall preside, and shall have a casting but no deliberative Vote; and immediately on the Completion of such Election of Magistrates the Managers of such Burgh shall cease to hold Office and to administer the Affairs of the Burgh; and all succeeding annual Elections of Councillors and Magistrates in any such Burgh shall take place at the Time and in the Manner provided in the said recited Acts and this Act.

Succeeding annual Elections of Council.

Election of Magistrates not to be invalid in consequence of retiring Magistrate or other unauthorized Person presiding at Election.

IX. No Election of any Provost or Magistrates or Councillors in any Burgh which shall have taken place prior to the passing of this Act shall be invalid by reason of any retiring Provost or Magistrate, or of any other Person not legally authorized, having presided at such Election, or having cast up the Votes and declared the Result of any Election of Councillors of such Burgh, anything in any Act of Parliament or Law or Practice to the contrary in anywise notwithstanding: Provided always, that nothing herein contained shall affect any Action or Proceeding at Law instituted prior to the passing of this Act.

Recited Acts to remain in force, except in so far as inconsistent with this Act.

X. The Provisions of the said recited Acts with respect to the Mode of Election of Magistrates and Councils, the Term of Magistrates and Councils remaining in Office, the Supply of Vacancies, and all other the Provisions thereof, shall, excepting in so far as inconsistent with or varied by this Act, be and remain in full Force and Effect, but the said Acts shall, in so far as the same or any Parts thereof are inconsistent with the Provisions of this Act, but no further, be and the same are hereby repealed.

SCHE-

SCHEDULE to which the foregoing Act refers.

——	Number of Council.	Bailies.	Provost.	——	Number of Council.	Bailies.	Provost.
Annan - - -	15	3	1	Irvine - - -	18	3	1
Anstruther, Easter - -	9	2	1	Jedburgh - -	15	3	1
Anstruther, Wester -	9	2	0	Kilrenny - -	9	2	1
Arbroath - -	18	3	1	Kinghorn - -	9	2	1
Auchtermuchty - -	12	2	1	Kirkwall - - -	12	2	1
Banff - - -	9	3	1	Lanark - - -	15	3	1
Burntisland - -	12	2	1	Lauder - - -	9	2	0
Crail - - -	9	2	1	Linlithgow - - -	15	3	1
Cullen - - -	12	2	1	Lochmaben - -	9	1	1
Culross - - -	9	2	1	New Galloway - -	9	2	1
Cupar - - -	18	3	1	North Berwick -	9	2	0
Dornoch - -	9	2	1	Peebles - - -	12	2	1
Dumbarton - -	15	3	1	Pittenweem - -	12	2	1
Dunbar - - -	12	3	1	Queensferry - -	9	2	1
Dysart - - -	9	2	1	Renfrew - -	12	2	1
Earlsferry - - -	9	2	0	Rothesay - -	18	3	1
Falkland - - -	12	2	1	Sanquhar - - -	9	2	1
Forfar - - - -	15	3	1	Selkirk - -	15	2	1
Haddington - - -	18	3	1	Whithorn - -	9	2	1
Inverary - - -	12	2	1	Wick - - -	15	3	1
Inverkeithing - -	12	2	1				

CAP. XXXIII.

An Act to confirm certain Provisional Orders made under an Act of the last Session, "to "facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions "respecting Exemptions from Tolls." [30th *June* 1852.]

'WHEREAS the Right Honourable *Spencer Horatio Walpole* One of Her Majesty's Principal Secretaries of State, has, in pursuance of the Act of the last Session of Parliament, "to facilitate "Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemp- "tions from Tolls," made certain Provisional Orders under his Hand to reduce the Rate of Interest, and for extinguishing the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and has caused such Orders to be published in the *London Gazette*, and in Newspapers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together with the Amount to which the Rate of Interest on such Debts is reduced, and the Day up to which the Interest and Arrears of Interest on such Debts are extinguished or proposed to be extinguished by such Orders, are mentioned in the Schedule to this Act: And whereas it is expedient that the said Provisional Orders should be confirmed, and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisional Orders are hereby confirmed, and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament. 14 & 15 Vict. c. 38.

Provisional Orders confirmed.

SCHEDULE.

Date of Provisional Order.	Title of Local Act.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1852.		£ s.		
24 April	55 G. 3. c. 48., "An Act for repairing the "Road from Sutton in the County of Surrey, "through the Borough of Reigate by Sidlow "Mill, to Povey Cross, and several other "Roads therein mentioned, in the same "County," - - - - -	14,180 0	3*l.* per Cent.	No Arrears.
24 April	56 G. 3. c. 47., "An Act for enlarging the "Term and Powers of Two Acts of His "present Majesty, for repairing and widen- "ing the Road from Aldermaston to Basing- "stoke, and several other Roads therein "mentioned, in the Counties of Berks and "Southampton," as far as the same relates to the First District of Road, - -	2,960 0	2*l.* per Cent.	1852. 31 Dec.
24 April	3 G. 4. c. 99., "An Act for amending and re- "pairing the Roads from Minehead in the "County of Somerset to Batham Bridge in "the Town of Bampton in the County of "Devon, and for making a new Branch of "Road to communicate therewith," - -	12,945 0	3*l.* per Cent.	31 Dec.
24 April	6 G. 4. c. 46., "An Act for repairing the Road "from Kingston-upon-Thames to Leather- "head in the County of Surrey," - -	380 0 9,821 5	3*l.* per Cent. 2*l.* 10*s.* per Cent.	31 Dec. 31 Dec.
24 April	7 & 8 G. 4. c. 4., "An Act for making and "maintaining a Turnpike Road from Temple "Normanton in the Parish of Chesterfield, "to the Mansfield and Tibshelf Turnpike "Road at or near Tibshelf Side Gate in the "County of Derby," - - -	3,086 0	2*l.* per Cent.	31 Dec.
24 April	9 G. 4. c. 84., "An Act for more effectually re- "pairing the Dunster, Stowey, Watchet, and "Crowcombe Districts of the Minehead "Roads in the Counties of Somerset and De- "von, and for making and repairing several "other Roads communicating with the same "Districts of Road or some of them," as far as the same relates to the Crowcombe District,	4,859 10	No Reduction.	31 Dec.
24 April	1 W. 4. c. 68., "An Act for consolidating the "Trusts of the several Turnpike Roads in "the Neighbourhood of Cheadle in the "County of Stafford, and for making Devia- "tions and new Branches to and from the "same," as far as the same relates to the Third or Dilhorn District, - -	1,740 0	1*l.* 10*s.* per Cent.	31 Dec.
24 April	1 W. 4. c. 68., "An Act for consolidating the "Trusts of the several Turnpike Roads in "the Neighbourhood of Cheadle in the "County of Stafford, and for making Devia- "tions and new Branches to and from the "same," as far as the same relates to the Fourth or Alton District, - -	5,224 10	2*l.* 10*s.* per Cent.	31 Dec.

CAP. XXXIV.

An Act to extend the Act to facilitate the Improvement of Landed Property in *Ireland*, and the Acts amending the same, to the Erection of Scutch Mills for Flax in *Ireland*.

[30th *June* 1852.]

'WHEREAS an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland: And whereas an Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter Twenty-three, was passed "to authorize further Advances of Money for the Improvement of Landed Property and the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*:" And whereas another Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, was passed "to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances:" And whereas under the Eighth Section of the said last-recited Act Loans were authorized to be made for the Erection of Farm Buildings in *Ireland*, and it is expedient to authorize Loans to be made in like Manner for the Erection of Scutch Mills for Flax:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of any Money authorized to be advanced for facilitating the Improvement of Landed Property in *Ireland* under the said recited Act of the Tenth Year of Her Majesty, or under the said secondly-recited Act, or under such Part of the said thirdly-recited Act as relates to the Improvement of Landed Property in *Ireland*, Loans may be made for the Erection of Buildings suitable to Scutch Mills for Flax in *Ireland*, and for the Formation of Watercourses and Weirs necessary for providing Water Power for the same; and all the Provisions of the said recited Act of the Tenth Year of Her Majesty and the said secondly and thirdly recited Acts, so far as the same are applicable, shall be construed in like Manner as if the Erection of Buildings and Works as aforesaid for Scutch Mills for Flax had been enumerated in such recited Act of the Tenth Year of Her Majesty among the Purposes for which Loans might be made under that Act: Provided always, that nothing herein contained shall extend to Loans for the Erection or supplying of any Water-wheel or any Machinery for any such Scutch Mill for Flax.

10 & 11 Vict. c. 32. 12 & 13 Vict. c. 23. 13 & 14 Vict. c. 31.

Loans under recited Acts may be made for the Erection of Scutch Mills in Ireland.

CAP. XXXV.

An Act to amend an Act passed in the last Session of Parliament, intituled *An Act to regulate certain Proceedings in relation to the Election of Representative Peers for* Scotland.

[30th *June* 1852.]

'WHEREAS Mention is made in the Third Section of an Act passed in the last Session of Parliament, intituled *An Act to regulate certain Proceedings in relation to the Election of Representative Peers for* Scotland, of Subscription to a Declaration no longer required by Law, and it is expedient to repeal and amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

14 & 15 Vict. c. 87.

Section 3. repealed.

I. The Third Section of the said recited Act be repealed.

Peers of Scotland may take the Oaths, &c. in Courts of Ireland, and before other Officers.

II. A Peer of *Scotland* may take and subscribe any Oaths required by Law to entitle such Peer to vote by Proxy or signed List at such Elections in Her Majesty's High Court of Chancery in *Ireland*, or Her Majesty's Courts of Queen's Bench, Common Pleas, or Exchequer in *Ireland*, in the same Manner and under the same Regulations as he may take and subscribe the same in the like Courts in *England*, or he may take and subscribe the said Oaths before the Lieutenant of any County in *Great Britain* or *Ireland*, or any Member of Her Majesty's Most Honourable Privy Council in *Great Britain* or *Ireland*, or any Judge of a County Court in *England*, or any *British* Ambassador or Minister accredited to any Foreign Court, or the Secretary of any such Embassy or Legation, or the Governor, Lieutenant Governor, or Officer administering the Government of any of Her Majesty's Plantations, Colonies, or Possessions abroad, or any of Her Majesty's Judges residing therein; and every such Person before whom the said Oaths shall be taken and subscribed shall certify the same in a Certificate attached thereto, which shall be produced, together with the Proxy or signed List of the Peer, at such Election: Provided always, that nothing herein contained shall be construed to prevent any Peer taking and subscribing such Oaths in any Manner at present competent by Law.

CAP. XXXVI.

An Act to amend the Law relating to the certifying and registering Places of Religious Worship of Protestant Dissenters.

[30th *June* 1852.]

'WHEREAS by an Act passed in the First Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for exempting their Majesties Protestant Subjects dissenting from the Church of* England *from the Penalties of certain Laws*, it was enacted, that no Congregation or Assembly for Religious Worship should be permitted or allowed by that Act until the Place of the meeting of such Congregation or Assembly had been certified to the Bishop of the Diocese, or Archdeacon of the

1 W. & M. Sess. 1. c. 18.

'Archdeaconry, or the Justices of the Peace at their General or Quarter Sessions of the Peace for the 'County, City, or Place in which the Meeting shall be, and registered in the Bishops or Archdeacons 'Courts respectively, or recorded at the Quarter Sessions: And whereas by another Act passed in the 52 G. 3. c. 155. 'Fifty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act to repeal* '*certain Acts and to amend other Acts relating to Religious Worship and Assemblies, and Persons* '*teaching or preaching therein*, Enactments were made for certifying and registering the Places of 'Meeting of certain Congregations and Assemblies for Religious Worship of Protestants: And whereas 'it is expedient that such Places of Meeting should no longer be certified to or registered in the Court 'of any Bishop or Archdeacon, or be certified to any Justices of the Peace, or be recorded at the 'Quarter Sessions, but that such other Provision for the Certification and Registration thereof should 'be made as is herein-after contained:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Places of Religious Worship not to be certified to or registered in Bishop's Registry.

I. No Place of Meeting of any Congregation or Assembly for Religious Worship of Protestants dissenting from the Church of *England* shall from and after the passing of this Act be certified to any Bishop or Archdeacon, or to any Justices of the Peace at their General or Quarter Sessions of the Peace, or be certified to or registered in the Court of any Bishop or Archdeacon, or be recorded at the Quarter Sessions, and the certifying to any Bishop or Archdeacon, or Justices of the Peace, or the certifying to or registering or recording in any such Court or at the Quarter Sessions, after the Time aforesaid, or the Certificate of any registering therein, given after the Time aforesaid by any Bishop or Registrar or Clerk of the Peace, shall be void and of no Effect; and the Registrar of every Bishop and Archdeacon, and the Clerk of the Peace of the County, Riding, Division, City, Town, or Place in which such Places of Meeting respectively are held, shall, within Three Calendar Months next after the passing of this Act, make a Return to the Registrar General of Births, Deaths, and Marriages in *England*, according to a Form to be provided by him for the Purpose, of all such Places of Meeting which, up to the Time when this Act shall come into operation, shall have been certified to and registered in the Court of the Bishop or Archdeacon respectively, or have been certified to the Justices of the Peace, or recorded at the Quarter Sessions; and it shall be lawful, instead of certifying any such Place of Meeting to the Bishop or Archdeacon, or to the Court of any Bishop or Archdeacon, or to the Quarter Sessions, to certify the same in Writing to the said Registrar General, through the Superintendent Registrar of Births, Deaths, and Marriages of the Union, Parish, or Place in which such Meeting shall be held, and the said Superintendent Registrar shall forthwith transmit the said written Certificate to the Registrar General, who is hereby required to record the same in a Book to be kept by him for that Purpose at the General Register Office; and the certifying any such Place of Meeting to the Registrar General as aforesaid shall have the same Force and Effect as if the same were certified to the Bishop or Archdeacon, or to the Justices of the Peace at their General or Quarter Sessions of the Peace; and the said Registrar General shall give to every Person demanding the same a Certificate that any such Place of Meeting has been duly certified.

Fee of 2*s.* 6*d.* to be taken for such Certificate of Registration.

II. For every such Certificate of such Registration the Parties so registering such Places of Worship shall pay to the Superintendent Registrar a Fee of Two Shillings and Sixpence, and it shall not be lawful for him on any Ground whatever to demand or take any greater Fee or Reward for the same.

List of certified Places of Worship to be printed, and open to Inspection without Fee.

III. The Registrar General shall in every Year make out and cause to be printed a List of all existing certified Places of Worship which shall have been returned to him as aforesaid, and also of all such other Places of Worship as shall from Time to Time be certified to and recorded by him as aforesaid, and shall state in such List the County and Superintendent Registrar's District within which each of such Places of Worship is situated, and the Religious Denomination to which it belongs, and shall cause a Copy of such List to be sent to every Superintendent Registrar of Births, Deaths, and Marriages in *England;* and such Lists shall be open at all reasonable Times, without Fee, to all Persons desirous of inspecting the same.

CAP. XXXVII.

An Act to continue the Poor Law Commission for *Ireland.* [30th *June* 1852.]

10 & 11 Vict. c. 90. Sect. 1, 23. 14 & 15 Vict. c. 68.

'WHEREAS by the Act of the Eleventh Year of Her Majesty, Chapter Ninety, Provisions were 'made for the Constitution and Appointment of Commissioners for administering the Laws for 'the Relief of the Poor in *Ireland*, Secretaries, Inspectors, and other Officers: And whereas by an Act 'of the Fifteenth Year of Her Majesty, Chapter Sixty-eight, Provisions were made for the Appoint- 'ment of Two Persons, who, together with the Commissioners appointed under the said first-recited 'Act, should be "The Commissioners for administering the Laws for the Relief of the Poor in *Ireland*:" 'And whereas the above-mentioned Provisions of the said first-recited Act will expire at the End of 'the Session of Parliament held next after the Twenty-second Day of *July* in the present Year, and it 'is expedient that the Commission for administering the Laws for the Relief of the Poor in *Ireland*, as 'constituted under said recited Acts, should be continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said recited Acts or either of them, together with every

Irish Poor Law Commission further continued.

every Person by the said Acts or either of them constituted by virtue of his Office such Commissioner, and every Secretary, Inspector, and other Officer and Person appointed or to be appointed by the Commissioners, under the Provisions of the said first-recited Act now in force, shall, unless he shall previously resign or be removed, or otherwise cease to hold his Office, be empowered to hold his Office and exercise the Powers thereof under the said Acts or either of them until the Twenty-third Day of *July* One thousand eight hundred and fifty-four, and henceforth until the End of the then next Session of Parliament; and until the Expiration of the said Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the said recited Acts or either of them, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed by Her Majesty, Her Heirs and Successors, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said recited Acts or either of them is described, some other fit Person to the said Office.

CAP. XXXVIII.

An Act to explain Two Acts of the Twelfth and Thirteenth Years of the Reign of Her Majesty, concerning the Appointments of Overseers, and the Authority of Justices of the Peace to act in certain Matters relating to the Poor in Cities and Boroughs. [30th *June* 1852.]

'WHEREAS by the Act passed in the Twelfth Year of the Reign of Her Majesty, Chapter Eight, it was enacted, that in every City, Town Corporate, or Borough the Justices of the Peace having Jurisdiction therein should have the exclusive Right of appointing the Overseers of the Poor of the several Parishes, Townships, or other Places separately maintaining their own Poor, or of any Parts thereof within the said Cities, Towns Corporate, and Boroughs respectively, in like Manner and with the same Effect as the Justices of any County then had in respect of the Overseers of the Poor of any Parish within such County: And whereas by another Act of the Thirteenth Year of the Reign of Her Majesty, Chapter Sixty-four, it was enacted, that all Powers and Authorities which by the Act of the Forty-third Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Relief of the Poor*, may be exercised out of General or Quarter Sessions by Two or more Justices of any County, might be exercised within any City or Borough by any Two or more Justices of the Peace having Jurisdiction within such City or Borough respectively as fully in all respects as by the Justices of the County in or for any Parish of such County: And whereas Doubts exist as to the Meaning of the said Statutes with reference to the Justices who are competent to act under and by virtue of the same, and it is expedient that such Doubts should be removed:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in any City or Borough all Justices of the Peace, whether of such City or Borough or of the County, Riding, or Division comprising the same or adjoining thereto, who shall otherwise have Jurisdiction to act in any Matter arising within such City or Borough, shall be deemed to be competent to act therein under and by virtue of the said Statutes in all respects.

Justices having Jurisdiction in other Matters in any City or Place may act in Cases relating to the Relief of the Poor.

CAP. XXXIX.

An Act to remove Doubts as to the Lands and Casual Revenues of the Crown in the Colonies and Foreign Possessions of Her Majesty. [30th *June* 1852.]

'WHEREAS by the Act of the First Year of His late Majesty King *William* the Fourth, Chapter Twenty-five, "for the Support of His Majesty's Household, and of the Honour and Dignity of "the Crown of the United Kingdom of *Great Britain* and *Ireland*," the Produce of certain Revenues which in former Settlements of the Civil List had been reserved to the Crown, (that is to say,) "the "Produce of the Hereditary Casual Revenues arising from any Droits of Admiralty or Droits of the "Crown, or from the Duties called the Four-and-a-Half *per Centum* Duties, or *West Indian* Duties, "and from all surplus Revenues of *Gibraltar*, or any other Possession of His Majesty out of the "United Kingdom, and from all other Casual Revenues arising either in the Foreign Possessions of "His Majesty or in the United Kingdom," which should accrue during the Life of His said Majesty, was directed to be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: And whereas by the Act of the First Year of Her Majesty, Chapter Two, "for the Support of Her Majesty's Household, and of the Honour and Dignity of the Crown of the "United Kingdom of *Great Britain* and *Ireland*," it was enacted, that (with other Revenues) the Produce of the Hereditary Casual Revenues arising from any Droits of Admiralty or Droits of the Crown, or from the Duties called the Four-and-a-Half *per Centum* Duties, or *West India* Duties, and from the surplus Revenues of *Gibraltar*, or any other Possession of Her Majesty out of the United Kingdom, and from all other Casual Revenues arising either in the Foreign Possessions of Her Majesty or in the United Kingdom which were surrendered by His said late Majesty King *William* the Fourth for his Life, and which upon the Demise of His said late Majesty became payable to Her present Majesty, which had accrued since the Decease of His said late Majesty, or which should accrue during the Life of Her present Majesty, and which should not have been applied and distributed in the Payment of any

1 W. 4. c. 25. s. 2.

1 Vict. c. 2. s. 2.

'Charge

'Charge thereupon respectively, should be carried to and made Part of the said Consolidated Fund: 'And whereas from the Time of the passing of the said Act of the First Year of King *William* the 'Fourth the Lands of the Crown in the Colonies (save where special Provision has been made in 'relation thereto by other Acts of Parliament) have been hitherto granted and disposed of, and the 'Monies arising from the same, whether on Sales or otherwise, have been appropriated, by or under the 'Authority of the Crown, and by and under the Authority of the Legislatures of the several Colonies, 'as if the said Acts of the First Year of King *William* the Fourth and of the First Year of Her present 'Majesty had not been passed: And whereas Doubts have arisen whether the Monies arising as 'aforesaid in the said Colonies may not be considered Hereditary Casual Revenues within the Meaning 'of the said Acts, and whether all or any Part of other Revenues arising within the said Colonies, and 'being Hereditary Casual Revenues within the Meaning of the said Acts, may be lawfully appropriated 'to public Purposes for the Benefit of the Colonies within which they may have respectively arisen; 'and it is expedient that such Doubts should be removed:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Provisions not to be deemed to have extended to the Produce of the Sale of Lands in the Colonies.

I. The Provisions of the said recited Acts in relation to the Hereditary Casual Revenues of the Crown shall not extend or be deemed to have extended to the Monies arising from the Sale or other Disposition of the Lands of the Crown in any of Her Majesty's Colonies or Foreign Possessions, nor in anywise invalidate or affect any Sale or other Disposition already made or hereafter to be made of such Lands, or any Appropriation of the Monies arising from any such Sale or other Disposition which might have been lawfully made if such Acts or either of them had not been passed.

Provisions not to prevent the Appropriation of Casual Revenues in the Colonies to Colonial Purposes.

II. Nothing in the said recited Acts contained shall extend or be deemed to have extended to prevent any Appropriation which, if the said Acts had not been passed, might have been lawfully made, by or with the Assent of the Crown, of any Casual Revenues arising within the Colonies or Foreign Possessions of the Crown (other than Droits of the Crown and Droits of Admiralty), for or towards any public Purposes within the Colonies or Possessions in which the same respectively may have arisen: Provided always, that the Surplus not applied to such public Purposes of such Hereditary Casual Revenues shall be carried to and form Part of the said Consolidated Fund.

CAP. XL.

An Act for carrying into execution an Agreement for the Sale of Property belonging to Her Majesty, in right of Her Crown and of Her Duchy of *Lancaster*, to the Commissioners of Inland Revenue; and for enabling such Commissioners to dispose of their present Chief Office and other Property in the City of *London*. [30th *June* 1852.]

8 G. 3, c. 32

'WHEREAS by an Act made and passed in the Session of Parliament holden in the Eighth Year 'of the Reign of His late Majesty King *George* the Third, and intituled *An Act for carrying 'into execution an Agreement made between the Mayor and Commonalty and Citizens of the City of* 'London *and the Wardens and Commonalty of the Mystery of Mercers of the said City and* Stamp 'Brooksbank *Esquire, Secretary to the Commissioners of His Majesty's Revenue of Excise, for the Pur-'chase of* Gresham College *and the Ground and Buildings thereunto belonging, and for vesting the same 'unalienably in the Crown for the Purpose of erecting and building an Excise Office there, and for 'enabling the Lecturers of the said College to marry, notwithstanding any Restriction contained in the 'Will of Sir* Thomas Gresham *Knight, deceased,* it is enacted, that from and after the Twenty-fifth Day 'of *March* One thousand seven hundred and sixty-eight, all that Messuage or Tenement then called '*Gresham College* in the Parish of *Saint Helen's* in *Bishopsgate Street* and in *Saint Peter's the Poor* 'in the City of *London*, and all the Ground thereunto belonging and in the said Act particularly 'described, together with all Erections and Buildings then erected and built upon the said Ground and 'Premises therein described, or any Part thereof, or that should at any Time thereafter be built and 'erected thereon or on any Part thereof, with all the Appurtenances whatsoever to the said Messuage, 'Tenement, and College, or any Part thereof belonging and usually held and enjoyed therewith, should 'be and be deemed to be and were thereby declared to be vested in and annexed to the Imperial Crown 'of this Realm, and should be and remain for ever unalienable from the same, and that His said Majesty, 'and his Successors to the Imperial Crown of this Realm, should for ever have, hold, and enjoy the 'same against the Mayor and Commonalty and Citizens of the City of *London* and the Wardens and 'Commonalty of the Mystery of Mercers of the City of *London*, and all and every Person and Persons 'claiming or to claim by, from, or under them or any of them, freed and discharged of and from all 'former Estates, Leases, or other Incumbrances whatsoever made or granted of the said Premises or 'any Part thereof; and by the same Act it is enacted, that it should and might be lawful to and for all 'Bodies Politic, Corporate, or Collegiate, and all Trustees, Mortgagees, and Feoffees in Trust, Guardians 'of Infants, and Committees of Lunatics and Idiots, Executors, and Administrators whatsoever, and all 'and every other Person or Persons whomsoever who were or should be seised, possessed, or interested 'in any Lands or Tenements standing or being contiguous or adjoining to the said College, to bargain 'and sell the same to such Person or Persons as the Commissioners of His Majesty's Treasury then 'being, or any Three or more of them, or the High Treasurer, or the Commissioners of His Majesty's 'Treasury for the Time being, or any Three or more of them, should by Writing under his or their

'Hands

'Hands appoint to contract for the Purchase thereof for the Purpose aforesaid, and such Lands or 'Tenements so to be purchased should be conveyed to His Majesty, His Heirs or Successors, by Deed 'or Deeds, to be enrolled in His Majesty's Court of King's Bench, and when so purchased should be, 'and be deemed to be, and were thereby declared to be vested in and annexed to the Imperial Crown of 'this Realm, and should be and remain for ever unalienable from the same; and all Contracts, Agree-'ments, and Sales, and all Conveyances by such Deeds enrolled as aforesaid, which should be made by 'such Bodies Politic, Corporate, or Collegiate, or other Persons aforesaid, should be valid and effectual 'to all Intents and Purposes, any Law, Statute, or Usage, or any other Matter or Thing to the contrary 'notwithstanding: And whereas after the passing of the said Act, the said Messuage or Tenement 'called *Gresham College* was pulled down, and a Building now known as "The Chief Office of Inland 'Revenue" was erected on the Site thereof: And whereas in the Year One thousand seven hundred 'and ninety-six, one *Edmund Cotterell* sold to the then Commissioners of His then Majesty's Revenue 'of Excise, a Messuage situate in *Bishopsgate Street* aforesaid, and then lately numbered 99 on the 'West Side of the said Street, and formerly called or known by the Sign of the *Brass Pot:* And 'whereas the said Messuage was not conveyed to His then Majesty, His Heirs or Successors, but by Inden-'tures of Lease and Release, dated respectively the Twenty-first and Twenty-second Days of *December* 'One thousand seven hundred and ninety-six, the Release being made between the said *Edmund Cotterell* 'of the One Part, and *John Fisher* Esquire, therein described according to the Fact as the Secretary of 'the Commissioners of Excise, of the other Part, the said Messuage was released and confirmed to the 'said *John Fisher* and his Heirs to the Use of himself and his Heirs and Assigns for ever; and by a 'Deed Poll, bearing Date some Time in the Year One thousand eight hundred and one, it was declared 'by the said *John Fisher* that the Consideration mentioned in the said Indenture of Release to have 'been paid by him for the said Messuage was in fact paid to him by the Commissioners of Excise to 'make the said Purchase for them and their Successors Use, and that he would at any Time thereafter, 'at the Costs and Charges of the said Commissioners, convey the said Messuage as they should direct: 'And whereas in the Year One thousand eight hundred and twenty-two, one *Catherine Martha Mellish* 'sold to the then Commissioners of His then Majesty's Revenue of Excise, a Messuage or Tenement or 'Range of Buildings in *Old Broad Street*, then formerly called the Excise Office, and the Messuage or 'Tenement at the East End thereof, which Messuages or Tenements and Range of Buildings were 'afterwards let to the *South Sea* Company, and were afterwards called the *South Sea House*, but were 'then divided into distinct Chambers or Tenements, and also the Tenement or Building in *Old Broad* '*Street*, adjoining to the before-mentioned Messuages or Tenements or Range of Buildings formerly 'called the *Old South Sea House*, and then divided into distinct Chambers or Tenements: And 'whereas the said Messuages or Tenements and Range of Buildings were not conveyed to His then 'Majesty, His Heirs and Successors, but by Indentures of Lease and Release, dated respectively the 'Eighth and Ninth Days of *November* One thousand eight hundred and twenty-two, the Release being 'made between the said *Catherine Martha Mellish* of the One Part, and *Thomas Burton*, therein 'described according to the Fact as the Secretary to the Commissioners of Excise, of the other Part, 'the said Messuages, Tenements, and Range of Buildings were released and confirmed to the said '*Thomas Burton* and his Heirs, to the Use of himself, his Heirs and Assigns for ever; and by a Deed 'Poll the said *Thomas Burton* declared that the Name of him the said *Thomas Burton* was used in the 'said Indentures of Lease and Release in trust only for the Commissioners of Excise for the Time 'being, by whom or by whose Directions the Purchase Money of the said Messuages, Tenements, and 'Range of Buildings was paid, and not by him the said *Thomas Burton;* and that he the said *Thomas* '*Burton*, his Heirs and Assigns, should and would stand and be seised and possessed of and in the 'same in trust when thereunto required by and at the Costs and Charges of the Commissioners for the 'Time being, or the major Part of them, to assign the same Messuages, Tenements, Hereditaments, 'and Premises, with the Appurtenances, to such Person or Persons and for such Estate and Estates, 'Interest and Interests, and in such Manner and Form as the said Commissioners for the Time being or 'the major Part of them should at any Time thereafter direct or appoint, and in the meantime to 'permit and suffer the said Messuages or Tenements, Hereditaments, and Premises, with the Appur-'tenances, to be holden and enjoyed by such Person or Persons and in such Manner as the said Com-'missioners of Excise for the Time being, or the major Part of them, might order and direct: And 'whereas by an Indenture of Lease, bearing Date the Second Day of *July* in the Year One thousand 'eight hundred and thirty-five, and made between *John Clayton Freeling*, the then Secretary of His 'then Majesty's Commissioners of Excise, of the First Part; Sir *Francis Hastings Doyle* Baronet, and '*William Plunkett* and *Thomas Harrison* Esquires, Two of the said Commissioners, of the Second 'Part; *John Baring, George Carr Glynn, John Labouchere, Thomas Masterman, John Abel Smith,* '*Rees Goring Thomas,* and *Andrew Henry Thompson*, therein severally described, of the Third Part, 'a Portion of the Property comprised i the said Indenture of Release, bearing Date the Ninth Day of '*November* One thousand eight hundred and twenty-two, together with a Messuage or Tenement then 'lately erected and built thereon, which said Premises are more particularly described on a Map in the 'Margin of the said Indenture of Lease, was demised to the said Parties of the Third Part, their 'Executors, Administrators, and Assigns, from the Twenty-fifth Day of *March* One thousand eight 'hundred and thirty-four, during Ninety-eight Years thence next ensuing, yielding to the said *John* '*Clayton Freeling* and his Successors in the Office of Secretary to the said Commissioners the annual 'Rent of Three hundred and thirty Pounds: And whereas by an Act passed in the Session of Parliament

'holden

12 & 13 Vict. c. 1. ‘ holden in the Twelfth Year of the Reign of Her present Majesty, and intituled *An Act to consolidate*
‘ *the Boards of Excise and Stamps and Taxes into One Board of Commissioners of Inland Revenue,*
‘ *and to make Provision for the Collection of such Revenue,* it is enacted, that from and after the passing
‘ of that Act the several Persons then appointed and being Commissioners of Excise and Commissioners
‘ of Stamps and Taxes respectively, should, without any further Commission or Authority than that
‘ Act, become and be One consolidated Board of Commissioners, and be called the “Commissioners of
‘ Inland Revenue,” and from thenceforth all the several Revenues, Duties, Matters, and Things which
‘ at the Time of the passing of that Act were collected by or were under the Care and Management
‘ of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively,
‘ should respectively be collected by and should be under the Care and Management of the Commissioners
‘ of Inland Revenue constituted by that Act, or to be appointed as therein-after directed in the same
‘ Manner as such Revenues, Duties, Matters, and Things respectively had theretofore been collected by
‘ or had been under the Care and Management of the said Commissioners of Excise and of the said
‘ Commissioners of Stamps and Taxes respectively, and that all such Revenues and Duties should be
‘ denominated and be deemed to be Inland Revenue: And whereas the Commissioners of Inland
‘ Revenue are desirous of building Offices for carrying on the Business of the Inland Revenue, and with
‘ that Object an Agreement has been made between *John Thornton, Charles Powlett Rushworth,* and
‘ *Charles Pressly,* Esquires, Three of the Commissioners of Inland Revenue, of the First Part; Her
‘ Most Gracious Majesty Queen *Victoria,* by and with the Advice and Consent of the Chancellor and
‘ Council of Her Duchy of *Lancaster,* of the Second Part; *Frederick Dawes Danvers* Esquire, Clerk of
‘ the Council of Her Majesty’s said Duchy of *Lancaster,* of the Third Part; and the Honourable
‘ *Charles Alexander Gore* and the Right Honourable *Thomas Francis Kennedy,* Two of the Com-
‘ missioners of Her said Majesty’s Woods, Forests, Land Revenues, Works, and Buildings, on behalf of
‘ Her Majesty in right of Her Crown, with the Authority of the Commissioners of Her Majesty’s
‘ Treasury, as follows; that is to say,

‘ “ Memorandum of Agreement made this Sixteenth Day of *October* One thousand eight hundred and
‘ “ fifty-one, between *John Thornton, Charles Powlett Rushworth,* and *Charles Pressly,* Esquires, Three
‘ “ of the Commissioners of Inland Revenue, acting under the Authority of an Act of Parliament made
‘ “ and passed in the Seventh and Eighth Years of His late Majesty King *George* the Fourth, Chapter
7 & 8 G. 4. c. 53. ‘ “ Fifty-three, intituled *An Act to consolidate and amend the Laws relating to the Collection and*
‘ “ *Management of the Revenue of Excise throughout* Great Britain *and* Ireland, and of an Act of Par-
‘ “ liament made and passed in the Twelfth and Thirteenth Years of the Reign of Her present Majesty,
12 & 13 Vict. c. 1. ‘ “ Chapter One, intituled *An Act to consolidate the Boards of Excise and Stamps and Taxes into One*
‘ “ *Board of Commissioners of Inland Revenue, and to make Provision for the Collection of such Revenue,*
‘ “ of the First Part; Her Most Gracious Majesty Queen *Victoria,* by and with the Advice and Consent
‘ “ of the Chancellor and Council of Her Duchy of *Lancaster,* of the Second Part; *Frederick Dawes*
‘ “ *Danvers* Esquire, Clerk of the Council of Her Majesty’s said Duchy of *Lancaster,* of the Third Part;
‘ “ and the Honourable *Charles Alexander Gore* and the Right Honourable *Thomas Francis Kennedy,*
‘ “ Two of the Commissioners of Her Majesty’s Woods, Forests, Land Revenues, Works, and Buildings,
‘ “ on behalf of Her said Majesty in right of Her Crown, with the Authority of the Commissioners of
‘ “ Her Majesty’s Treasury, signified by a Warrant under their Hands bearing Date the Twenty-seventh
‘ “ Day of *August* One thousand eight hundred and fifty-one, and also under the Authority of an Act of
‘ “ Parliament made and passed in the Tenth Year of His late Majesty King *George* the Fourth, Chapter
10 G. 4. c. 50. ‘ “ Fifty, intituled *An Act to consolidate and amend the Laws relating to the Management and Im-*
‘ “ *provement of His Majesty’s Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown*
‘ “ *within the Survey of the Exchequer in* England; *and of the Land Revenue of the Crown in* Ireland;
‘ “ *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney, and of
‘ “ another Act of the Session of Parliament holden in the Second and Third Years of King *William* the
‘ “ Fourth, Chapter One, of the Fourth Part: Whereas all that Piece of Land or Area on the East Side
‘ “ of *Wellington Street* leading from the *Strand* to *Waterloo Bridge,* lying between the said Street and
‘ “ the Houses on the West Side of *Somerset Place,* more particularly delineated and described on the
‘ “ Plan drawn on the Back of the Second Skin of this Agreement and coloured Brown on such Plan,
‘ “ and the Two Southernmost Houses on the Eastern Side of *Wellington Street* aforesaid, also deline-
‘ “ ated and described and respectively coloured Pink and Green on the said Plan, are vested in Her
‘ “ said Majesty in right of Her said Duchy in Fee Simple, free from Incumbrances, except that the
‘ “ House coloured Pink on the said Plan is subject to a certain Lease dated the Fifth Day of *February*
‘ “ One thousand eight hundred and twenty-three, and made between His late Majesty King *George* the
‘ “ Fourth of the One Part, and *William Fenton,* therein described, of the other Part, and the said House
‘ “ coloured Green on the said Plan is subject to a certain Lease dated the said Fifth Day of *February*
‘ “ One thousand eight hundred and twenty-three, and made between His said late Majesty of the One
‘ “ Part, and *John Mattocks,* therein described, of the other Part: And whereas all and singular the
‘ “ Vaults, Grounds, Soil, and Premises whatsoever, situate under *Wellington Street* aforesaid, leading
‘ “ from the *Strand* to *Waterloo Bridge,* and coloured Blue and Yellow on the said Plan, are vested in
‘ “ the said *Frederick Dawes Danvers* in trust for Her said Majesty, Her Heirs and Successors, in right
‘ “ of Her said Duchy, for all the Residue of the Term of Ninety-nine Years, commencing from the
‘ “ Twenty-fifth Day of *June* One thousand eight hundred and seventeen, and created by Indenture dated
‘ “ the Tenth Day of *June* One thousand eight hundred and nineteen, and made between the Company of

‘ “ Proprietors

‘ “ Proprietors of the *Waterloo Bridge* of the One Part, and *Robert John Harper*, therein described, of
‘ “ the other Part, subject nevertheless to the several Exceptions expressed in the said Lease, and to the
‘ “ Payment of the annual Rent of Three hundred and fifty Pounds, and to the Observance and Per-
‘ “ formance of the Covenants, Conditions, and Agreements therein contained and reserved; and subject
‘ “ also, as to the Premises coloured Blue on the said Plan, to an Under-lease thereof to the Commissioners
‘ “ for executing the Office of Lord High Admiral for the Term of Thirty-one Years, commencing from
‘ “ the Twenty-sixth Day of *March* One thousand eight hundred and forty, and created by Indenture
‘ “ dated the said Twenty-sixth Day of *March* One thousand eight hundred and forty: And whereas Her
‘ “ said Majesty in right of Her said Duchy is not entitled to the entire beneficial Interest in the Freehold
‘ “ and Leasehold Hereditaments and Premises, the legal Estate whereof is vested in Her and the said
‘ “ *Frederick Dawes Danvers* in trust as aforesaid, but Her Majesty, in right of Her Crown as well as in
‘ “ right of Her said Duchy, has a beneficial Interest in the said Freehold and Leasehold Hereditaments
‘ “ and Premises; and the beneficial Interest of Her Majesty, in right of Her Crown, and of Her said
‘ “ Majesty in right of Her said Duchy, in the said Freehold and Leasehold Hereditaments and Premises,
‘ “ is as 31,385 (the Proportion of Her Majesty in right of Her Crown) to 103,054 (the Proportion of
‘ “ Her Majesty in right of Her said Duchy): And whereas the Commissioners of Inland Revenue desire
‘ “ to build Offices for carrying on the Business of the Inland Revenue, and with that Object have offered
‘ “ to purchase from Her Majesty Her respective Interests in right of Her Crown and Duchy in the
‘ “ Hereditaments and Premises coloured on the said Plan Brown, Pink, Green, and Blue; and the
‘ “ Chancellor and Council of Her Majesty's Duchy of *Lancaster* in respect of Her Majesty's Rights,
‘ “ *jurê Ducatus*, and the Commissioners of Woods, Forests, and Land Revenues in respect of Her
‘ “ Majesty's Rights, *jurê Coronæ*, are willing to sell such Rights to the said Commissioners of Inland
‘ “ Revenue; but, inasmuch as no Sale or Conveyance of any Part of the Possessions of the said Duchy
‘ “ can be made without the Authority of an Act of Parliament, an Act will be requisite to effectuate any
‘ “ Sale or Conveyance to the Commissioners of Inland Revenue: And whereas the Commissioners of
‘ “ Inland Revenue desire to commence building without Delay; and to enable them so to do the said
‘ “ several Parties hereto lately agreed that the said Freehold and Leasehold Hereditaments and Premises
‘ “ coloured as aforesaid on the said Plan should be at once surveyed and valued by *Philip Hardwick*, a
‘ “ practical Surveyor and Architect, and that the said Commissioners of Inland Revenue should then be
‘ “ allowed to take Possession of the said Freehold and Leasehold Premises, but subject and without
‘ “ Prejudice to the said Two Leases of the Fifth Day of *February* One thousand eight hundred and
‘ “ twenty-three, and the said Under-lease of the Twenty-sixth Day of *March* One thousand eight
‘ “ hundred and forty, and subject to the Terms and Conditions contained in the said Three Leases, and
‘ “ the said Under-lease, and in this Agreement: And whereas, in pursuance of the said Agreement, the
‘ “ said *Philip Hardwick* hath surveyed the said Freehold and Leasehold Hereditaments and Premises
‘ “ proposed to be purchased as aforesaid, and hath estimated the Value thereof at the Sum of Six thou-
‘ “ sand six hundred and five Pounds, and hath certified that the Sum of Five thousand and sixty-three
‘ “ Pounds, Part thereof, is the Value of Her said Majesty's beneficial Interest in right of Her said
‘ “ Duchy in the said Hereditaments and Premises, and the Sum of One thousand five hundred and
‘ “ forty-two Pounds, the Residue thereof, is the Value of Her Majesty's said beneficial Interest in right
‘ “ of Her Crown in the said Hereditaments and Premises; Now the said *John Thornton*, *Charles*
‘ “ *Powlett Rushworth*, and *Charles Pressly*, do hereby for themselves and their Successors agree with
‘ “ Her said Majesty in right of Her said Duchy, Her Heirs and Successors, and with the said *Frederick*
‘ “ *Dawes Danvers*, his Executors, Administrators, and Assigns, and with the said *Charles Alexander*
‘ “ *Gore* and *Thomas Francis Kennedy*, as such Commissioners as aforesaid, in respect of Her Majesty's
‘ “ Interest *jurê Coronæ*, that the Commissioners of Inland Revenue, or their Successors, shall and will,
‘ “ on the Execution of this Agreement, pay the said Sum of Six thousand six hundred and five Pounds
‘ “ into the Bank of Messrs. *Coutts* and Co., Bankers, and that the same when paid in shall be invested
‘ “ in Exchequer Bills, to be held by the said Messrs. *Coutts* and Co., in the Names and subject to the
‘ “ Control of the Chancellor for the Time being of Her Majesty's said Duchy of *Lancaster*, and the
‘ “ Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, until such
‘ “ Act shall be obtained, and such Conveyances and Assignments or other Assurances executed as herein-
‘ “ after provided, or until such Purchase Money shall be forfeited as herein-after also provided; and
‘ “ further, that the Commissioners of Inland Revenue, or their Successors, shall and will, within Twelve
‘ “ Calendar Months from the Date of this Agreement, apply for and obtain at their own Expense an
‘ “ Act of Parliament to authorize the Sale of the said Hereditaments and Premises comprised in this
‘ “ Agreement, and coloured Brown, Green, Pink, and Blue on the said Plan, and the Conveyance and
‘ “ Assignment thereof respectively, to the Secretary for the Time being of the Commissioners of Inland
‘ “ Revenue and his Successors, in trust for Her said Majesty, Her Heirs and Successors, for the Use
‘ “ and Service of the Inland Revenue, and shall and will in the meantime pay to the Company of Pro-
‘ “ prietors of the *Waterloo Bridge* the Sum of One hundred and seventy-five Pounds, being the Moiety
‘ “ of the Rent reserved by the said Indenture of Lease, dated the Tenth Day of *June* One thousand eight
‘ “ hundred and nineteen, by equal half-yearly Payments, on the Twenty-fourth Day of *June* and the
‘ “ Twenty-fifth Day of *December* in every Year, the First Payment to be made on the Twenty-fifth Day
‘ “ of *December* next, without any Deduction whatsoever, and shall and will observe and perform all the
‘ “ other Covenants, Conditions, and Agreements contained in the said Indenture of Lease, and on the
‘ “ Lessees Part to be observed and performed, and indemnify Her said Majesty, Her Heirs and Suc-
‘ “ cessors,

‘ “ cessors, as well in right of Her said Duchy as in right of Her Crown, from all Losses, Damages, Costs,
‘ “ or Expenses which may arise to Her or them from any Breach by or on the Part of the Commissioners
‘ “ of Inland Revenue, their Successors or Assigns, of the Covenants, Conditions, or Agreements
‘ “ contained in the said Lease, and shall and will, so soon as the said Act of Parliament hath been passed
‘ “ and the Conveyances and Assignments or other Assurances herein-after referred to have been
‘ “ executed, execute such Deed of Covenant as shall be tendered for that Purpose on behalf of Her
‘ “ Majesty, both *jurê Coronæ* and *jurê Ducatus*, for the Payment by the Commissioners of Inland Revenue,
‘ “ during the Continuance of the Demise created by the said Indenture of the Tenth Day of *June* One
‘ “ thousand eight hundred and nineteen, to the Company of Proprietors of the *Waterloo Bridge*, of the
‘ “ said Sum of One hundred and seventy-five Pounds, at the Times and in manner aforesaid, and for
‘ “ the Observance and Performance of the several other Covenants, Conditions, and Agreements contained
‘ “ in the said Indenture of Lease during the Continuance of the Demise thereby created, and for
‘ “ Indemnity as aforesaid against all such Losses, Damages, Costs, or Expenses as aforesaid, by reason
‘ “ of any Breach or Non-observance of such Covenants, Conditions, and Agreements as aforesaid; and
‘ “ Her said Majesty, for Herself, Her Heirs and Successors, in right of Her said Duchy, and the said
‘ “ *Frederick Dawes Danvers*, for himself, his Executors, Administrators, and Assigns, and the said
‘ “ *Charles Alexander Gore* and *Thomas Francis Kennedy*, as such Commissioners as aforesaid and on
‘ “ behalf of Her Majesty, *jurê Coronæ*, do hereby agree with the said *John Thornton*, *Charles Powlett*
‘ “ *Rushworth*, and *Charles Pressly*, and their Successors, in manner following, namely, that upon
‘ “ Payment of the said Sum of Six thousand six hundred and five Pounds, in manner aforesaid, the
‘ “ Commissioners of Inland Revenue and their Successors shall be allowed to take possession of the said
‘ “ Freehold and Leasehold Hereditaments and Premises, coloured Brown, Pink, Green, and Blue on the
‘ “ said Plan, but subject to such Leases and Under-leases as aforesaid; and that so soon as the said Act
‘ “ of Parliament hath been obtained as aforesaid, all such Conveyances and Assignments or other
‘ “ Assurances shall be executed as shall be necessary for effectually vesting the said Hereditaments and
‘ “ Premises comprised in this Agreement in the Secretary for the Time being of the Commissioners of
‘ “ Inland Revenue and his Successors in trust as aforesaid; but as to the said Freehold Houses subject
‘ “ to such Leases as aforesaid, and as to the said Leasehold Premises subject to the Exceptions, Cove-
‘ “ nants, Conditions, and Agreements contained in the said Lease dated the Tenth Day of *June* One
‘ “ thousand eight hundred and nineteen, and also the said Under-lease dated the Twenty-sixth Day of
‘ “ *March* One thousand eight hundred and forty, and such Conveyances, Assignments, or other
‘ “ Assurances to be at the Expense of the said Commissioners of Inland Revenue; and it is hereby
‘ “ agreed between all the Parties hereto, that so soon as such Conveyances, Assignments, or other
‘ “ Assurances for vesting the said Hereditaments and Premises in such Secretary as aforesaid shall
‘ “ have been executed, the said Exchequer Bills, with all Interest and Premiums, shall become the
‘ “ Property of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy, and in right of
‘ “ Her Crown, according to Her respective Interests in the said Hereditaments and Premises and
‘ “ Purchase Money, and all Rents and Profits which shall become due or payable from the Twenty-ninth
‘ “ Day of *September* One thousand eight hundred and fifty-one, for or in respect of the said purchased
‘ “ Premises, or any Part thereof, shall be accounted for and paid over to the Receiver General of Inland
‘ “ Revenue, and deemed to be Part of such Revenue; and further, that if the Commissioners of Inland
‘ “ Revenue shall fail to obtain such Act of Parliament as aforesaid, within such Period as aforesaid,
‘ “ then and in that Case the said Exchequer Bills, with all Interest and Premiums, shall become the
‘ “ absolute Property of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy, and in
‘ “ right of Her Crown, according to Her respective Interests in the said Freehold and Leasehold
‘ “ Hereditaments and Premises.”

‘ And whereas Her Majesty, in right of Her Crown and in right of Her Duchy respectively, is en-
‘ titled to the beneficial Interest in the Hereditaments and Premises comprised in the said Agreement,
‘ and as between the Crown and the Duchy She is so entitled in the Proportions in the said Agreement
‘ mentioned: And whereas the Sum of Five thousand and sixty-three Pounds is the Value of Her
‘ Majesty's beneficial Interest in right of Her said Duchy in the said Hereditaments and Premises, and
‘ the Sum of One thousand five hundred and forty-two Pounds, the Residue thereof, is the Value of Her
‘ Majesty's beneficial Interest in right of Her Crown in the said Hereditaments and Premises: And
‘ whereas the Commissioners of Inland Revenue have, in pursuance of the said Agreement, paid the Sum
‘ of Six thousand six hundred and five Pounds into the Bank of Messrs. *Coutts* and Co., Bankers, and
‘ the same has since been invested in Exchequer Bills, and is now in the Names and subject to the
‘ Control of the Chancellor for the Time being of Her Majesty's said Duchy of *Lancaster* and the Com-
‘ missioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues: And whereas
‘ the Property so vested in and annexed to the Imperial Crown of this Realm by the said Act passed in
‘ the Eighth Year of His late Majesty King *George* the Third, and the Property comprised in the said
‘ Indentures of Release respectively dated the Twenty-second Day of *December* One thousand seven
‘ hundred and ninety-six, and the Ninth Day of *November* One thousand eight hundred and twenty-two,
‘ will not be required for the Purposes of the said Commissioners of Inland Revenue, after the Erection
‘ of the said Chief Office on the Site comprised in the said Agreement; and it is expedient that such
‘ Commissioners should have Power to dispose thereof: And whereas Her Majesty has been graciously
‘ pleased to signify Her Consent and Desire that the said Agreement should be carried into effect
‘ in manner herein-after provided, and that the said Commissioners of Inland Revenue should have

‘ Power

'Power to dispose of such last-mentioned Property in manner herein-after mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—

Recited Agreement for Sale of Duchy Property confirmed, and such Property vested in the Secretary of the Commissioners of Inland Revenue.

I. The said Sale of the said Hereditaments and Premises comprised in the said Agreement, bearing Date the Sixteenth Day of *October* One thousand eight hundred and fifty-one, and coloured Brown, Green, Pink, and Blue on the Plan therein mentioned and referred to, shall be and is hereby confirmed, and the same Hereditaments and Premises shall be and the same are for all the legal and beneficial Estate and Interest of Her Majesty, as well in right of Her Crown as of Her said Duchy in the same, hereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue, to hold the same to himself and his Successors in Office for ever as a Corporation Sole (subject, nevertheless, as in the said Agreement mentioned and in trust for Her Majesty, Her Heirs and Successors,) for the Use and Service of the Inland Revenue.

Exchequer Bills deposited for the Purchase Money to be sold and the Produce to be appropriated.

II. The Chancellor of the Duchy of *Lancaster* for the Time being and the Commissioners for Her Majesty's Woods, Forests, and Land Revenues for the Time being shall forthwith cause to be sold the said Exchequer Bills so deposited with Messrs. *Coutts* and Company as herein-before stated, and shall apportion the Produce thereof, and any Interest thereon, in the Proportions of Five thousand and sixty-three Pounds and One thousand five hundred and forty-two Pounds; that is to say, Five thousand and sixty-three Pounds for and in respect of Her Majesty's beneficial Interest in right of Her said Duchy in the said Hereditaments and Premises, and One thousand five hundred and forty-two Pounds for and in respect of Her Majesty's beneficial Interest in right of Her Crown in the same Hereditaments and Premises; and what shall be so apportioned in right of the said Duchy shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, and an Acquittance or Receipt thereupon given by him for the same; and the same shall be laid out, invested, and dealt with, and the Interest, Dividends, and Income arising therefrom shall be from Time to Time received, accounted for, applied, and appropriated in like Manner in all respects as by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in* England, *and also of His Majesty's Duchy of* Lancaster, is provided with respect to the Purchase Monies to arise by Sales made of Property belonging to the said Duchy under the Authority of such last-mentioned Act; and what shall be so apportioned in right of the Crown on account of the Proceeds of the Sale of the said Exchequer Bills shall be retained by the Commissioners for Her Majesty's Woods, Forests, and Land Revenues for the Time being, and shall be dealt with, accounted for, and applied in like Manner in all respects as if the same were Purchase Monies arising from the Sale of Part of the Possessions and Land Revenues of the Crown, sold and disposed of by them the said Commissioners, under the Authority of the Thirty-fourth Section of an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown within the Survey of the Exchequer in* England; *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney, and all Interest on the Exchequer Bills which may be apportioned in right of the Crown shall be applied by the same Commissioners in the Mode provided by the One hundred and thirteenth Section of the said last-recited Act.

48 G. 3. c. 73.

10 G. 4. c. 50.

Commissioners of Inland Revenue to pay a Moiety of the Rent reserved under a Lease from the Waterloo Bridge Company.

III. The Commissioners of Inland Revenue and their Successors for the Time being shall, out of the same Revenue, from Time to Time pay to the Company of Proprietors of the *Waterloo Bridge*, during the Continuance of the Demise created by the said Indenture of the Tenth Day of *June* One thousand eight hundred and nineteen, the annual Sum of One hundred and seventy-five Pounds, being the Moiety of the Rent reserved by the same Indenture of Lease, by equal half-yearly Payments, *videlicet*, on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year, without any Deduction whatsoever, and shall and will observe and perform all the Covenants, Conditions, and Agreements contained in the said Indenture of Lease, and on the Lessees Part to be observed and performed, and shall and will indemnify Her Majesty, Her Heirs and Successors, as well in right of Her said Duchy as in right of Her Crown, from all Losses, Damages, Costs, or Expenses which may arise to Her or them, for or by reason of the Nonpayment of such Moiety of the said Rent, or for and by reason of any Breach by or on the Part of the Commissioners of Inland Revenue, their Successors or Assigns, of the Covenants, Conditions, or Agreements contained in the said Lease, which has happened at any Time since the Sixteenth Day of *October* One thousand eight hundred and fifty-one, or which shall at any Time hereafter happen.

Property vested in the Crown by 8 G. 3. c. 32. to be vested in the Secretary of Inland Revenue.

IV. The Property so vested in and annexed to the Imperial Crown of the Realm by the said Act passed in the Eighth Year of His late Majesty King *George* the Third, and also the Property comprised in the said Indentures of Release respectively, dated the Twenty-second Day of *December* One thousand seven hundred and ninety-six, and the Ninth Day of *November* One thousand eight hundred and twenty-two, shall be and the same are hereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue and his Successors.

For the Purposes mentioned in 7 & 8 G. 4. c. 53.

V. All the Property hereby vested in the Secretary of the said Commissioners of Inland Revenue shall be vested in and held by him and his Successors in such and the same Manner and for the same Purposes, and shall and may be managed, dealt with, let, set, demised, sold, and disposed of as if the same had been vested in the Secretary of Excise for the Time being and his Successors, under and by virtue

of the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* Great Britain *and* Ireland: Provided always, that the said Lease, dated the said Second Day of *July* One thousand eight hundred and thirty-five, shall not be prejudiced or affected, and the same shall be as valid and effectual to all Intents, and shall take effect, as if the Property thereby demised had then been duly vested in the said *John Clayton Freeling* (as the then Secretary of Excise), under and by virtue of the said last-mentioned Act.

CAP. XLI.

An Act to provide a Burial Ground for the Township of *Huddersfield* in the County of *York*.

[30th *June* 1852.]

'WHEREAS the General Board of Health appointed under and by virtue of the Public Health Act, 1848, have, in pursuance of the Provisions of the Nuisances Removal and Diseases Prevention Amendment Act, 1849, caused Inquiry to be made by *William Lee*, One of their Superintending Inspectors appointed under and by virtue of the said Public Health Act, into the State of the Burial Grounds in the Township of *Huddersfield* in the Parish of *Huddersfield* in the County of *York*, being a populous Place in *England* to which the Public Health Act, 1848, has not been applied: And whereas, upon such Inquiry, it having appeared to the said General Board that the State of the Burial Grounds in the said Township of *Huddersfield* is dangerous, and the Circumstances of that Township render it expedient that Interments should be prohibited in the said Township, except as herein-after mentioned, and that a Burial Ground should be provided for the said Township, the said General Board directed the said *William Lee*, as such Superintending Inspector as aforesaid, to make Inquiry, in the Manner directed by the said Public Health Act, or as near thereto as Circumstances would permit, into all the Circumstances connected with the parochial and other Burial Grounds of that Township, and as to the Place or Places in which any Burial Ground or Burial Grounds might be provided, either within or beyond the Limits of that Township, and as to the Means which might be provided for the Conveyance of Bodies for Interment, and any other Arrangements which might be practicable for facilitating the convenient Interment of Bodies in the Burial Ground or Burial Grounds to be so provided, and as to the Rights in any Burial Ground in such Township, not being a Parochial Burial Ground, which might be affected by the Prohibition of Interment in such Township: And whereas the said Superintending Inspector, having previously given the Notices directed by the Public Health Act, 1848, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing, as directed by the said General Board of Health, the Result of his Inquiries in relation to the Premises: And whereas the said General Board of Health hath caused a Copy of such Report to be transmitted to the Bishop of the Diocese of *Ripon*, in which the said Township is situated, and hath caused Copies thereof to be published in the Township to which it relates, and to be deposited with the Minister and with the Churchwardens of such Township, such Copies being accompanied by a Notice, stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment to be made therein, within a Time therein limited, not being less than One Month from the Publication of such Report; and all such Statements as have been delivered to the said Board within the Time so limited in such Notice have been duly received by the said Board: And whereas, after such Inquiry and Report, the said General Board have framed a Scheme, under the Powers of the said Nuisances Removal and Diseases Prevention Amendment Act, 1849, for providing a Burial Ground for the said Township, and for and in respect of the other Matters relating to Burials in the said Township as to which the said General Board are empowered by the said Act to frame a Scheme: And whereas all the Provisions set forth in such Scheme concerning the Consecration of the Burial Ground to be provided under the Power of the same, and concerning the Burial of Members of the United Church of *England* and *Ireland*, and the Compensation to be provided for Rights in respect to Burials and other Rights of Ministers of the said United Church which may be affected by the Prohibition of Interment in parochial and other Grounds, have been approved by the Bishop of the Diocese of *Ripon*, in which the said Township is situated: And whereas the said Scheme was forthwith after the framing thereof presented to both Houses of Parliament with the Reports of the Superintending Inspectors in relation to the Matters thereof: And whereas it is expedient that the Authority of Parliament should be given to the Establishment of the said Burial Ground, and the Regulation thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Huddersfield Improvement Commissioners to execute the Act.

I. That the Commissioners for the Time being acting in execution of the "*Huddersfield* Improvement Act, 1848," shall act in execution of this Act; and all Powers vested in the Commissioners under this Act may be exercised by Seven or more of the Commissioners present at any Meeting holden in pursuance of this Act; and no Business shall be transacted at any of the said Meetings unless the said Number of Commissioners be present.

Boundaries of the Township to be Limits of Scheme.

II. That the Boundaries of the Township of *Huddersfield* shall be the Limits within which this Act shall be in force.

Commissioners may provide Offices.

III. That the said Commissioners shall provide such Offices as they may think necessary for the Purposes of this Act, and for providing such Offices may purchase by Agreement, or take on Lease, any Lands

Lands which may appear to them convenient for the same, and for that Purpose and the other Purposes of the Act may enter into all necessary Contracts; and all Conveyances and Leases of Lands to be purchased or hired by the Commissioners may be made to any Five of the Commissioners, on behalf of all the Commissioners; and the Execution of the Duplicate or Counterpart of any Lease by such Five Commissioners shall be binding on all the Commissioners.

Commissioners may appoint Officers, &c.

IV. That the said Commissioners may from Time to Time appoint or employ, for the Purposes of this Act, a Registrar, a Treasurer, and an Auditor, with such Clerks and Officers, and, on any Burial Ground to be provided by the said Commissioners under this Act, such Superintendent, Gravediggers, and other Servants, as they deem necessary, and may remove such Registrar, Treasurer, Auditor, Clerks, Officers, Superintendent, Gravediggers, and Servants, or any of them, and may pay to all Persons so appointed or employed, out of any Monies to be received under this Act, such Salary or Stipend as may appear to such Commissioners sufficient, and may remove such Officers at their Pleasure, and may take sufficient Securities for their duly accounting for all Monies to be received by reason of such Employment from all such Officers as will or may, in consequence of their Offices, be intrusted with the Custody or Control of Money.

Commissioners may provide Burial Grounds, One Half of which shall be consecrated.

V. That the said Commissioners may purchase, enclose, plant, embellish, and lay out for the Purposes of a Burial Ground the Piece or Parcel of Ground particularly described and set forth in the Schedule to this Act annexed, and may erect and make therein such Buildings and other Works as may appear to them fitting and proper, and may build in such Burial Ground a suitable Chapel for the Performance of Burial Service according to the Rites of the United Church of *England* and *Ireland;* and such Chapel and One Half of such Burial Ground shall be consecrated by the Lord Bishop of the Diocese within which the said Chapel is situated; and such Chapel, and the Part of such Burial Ground so consecrated, shall be subject to the Jurisdiction of the said Bishop, and no Service shall be performed on the Burial of the Dead in the Part of such Burial Ground so consecrated as aforesaid otherwise than according to the Rites of the said Church: Provided always, that it shall not be lawful for the said Commissioners to make or erect such Burial Ground, Buildings, Chapel, and Works as aforesaid or any Part thereof within Three hundred Yards of any House of the annual Value of Fifty Pounds, or having a Plantation or ornamental Garden or Pleasure Ground occupied therewith, except with the Consent of the Owner, Lessee, and Occupier thereof, in Writing first had and obtained; provided also, that the rateable Value, according to the present Assessment to the Rate for the Relief of the Poor in and for the said Township of *Huddersfield*, of any such House as aforesaid, shall be deemed and taken to represent the true annual Value thereof for the Purposes of this Act.

Vicar of Huddersfield for Time being to appoint Clerk.

VI. That the Vicar of *Huddersfield* for the Time being shall from Time to Time appoint a fit and competent Person to perform the Duties usually performed by Parish Clerks in the Burial of the Dead in the Part of the said Burial Ground so consecrated as aforesaid.

One Half of such Burial Ground to be unconsecrated.

VII. That the said Commissioners may build on the unconsecrated Portion of such Burial Ground a suitable Chapel for the Performance of Funeral Service, and that such unconsecrated Portion shall, subject to the Provisions herein contained, and any Regulations made by the said Commissioners by virtue of this Act, be used for the Interment of Bodies, when the Relatives or other Persons having the Care and Direction of the Funerals desire to have such Bodies so interred, and such Bodies may be there interred in such Manner, and with such Religious Service, Rites, or Ceremonies, as such Relatives or Persons having the Care and Direction of the Funerals may think fit; and the said Commissioners may, upon the Request of Members of separate Religious Denominations, and upon such Terms and Conditions, not inconsistent with the known Tenets or Usages of such Religious Denominations, as the said Commissioners may think fit, permanently appropriate and set apart or cause to be enclosed separate Parts of the Portion of the said Burial Ground not consecrated as aforesaid, to be used for the exclusive Interment of the Bodies of Persons of such separate Religious Denomination.

Commissioners may give Notice when Interments may be made in such Ground.

VIII. That when the said Commissioners have provided the said Burial Ground, and have made all such Arrangements as they may think necessary for the Interment of the Bodies of the Dead in such Ground, and after the Consecration of the One Half thereof as aforesaid, they shall give Notice for Two successive Weeks in some One or more Newspaper circulating in the Township of *Huddersfield*, and by Notices affixed for the same Time on the Doors of all the Churches and Chapels within the Township, that they have provided such Burial Ground, and that Interment may be made therein, and after the Expiration of such Time Interments may be made in the said Burial Ground.

Burials to cease wholly or in part in certain Grounds after such Notice.

IX. That from and after the Expiration of the Time of such Notices as aforesaid Interments shall wholly cease and be discontinued in the Ground attached there to the Roman Catholic Chapel situate in the *New North Road* in the said Township, and in the Vault now used for Burials under the Wesleyan Chapel situate in *Queen Street* in the said Township; and that from and after the same Time Interments shall, subject to such Exceptions as herein-after mentioned, also cease and be discontinued in the Burial Grounds respectively attached to or connected with the Church of *St. Peter*, being the Parish Church of the said Township, the District Churches called the Churches of the *Holy Trinity* in the *Trinity* District, and *All Saints* Church in the *All Saints* or *Paddock* District of the said Township, and in the Chapel of Ease called *St. Paul's*, situate in *Ramsden Street* in the said Township, and also in the Vaults of such Churches or Chapels; and whosoever, after the Expiration of such Time, buries, or causes, permits, or suffers to be buried, in or under any such Burial Ground, Church, or Chapel respectively, any Corpse or Coffin, contrary to this Provision, shall for every such Offence be liable to a Penalty of Fifty Pounds, to be recovered in a summary Manner.

X. That

Burials may be prohibited in other Grounds in the said Township.

X. That when the said Commissioners shall be of opinion that Interment (otherwise than in the said Burial Ground) should be discontinued wholly, or with any Exception or Exceptions, in the said Township, they shall make and publish an Order directing that after a Time mentioned therein Interment in such of the Churches, Chapels, Churchyards, and other Places used for Burial within the said Township as shall be set forth in such Order shall be discontinued, either wholly or subject to any Exception mentioned in such Order, and to be previously approved by the General Board of Health; and such Order shall be published for Two successive Weeks in some One or more Newspapers circulating within the said Township, and shall during the same Time be affixed on the Doors of the Churches and Chapels in the said Township; and from and after the Date mentioned in such Order Interments in the Churches, Chapels, Churchyards, and other Places used for Burial mentioned therein shall be discontinued, either wholly or subject to any Exception contained in such Order, and approved as aforesaid; and every Person who shall after such Date bury any Body, or in anywise act or assist in the Burial of any Body, in any Church, Chapel, Churchyard, or other Place used for Burial within such Township, except as in such Order excepted, and except in the Burial Ground provided under the Powers of this Act, and except as authorized by this Act, shall be liable to such Penalty as aforesaid.

Licence may be granted for Exercise of exclusive Rights already acquired.

XI. Provided always, That where by virtue of any Faculty legally granted, or by Usage, or otherwise, there is at the Date of the passing of this Act any Right of Interment in or under any Church or Chapel, or in any Vault of any Church, Chapel, Churchyard, or Place used for Burial in the said Township, and where any exclusive Right of Interment in any Burial Ground within the said Township has been purchased or acquired before the said Date, the said Commissioners may from Time to Time, on Application being made to them, and on their being satisfied that the Exercise of such Right will not be injurious to Health, grant a Licence for the Exercise of such Rights during such Time and subject to such Conditions and Restrictions as the said Commissioners may think fit; but such Licence shall not prejudice or in anywise affect the Authority of the Ordinary, or of any other Person who, if this Act had not been passed, might have prohibited or controlled Interment under such Right, nor dispense with any Consent which would have been required, nor otherwise give to such Right any greater Force or Effect than the same would have had if this Act had not been passed.

Inhabitants to have same Rights in new Ground as in Grounds where Interments are discontinued.

XII. That, subject to the Provisions of this Act, the Inhabitants of the said Township shall have the same or equivalent Rights of Sepulture in the Burial Ground to be provided under this Act as they respectively would have had in or under any of the Churches, Chapels, Churchyards, or Places of Burial in which Interment shall be discontinued under the Powers of this Act; and the Incumbent of any District Church within the said Township shall, on the Request of the Relatives of the Deceased, by himself or his Curate, on giving such Notice as the said Commissioners by their Regulations may require, have the same Rights and Authorities for the Performance of Religious Service in the Burial of Bodies of Inhabitants of such District in the consecrated Portion of the Burial Ground to be provided under this Act, as if the same were the Burial Ground of such District; and for the Purposes of the Enactments of the Laws relating to the Poor which concern the Burial of the Bodies of poor Persons, and of all other Enactments under which Burials are authorized or directed to take place in the Burial Ground of a Parish, the consecrated Part of the Burial Ground to be provided under this Act shall, for the Burial of the Bodies of Persons dying within the said Township of *Huddersfield*, be deemed to be the Burial Ground belonging to the said Parish.

Bodies may be removed by Permission.

XIII. That the Relatives of any deceased Person, with the Consent of the Incumbent or other Person having the Care and Control of any Church, Chapel, Churchyard, or other Place of Burial within the said Township in which the Body of such deceased Person has been interred, and with the Consent of and subject to the Regulations of the said Commissioners, and upon Payment of such Fees as may be fixed by the said Commissioners, may cause such Body to be removed to and interred in the Burial Ground to be provided under this Act, without any Faculty for that Purpose.

Officer of Commissioners to select Site of Grave, and keep Plan and Register, &c.

XIV. That the Registrar or other Officer appointed by the said Commissioners for such Purpose shall select the Site of Graves within the Burial Ground to be provided under this Act; and the said Commissioners shall, for the Purpose of such Selection, prepare or cause to be prepared, a Plan of such Burial Ground, in which shall be marked from Time to Time every Site so selected, and a Copy of such Plan shall be kept by the said Commissioners, and every such Site shall be numbered on such Plan, and registered by the same Number in a Register to be kept by the said Registrar, and under such Number in such Register shall be entered the Name, Sex, and Age of the Person interred therein, the Date of the Interment, and the Depth of the Grave, and the Date and Place of Burial of every still-born Child shall be entered in such Register, with the Name of the Parent or Parents of the same; and such Register shall be kept by the said Registrar according to the Laws in force by which Registers are required to be kept by the Rectors, Vicars, or Curates of Parishes or Ecclesiastical Districts in *England;* and such Registers shall be kept or indexed so as to facilitate Searches for Entries in such Books; and such Registers, or Copies or Extracts therefrom, shall be received in all legal Proceedings as Evidence of the Burials entered therein; and such Registers, so far as respects Searches to be made therein, and Copies and Extracts to be taken therefrom, shall be subject to the same Regulations as are provided by an Act passed in the Seventh Year of King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in* England, so far as such Regulations relate to Register Books of Burials kept by any Rector, Vicar, or Curate; and no Vicar, Incumbent, or Curate for the Time being of any Church or Chapel within the said Township in which, or in the Burial Ground attached to which, Interments shall

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be discontinued in whole or in part under this Act, shall, in respect of any Body interred in the Burial Ground to be provided under this Act, be liable to any Penalty in respect of Registration under the herein-before recited Act.

Certificate of Registry of Death, or Coroner's Certificate, to be delivered to Officer appointed to keep Burial Registers.

XV. That where the Body of any Person is buried in the Burial Ground to be provided under this Act the Certificate of the Death of such Person having been duly registered, or the Coroner's Certificate of his Order for the Burial of the Body of such Person, (as the Case may be,) by the said Act of the Seventh Year of King *William* the Fourth required to be delivered to such Minister or officiating Person as therein mentioned, shall be delivered to the Registrar appointed to keep the Register Books of Burials in such Burial Ground; and if any Body is buried in such Burial Ground for which no such Certificate has been delivered to such Registrar, he shall, within Seven Days next after the Burial of such Body, give Notice of such Burial to the Registrar of the District in which the Person whose Body was so buried died; and every such Notice shall contain the Name and Surname, Sex, Age, Rank, Profession, or Occupation, and the Residence at the Time of Death of the said Person, or as many of such Particulars as may be known to the Registrar of such Burial Ground; and upon Failure to give such Notice within the Time aforesaid the Person so offending shall be subject to the Forfeiture imposed by the said Act on a Person burying or performing any Funeral or any Religious Service for the Burial of any dead Body for which no such Certificate has been duly made and delivered, and not giving Notice thereof as thereby required; and the Provisions of the said Act for and with respect to the Recovery and Application of Forfeitures thereby imposed shall be applicable to such Forfeiture; and no Person, save the Registrar of such Burial Ground, shall, in the Case of any Burial in such Burial Ground, be subject to such Forfeiture for not giving Notice of such Burial to the Registrar.

Depth of Graves, &c.

XVI. That no Grave shall be dug in the Burial Ground to be provided under this Act of more than Nine or less than Seven Feet in Depth; and no more than One Body shall be interred in any One such Grave, except where more than One Member of the same Family is to be buried at One and the same Time, in which Case such Grave shall be dug so wide that the Coffins containing the Bodies of the deceased Members of the same Family may be placed Side by Side, but no such Coffins shall be placed One above the other; and no Grave in the said Burial Ground shall be re-opened until Twenty Years shall have elapsed from the original opening of the same, and from and after such Time the said Ground may be re-opened for Burials as herein provided.

Commissioners may provide a House for Reception and Care of Bodies previously to Interment.

XVII. That the said Commissioners may, if they shall think fit, at any Time after the Date of the passing of this Act, build or otherwise provide, in such Place as they think fit, a House for the Reception and Care of the Bodies of the Dead previously to and until Interment, and make Arrangements for the Reception and Care of such Bodies therein, and appoint a fit Officer for such House of Reception; and to carry into effect such Arrangements, and for providing such Houses of Reception, the said Commissioners may purchase by Agreement or take on Lease such Lands or Buildings as they may think fit.

Commissioners may make Provision for Funerals being conducted at fixed Charges.

XVIII. That for securing, in the Cases of Interments in the Burial Ground provided under this Act, to Persons having the Care and Conduct of Funerals, the Means of having the same conducted according to a just and regulated Scale of Charges, the said Commissioners may, if they shall think fit, provide a public Hearse or Hearses for the Conveyance of Bodies to Burial, and may provide and keep or hire and contract for the Use of Horses for drawing the same, and may from Time to Time invite and receive Tenders for Contracts for the undertaking of such Funerals, according to Classes arranged with reference to the Nature and Amount of the Matters and Services to be furnished and rendered, but so that in respect of the lowest of such Classes the Funeral may be conducted with Decency and Solemnity; and every such Tender shall specify the Class or Classes and Number of Funerals the Person proposing to become a Contractor is willing to undertake; and the said Commissioners may enter into such Contracts with any Persons as they may think necessary, binding such Contractors with the said Commissioners to undertake during specified Terms or Periods Funerals of Persons, or any Class or Number of such Funerals, according to a fixed Scale of Payments, and with such Stipulations as may appear to the said Commissioners necessary for ensuring the decent Performance of such Funerals; and the said Commissioners may, if they so think fit, enter into distinct Contracts for the furnishing and rendering by different Contractors of the various Matters and Services requisite for the Funerals in relation to which the said Commissioners are herein-before authorized to enter into Contracts; and the said Commissioners shall publish Notices of the Scale of Payments to be made for Funerals undertaken, or Matters or Services to be furnished or rendered, by such Contractors, and such other Notices as the said Commissioners may think fit, for the Information and Convenience of Persons desirous of having Funerals conducted by such Contractors; and upon Notice by or on behalf of the Persons having the Care and Direction of any such Funeral of their Desire to have the same conducted, or any Matters or Services requisite for the same furnished or rendered as aforesaid, and of the Class according to which they are desirous the same should be so conducted, furnished, or rendered, being given to any Contractor who, according to the Terms of his Contract with the said Commissioners, may be liable to undertake such Funeral, or to furnish or render such Matters or Services, such Contractor, and the Party by or on behalf of whom such Notice may be given, shall respectively have the like Rights and be subject to the like Liabilities in respect to the Performance of such Funeral, or the furnishing or rendering of such Matters or Services, (as the Case may be,) and the Payment for the same, as if such Contractor had agreed with such Party to undertake the Funeral referred to in such Notice, and to furnish and render all such Matters and Services, and of such Nature and Description, as by the Scale fixed by his Contract with

with the said Commissioners shall be prescribed in this Behalf in respect of the Class mentioned or referred to in such Notice, or (as the Case may be) to furnish or render the Matters or Services required by such Notice according to such Scale, in consideration of Payment according to such Scale.

Hearses, &c. to be Toll-free.

XIX. That Hearses, Carriages, and Horses employed in conveying the Dead or Mourners from any Part of the Township of *Huddersfield* to the Burial Ground to be provided under this Act shall be free from Toll on any Turnpike Road within the said Township.

Commissioners may fix Scale of Charges.

XX. That the said Commissioners may fix a Scale of Charges for the Purchase of Vaults and Graves in the Burial Ground to be purchased under this Act, and of Fees for Tombs, Tombstones, Grave-digging, and the opening of Vaults and Graves, Registration, the Performance of Burial Rites, and for the Use of all Matters and Things pertaining to the Conduct of Funerals; and a Table of such Scale of Charges and Fees shall be published, and hung up in a conspicuous Place in the Office of such Commissioners and in some Part of such Burial Ground; but no such Table shall be so published or shall have any Force or Effect until the same shall have been approved by the General Board of Health; and in every such Scale of Charges the total Amount of Payments regularly charged in respect of Burials in the consecrated and unconsecrated Parts of such Burial Ground shall be the same, and such Charges shall be recoverable in a summary Manner.

Sections of Cemeteries Clauses Act incorporated herewith.

XXI. That the Sections of the Cemeteries Clauses Act, 1849, numbered respectively in the Copies of that Act printed by Her Majesty's Printers 9 with respect to the Disposal of consecrated Land, 12 to 22 inclusive with respect to Roads, Fences, and Repairs, and with respect to making Sewers and Drains, and the preventing of Nuisances, 38 to 56 inclusive with respect to Regulations for Burials, and with respect to exclusive Rights of Burial and monumental Inscriptions, and with respect to Payments to Incumbents, shall be incorporated with this Act and the Act of Parliament sanctioning the same; and the Expression "the Special Act," used in such Sections, shall be construed to mean this Act; and the Expression "the Company," used in the said Sections, shall mean the said Commissioners.

If Parties become entitled to Compensation, the Amount to be ascertained and recovered summarily.

XXII. That if, in the Exercise of the Powers conferred upon the said Commissioners by this Act, any Party shall become entitled to Compensation for any Damage sustained through the Exercise of such Powers, other than Compensation to Persons interested in Burial Grounds that may be partially or wholly closed by or under the Powers of this Act, then the Amount of Compensation shall be ascertained and recovered in a summary Manner.

Regulations to be approved by General Board of Health.

XXIII. Provided always, That no Regulations made under and by virtue of the said Thirty-eighth Clause of the said Cemeteries Clauses Act shall be of Force and Effect until they have been approved by the said General Board of Health, under their Hands and Official Seal.

Fees for Performance of Burial Service in consecrated Part of Ground.

XXIV. That the Vicar of *Huddersfield* for the Time being shall be entitled to a Fee of One Shilling and Ninepence for each Interment in the consecrated Part of the Burial Ground to be provided under this Act; and that in consideration of such Fee he shall be responsible for the Performance of the Service for the Burial of the Dead as aforesaid, either by himself or his Curate, or some Clerk in Holy Orders to be provided by him, and shall and may, as heretofore, fix the Hour for such Interment; and in every Case where such Service, by Default of the said Vicar, shall not be so performed by the said Vicar or his Curate, or some Clerk in Holy Orders so provided by him, but shall be performed by any Clergyman of the United Church of *England* and *Ireland* provided by such Commissioners, the said Sum of One Shilling and Ninepence shall be paid to the said Clergyman so provided by the said Commissioners, and shall be deducted from the Sum total of Payments to be made to the said Vicar by the said Commissioners: Provided always, that no such Deduction shall be made where the said Burial Service shall be performed by any Clergyman of the United Church of *England* and *Ireland*, other than the said Vicar, at the Request of the Relatives or other Persons having the Direction of any Funeral, or in respect of any Body removed for Interment from any Ecclesiastical District within the said Township over which the said Service shall, at such Request as aforesaid, have been performed by the Incumbent of such District for the Time being, or his Curate, or any Clerk in Holy Orders provided by him, on giving such Notice as may be required by the Regulations of the said Commissioners; and whenever such Service shall be performed by such Incumbent or his Curate, or any Clerk in Holy Orders so provided by him, a Fee of One Shilling and Ninepence shall be payable to such Incumbent, in addition to the Fee payable as herein provided to the Vicar of the said Township.

Interment Fees in unconsecrated Ground.

XXV. That on every Interment in the unconsecrated Part of the said Ground the Sum of One Shilling and Ninepence shall be paid as a Minister's Fee, and shall be paid to the Fees Account of the said Commissioners, who shall appoint a Minister or other fit and proper Person for the Performance of such Burial Service as shall be required for any such Interment; and that it shall be lawful for the said Commissioners, on the Request of the Relatives or other Persons having the Care and Direction of the Funeral, to pay to any Minister or Person not appointed by such Commissioners performing Religious Rites or Service, on the Interment of any Body in the unconsecrated Portion of any Burial Ground provided under this Act, an additional Fee of One Shilling and Ninepence.

Fee, at Request of Relatives, to be paid when Service performed in unconsecrated Ground.

Extra Fees for Interment of Bodies from without the Township.

XXVI. When the Body of any Person shall be brought from any other Township or Hamlet within the Parish of *Huddersfield* for Interment in the Burial Ground to be provided under this Act, the Sum of Two Shillings and Sixpence shall be taken as an extra Fee for such Interment; and when the Body of any Person shall be brought for Interment from any other Parish than the said Parish of *Huddersfield* then the Sum of Ten Shillings shall be taken as an extra Fee for the Interment of such Body; but in either of such Cases the Commissioners shall be empowered, at their Discretion, to reduce or remit such extra Fees.

XXVII. That

Clerk to receive same Fee as Parish Clerk.

XXVII. That the Clerk to be appointed for Burials in the Burial Ground to be provided under this Act shall be entitled to require for each Burial in the consecrated Part of such Burial Ground the same Fee as is now payable to the Parish Clerk of the said Township in respect of Burials therein.

Money received by Officers to be paid to the Treasurer.

XXVIII. That all Fees and Sums which shall be received under this Act by the Officers or Servants of the said Board, on account of the said Board, shall be by such Wardens or Officers receiving the same forthwith paid to the Treasurer of the said Board.

Compensation in respect of Burial Grounds affected by Order for Discontinuance of Burial.

XXIX. That where this Act, or any Order for the Discontinuance of Interment as aforesaid, shall affect any Burial Ground in the said Township, Compensation shall be made by the said Commissioners to all Persons interested in such Burial Ground for the Loss or Damage which may be sustained by them by reason of the Discontinuance of such Interments as might lawfully have been made in such Ground in case Interment therein had not been discontinued under this Act; provided such Persons shall, within Three Calendar Months after the Time from which Interment is under such Order as aforesaid to be discontinued in such Ground, state in Writing to the said Commissioners the Particulars of their Claim for such Loss or Damage; and such Loss or Damage shall be examined into, and the Amount of Compensation payable in respect of the same shall be decided by Arbitration in manner provided by the Lands Clauses Consolidation Act, 1845; and the Expense which may be occasioned to any Body or Religious Denomination by the Necessity of making other Provision for such Interments as might lawfully have been made in such Ground shall be deemed Loss or Damage within this Enactment, and may be claimed by the Trustee or Trustees or a Majority of the Trustees of such Ground, though no Profit or Income would have been derived from such Interments.

Compensation to be made for Damage, after Inquiry.

Expenses under this Act to be defrayed out of Monies received thereunder, or in case of Deficiency out of Poor Rates.

XXX. That the Expenses of providing Burial Grounds, and the Salaries and Wages of all Officers and Servants of the said Commissioners appointed under this Act, the Payments to Incumbents and other Clerks in Holy Orders, Ministers, or other Persons performing Religious Rites under this Act, and all other Expenses of the said Commissioners under this Act, inclusive of the Compensations to be paid by them thereunder, and Interest, and all Sums borrowed under the Powers of this Act, shall be defrayed out of the Fees and Sums to be received by them under this Act; and in case the Fees and Sums to be received under this Act shall be at any Time insufficient to defray the Expenses chargeable thereupon under this Act, the Deficiency shall be made up out of a Rate to be made and levied by the Commissioners named in this Act on all Property assessable to the Rates for the Relief of the Poor within the Township of *Huddersfield*, to be called the Burial Ground Rate, and to be assessed and levied in the same Manner as a General District Rate under the Public Health Act, 1848; and the said Rate shall be subject to the same Provisions as to Notice and Estimate, and with respect to Recovery, Amendment, and Appeal, as Rates leviable under the *Huddersfield* Improvement Act, 1848; but nothing in the said Public Health Act, 1848, or in this Act, contained, shall in any Manner be construed or extend to limit the Right of making any such Rates retrospectively; provided that the Amount so to be levied by any such retrospective Rating shall not at any One Time exceed the Sum of Fivepence in the Pound upon the full net annual rateable Value of the Property liable to be assessed to such Rate.

Fees and Payments may be mortgaged.

No Priority amongst Mortgagees.

XXXI. That it shall be lawful for the said Commissioners, for the Purposes of defraying any Expenses incurred or to be incurred by them in the Execution of this Act, including all Sums of Money and Compensations to be paid by them thereunder, and with the Approbation of the General Board of Health, to borrow and take up at Interest any Sums of Money necessary for defraying any such Charges, Payments, and Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as aforesaid, the said Commissioners may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced all or any of the Fees and Payments to be received under this Act; and the respective Mortgagees shall be entitled to a Proportion of such Fees and Payments as are comprised in their respective Mortgages according to the Sums in such Mortgages mentioned to have been advanced; and each Mortgagee shall be entitled to be repaid the Sum so advanced, with Interest, without any Preference over any other Mortgagee or Mortgagees by reason of any Priority of Advance or the Date of his Mortgage: Provided always, that the Sum Total to be so borrowed shall not exceed Ten thousand Pounds.

Sinking Fund to be set apart for paying off Sums borrowed on Mortgage.

XXXII. That the said Commissioners may pay off any Monies borrowed or secured by any such Mortgage, by Thirty equal annual Instalments of Principal and Interest, or shall in every Year, until the same be paid off, appropriate and set apart as a Sinking Fund such Sum as, together with the Interest from Time to Time to accrue thereon, will in the Period of Thirty Years amount to a Sum sufficient to repay the Monies borrowed and secured by any such Mortgage, and shall from Time to Time cause such Sinking Fund, and the Interest thereon, to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the Way of Compound Interest or otherwise; and whenever the said Commissioners are enabled to pay off One or more of such Mortgages, but not the whole thereof, they shall, in default of Arrangement between the Commissioners and the Mortgagees, decide by Lot the Order in which the same shall be paid off.

Provisions of Commissioners Clauses Act incorporated.

XXXIII. That the Clauses of "The Commissioners Clauses Act, 1847," "with respect to the Meetings "and other Proceedings of the Commissioners, and their Liabilities," excepting the 36th, 37th, 38th, 39th, 40th, 46th, and 53d Sections of the said Class of Clauses, and "with respect to the Contracts to be "entered into and the Deeds to be executed by the Commissioners," and "with respect to the Liabilities "of the Commissioners, and to legal Proceedings by or against the Commissioners," and "with respect to "the Appointment and Accountability of the Officers of the Commissioners," excepting the 65th and 69th

Sections of the said last-mentioned Class of Clauses, and "with respect to the Mortgages to be executed "by the Commissioners," except the 84th Section of the said last-mentioned Class of Clauses, and "with respect to giving Notices and Orders," be incorporated with this Act; and that the Expression "the Special Act," used in the said Clauses, be construed to mean this Act; and the Expression "the Commissioners," in the said Clauses, be construed to mean the Commissioners under the aforesaid *Huddersfield* Improvement Act, or any Committee of the same appointed as herein-before directed to act in execution of this Act.

Parts of Lands Clauses Act incorporated.

XXXIV. That the Clauses of the "Lands Clauses Consolidation Act, 1845," "with respect to the "Purchase of Lands by Agreement," and "with respect to the Purchase Money or Compensation "coming to Parties having limited Interests, or prevented from treating, or not making Title," and "with respect to the Conveyances of Lands," and "with respect to Lands acquired by the Promoters of "the Undertaking under the Provisions of this Act, or any Act incorporated therewith, but which shall "not be required for the Purposes hereof," shall be incorporated with and form Part of this Act; and that the Expression the "Special Act," used in the said Clauses, be construed to mean this Act; and the Expression "the Works" or "the Undertaking" shall mean the Works or Undertaking of whatsoever Nature which shall by this Act be authorized to be executed; and the Expression "the Promoters of the Undertaking" in the said Clauses be construed to mean the Commissioners under the aforesaid *Huddersfield* Improvement Act, or any Committee of the same appointed as herein-before directed to act in execution of this Act.

Parts of Public Health Act incorporated.

XXXV. That for the Purpose of ascertaining and recovering any Penalties, Damages, Costs, Sums of Money, Expenses, Fees, or Charges imposed, sustained, incurred, or which may become payable under the Provisions of this Act, and herein-before directed to be ascertained and recovered in a summary Manner, the Sections of the "Public Health Act, 1848," numbered respectively in the Copies of the Act printed by the Queen's Printers 129, 130, 131, 132, 134, 135, 136, and 137, shall be incorporated with this Act; and the Expression "Local Board of Health" used in such Sections shall be construed to mean the Commissioners under "The *Huddersfield* Improvement Act, 1848."

Accounts to be kept of Receipts and Disbursements, and such Accounts to be audited.

XXXVI. The said Commissioners shall cause Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received and paid for and on account of this Act, and of the several Purposes for which such Sums of Money shall have been received and paid, which Books shall at all reasonable Times be open to the Inspection of any of the Commissioners, and any Mortgagee, Assignee in Security, or other Creditor of the Commissioners, without Fee or Reward; and the Commissioners and Persons aforesaid, or any of them, may take Copies of or Extracts from the said Books, without paying anything for the same; and any Clerk or other Person having the Custody of the said Books who shall not, on any reasonable Demand of any Commissioner, Mortgagee, or Creditor as aforesaid, permit him to inspect the said Books, or to take such Copies or Extracts as aforesaid, shall be liable to a Penalty of Five Pounds for every such Offence, which said Penalty shall be recoverable in a summary Manner; and any Auditors which may be appointed yearly under "The *Huddersfield* Improvement Act, 1848," for the auditing of the Accounts of the Commissioners under the said "*Huddersfield* Improvement Act," shall have the same Powers, Duties, and Privileges with respect to the Accounts of the said Commissioners under this Act as they have with respect to the Accounts of the Commissioners under the herein-before recited Act, which said Accounts shall be by the said Commissioners made up and balanced yearly for the Purposes of such Audit.

Expenses of Act, &c. defrayable out of Fees.

XXXVII. That the Expenses of obtaining this Act, and all other Expenses incidental thereto, shall be charged upon and defrayed out of the Fees and Sums of Money which shall be raised, charged, levied, or received under and by virtue of this Act.

Short Title of Act.

XXXVIII. That in citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The *Huddersfield* Burial Ground Act, 1852."

The SCHEDULE referred to in the foregoing Act.

THE following is the Description of the Site of the Burial Ground authorized by the foregoing Act to be made; namely, all that Piece or Parcel of Ground containing Twelve Acres, more or less, situate in the Township and Parish of Huddersfield in the County of York, now the Property of the Trustees of Sir John Ramsden, Baronet, and called or known by the Name of the Edgerton Site, and which said Piece or Parcel of Ground is bounded on the East by the Footpath leading from Huddersfield to Birkby in the said Township of Huddersfield, on the West and South by other Property of the said Trustees, and on the North by the Highway leading from Edgerton in the said Township to Birkby aforesaid.

CAP. XLII.

An Act to confirm certain Provisional Orders of the General Board of Health, and to amend the Public Health Act, 1848. [30th *June* 1852.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, certain Provisional Orders 'mentioned in the Schedule to this Act annexed, and it is expedient that the said Orders should be 'confirmed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice

and

and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Provisional Orders of the General Board of Health confirmed.

I. That the Provisional Orders of the General Board of Health referred to in the Schedule annexed shall from and after the passing of this Act, so far as the same are authorized by the said Public Health Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act, except as to the Words and Figures "to 107 from 109," following the Words and Figures "from 89" in the Twenty-first Section of the Provisional Order mentioned in the said Schedule, applying the said Public Health Act to the District of *Worthing*.

Certain Sections of Rotherham Local Act not to extend beyond the Limits originally included within the Powers of that Act, and nothing to affect Market Company.

II. Provided always, That nothing in the Provisional Order in the Schedule to this Act annexed, applying the Public Health Act, 1848, to the District of *Rotherham* and *Kimberworth*, shall be taken to extend beyond the Limits originally included within the Powers of the Local Act recited in the said Provisional Order the Sections numbered respectively 29, 30, and 53 in the Copies of the said Act as printed by the Queen's Printers; and that nothing in the said Order shall be taken or deemed to affect the Rights of the Company of Proprietors of the *Rotherham* Market Place incorporated by the aforesaid Local Act; and that all Penalties which the said Company are authorized to impose by the said Local Act may be proceeded for, recovered, and applied as if such Penalties had been incurred under the Public Health Act, 1848; and all the Provisions of the said Public Health Act with respect to Penalties shall extend to Penalties arising under the said Local Act.

Convictions under Smoke Nuisance Clause within the Rotherham and Kimberworth District.

III. Provided also, That, except in the Case of Furnaces for generating Steam, before any Conviction shall be had under the One hundred and eighth Section of the "Towns Improvement Clauses Act, 1847," as incorporated in the last-mentioned Provisional Order, it shall be proved that it is practicable, by some Means then in use, to consume the Smoke arising from the Combustibles used in the Furnace or Fireplace in respect of which the Complaint is made under the said Section.

Limiting Amount of Rates leviable within the District of Banbury.

IV. Provided also, That the Rates leviable within the District of *Banbury*, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and this Act, shall not, inclusive of all Highway Rates, in any One Year exceed in the whole the Sum of Three Shillings and Sixpence in the Pound upon the net annual Value of Property assessable thereto within the Corporate Part of any such District, or the Sum of Two Shillings in the Pound upon the net annual Value of Property assessable to such Rates, or any of them, within the Non-corporate Part of the said District, except Property within the Non-corporate Part of the said District consisting of Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, Land covered with Water, or used only as a Canal or Towing Path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance; and as to such excepted Property, the Rates so leviable, inclusive of all Highway Rates, shall not in any One Year exceed in the whole the Sum of Sixpence in the Pound upon the net annual Value of such excepted Property.

Fixing in the *Gainsborough District* the Boundaries of the Area chargeable with existing Debt of the Trustees.

V. Provided also, That the Parts and Places which, by the Sixteenth Section of the Provisional Order in the Schedule to this Act annexed, applying the said Public Health Act to the District of *Gainsborough* in the County of *Lincoln*, are made chargeable with the Payment of any Debt due from the Trustees acting in the Execution of the Local Acts referred to in the said Order, shall be and the same are hereby declared to be the Parts and Places included within the following Boundaries; that is to say, within a Line commencing at the River *Trent*, at the Sewer Head near *Trows House*, along the said Sewer as far as *Ropery Lane*, then along the said Lane to *Love Lane*, and along *Love Lane* to *Morton Terrace*, and thence across the Highway along Mrs. *Anderson*'s Garden Wall to the *Manchester, Sheffield, and Lincolnshire* Railway, and along the West Side of the Railway to a Point where the *Great Northern* Railway, as authorized to be made, crosses the same, and continuing along the North Side of the *Great Northern* Railway to the River *Trent*.

First Election of Local Board for Worthing.

VI. The First Election of the Local Board of Health for the District of *Worthing* for the Purposes of the said Public Health Act shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board for Worksop.

VII. The First Election of the Local Board of Health for the District of *Worksop* in the County of *Nottingham*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board, Gainsborough.

VIII. The First Election of the Local Board of Health for the District of *Gainsborough* in the County of *Lincoln*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Election of Local Board for Rotherham and Kimberworth.

IX. The First Election of the Local Board of Health for the District of *Rotherham* and *Kimberworth*, in the County of *York*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two; and the First Election of Three Persons to be elected by the Owners and Ratepayers in respect of Property situated within the Township of *Brinsworth*, and to form Part of the Local Board of Health under the said Public Health Act for the aforesaid District, for the Purposes of Main Sewerage only, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

X. The

First Election of Local Board for Burnham.

X. The First Election of the Local Board of Health for the District of *Burnham* in the County of *Somerset*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Selection and Election of Local Board of Calne.

XI. The First Selection and Election of Members of the Local Board of Health for the District of *Calne* in the County of *Wilts*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

First Selection and Election of Local Board for Banbury.

XII. The First Selection and Election of Persons to constitute the Local Board of Health for the District of *Banbury* in the Counties of *Oxford* and *Northampton*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *July* in the Year of our Lord One thousand eight hundred and fifty-two.

11 & 12 Vict. c. 63. ss. 68. 69. as to Repair of Highways.

XIII. That the Term "Highway," in the Sections of the Public Health Act, 1848, numbered respectively 68 and 69 in the Copies of the Act printed by the Queen's Printers, shall mean any Highway repairable by the Inhabitants at large.

Interpretation of "Year."

XIV. The Word "Year" shall, for the Purpose of the Election of Local Boards of Health acting in execution of the Public Health Act, 1848, and of the Continuance in Office of the Members of such Boards, be taken to mean the Interval between any Day of Election of any such Board and the Day of Election next ensuing.

Act incorporated with Public Health Act.

XV. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

Short Title of this Act.

XVI. That in citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The First Public Health Supplemental Act, 1852."

SCHEDULE to which the foregoing Act refers.

Worthing.	Burnham.
Worksop.	Calne.
Gainsborough.	Banbury.
Rotherham and Kimberworth.	

CAP. XLIII.

An Act to repeal certain Disabilities under the First of *George* the First, Chapter Thirteen, and the Sixth of *George* the Third, Chapter Fifty-three. [30th *June* 1852.]

1 G. 1. c. 13.

'WHEREAS by an Act of Parliament passed in the First Year of the Reign of King *George* the First, intituled *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants, and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*, it is among other things enacted, that if any Person that now is or hereafter shall be a Peer of this Realm, or Member of the House of Peers, or Member of the House of Commons in this or any succeeding Parliament, and after the said Twenty-ninth Day of *September* One thousand seven hundred and fifteen presume to vote or make his Proxy, not having taken the Oath therein mentioned, and subscribed the same, as therein also stated, every such Peer or Member so offending shall be disabled to sue, or use any Action, Bill, Plaint, or Information, in any Court of Law, or to prosecute any Suit in any Court of Equity, or to be Guardian of any Child, or Executor or Administrator of any Person, or to be capable of any Legacy or Deed of Gift, or to be in any Office within this Realm of *Great Britain*, or to vote at any Election for Members to serve in Parliament, and shall forfeit the Sum of Five hundred Pounds, to be recovered by him or them that shall sue for the same, to be prosecuted by Action of Debt, Suit, Bill, Plaint, or Information in any of His Majesty's Courts at *Westminster*, wherein no Essoign, Protection, or Wager of Law shall lie, or any more than One Imparlance, and by way of summary Complaint before the Court of Sessions, or Prosecution before the Court of Justiciary in *Scotland:* And whereas also by a certain other Act of Parliament passed in the Sixth Year of His late

6 G. 3. c. 53.

Majesty King *George* the Third, intituled *An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen* Anne, *intituled 'An Act for the Improvement of the Union of the Two Kingdoms,' as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason*, it is declared and enacted, amongst other things, that from and after the Fourth Day of *June* One thousand seven hundred and sixty-six the said Oath of Abjuration be administered in such Manner and Form as is therein-after set down and prescribed, and that all and every Person and Persons who were enjoined and required to administer, take, or subscribe the said Oath of Abjuration should respectively administer, take, and subscribe the Oath of Abjuration according to the Form therein set down and prescribed in such Courts within such Time limited, in such Manner, and with due Observance of the same Requisites, and with Benefit of the same Savings, Provisoes, and Indemnities, as by the Acts therein referred to or by any other Acts or any Part of them then subsisting were directed and enacted; and in case of Neglect or Refusal he or they should

'be

'be subject and liable to the same Penalties and Disabilities as by the Laws and Statutes aforesaid were 'enacted: And whereas the Disabilities so created are unnecessarily severe:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Enactment as imposes the Disabilities therein as above set forth shall be and is hereby repealed, and the said Disabilities shall cease and determine and be of no Effect with respect to any Offence committed or hereafter to be committed against the aforesaid Enactments: Provided always, that nothing herein contained shall affect the Liability of the Person so offending to the pecuniary Penalty imposed by the said Enactment, or alter in any respect the said Enactment in relation thereto.

Repealing Disabilities imposed by the recited Act upon Members of either House of Parliament voting without taking the required Oath.

CAP. XLIV.

An Act to amend and consolidate the Laws relating to the Carriage of Passengers by Sea.

[30th *June* 1852.]

'WHEREAS it is expedient to amend and consolidate, and for that Purpose to repeal, the existing 'Laws relating to the Carriage of Passengers by Sea:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Prefatory Clauses.

I. On the First Day of *October* next, when this Act shall commence and come into force, "The Passengers Act, 1849," and an Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One, intituled *An Act to amend the Passengers Act*, 1849, shall be repealed; except so far as either of the said Acts repeals any former Act or Enactment; and except so far as may be necessary for supporting or continuing any Proceeding heretofore taken or hereafter to be taken upon any Bond given under either of the said Acts, or upon any other Civil Process; and except as to the Recovery and Application of any Penalty for any Offence committed against either of the said Acts before the Commencement of this Act; and except also as to an Order in Council made by Her Majesty, with the Advice of Her Privy Council, on the Sixth Day of *October* One thousand eight hundred and forty-nine, in pursuance of the Powers given by the Thirty-ninth Section of "The Passengers Act, 1849," which said Order in Council shall remain in force until altered or revoked by any Order in Council to be made under the Provisions of this Act.

Commencement of this Act, and Repeal of former Acts, except as to existing Liabilities, and except as to an Order in Council dated 6th October 1849.

II. In citing this Act in other Acts of Parliament, or in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Passengers Act, 1852;" and in any Process for enforcing the Remedies or Penalties given or imposed by this Act it shall be sufficient, without specifying more particularly the Cause of Complaint or Offence, to refer by Number, according to the Copies of the Act printed by the Queen's Printer, to the Section or Sections under which the Proceeding is taken.

Short Title.

In legal Proceedings, Reference to Sections sufficient.

III. For the Purposes of this Act, the following Terms, whenever they occur, shall respectively have the following Significations; (that is to say,) the Term "United Kingdom" shall signify *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, *Scilly*, and *Man*; the Term "*North America*" shall signify and include the *Bermudas*, and all Ports and Places on the Eastern Coast of the Continent of *North America*, or in the Islands adjacent or near thereto, or in the Gulf of *Mexico* North of the Tropic of Cancer; the Term "*West Indies*" shall signify the *West India* Islands, the *Bahamas*, *British Guiana*, and *Honduras*; the Term "Governor" shall signify the Person who for the Time being shall be lawfully administering the Government of any *British* Colony in which he may be acting; the Term "Statute Adult" shall signify a Passenger of the Age of Fourteen Years or upwards, or Two Passengers above the Age of One Year and under that of Fourteen; the Term "Passage" shall include all Passages except Cabin Passages; the Term "Passengers" shall include all Passengers except Cabin Passengers, and except Labourers under Indenture to the *Hudson's Bay* Company, and their Families, if conveyed in Ships the Property of or chartered by the said Company, and no Persons shall be deemed Cabin Passengers unless the Space allotted to their exclusive Use in the Chief or Second Cabin shall be in the Proportion of at least Thirty-six clear Square Feet to each Statute Adult, nor unless they shall be messed at the same Table with the Master or First Officer of the Ship, nor unless the Fare contracted to be paid by them respectively shall be in the Proportion of at least Twenty Shillings for every Week of the Length of the Voyage as computed for Sailing Vessels under the Provisions of this Act; the Term "Passenger Deck" shall signify the Main Deck and the Deck immediately below it, not being an Orlop Deck, or either of them, or any Compartment thereof in which Passengers may be berthed; the Term "Ship" shall signify any Description of Sea-going Vessel, whether *British* or Foreign; the Term "Passenger Ship" shall signify every Description of such Ship carrying upon any Voyage to which the Provisions of this Act shall extend a greater Number of Passengers, when propelled by Sails, than in the Proportion of One "Statute Adult" to every Twenty-five Tons of the registered Tonnage of such Ship, and when propelled by Steam than in the Proportion of One Statute Adult to every Ten Tons of the registered Tonnage of such Ship; and the Term "Master" shall signify the Person who shall be borne on the Ship's Articles as Master, or who for the Time being shall be in Charge or Command of any such Ship or "Passenger Ship;" and, unless there be something in the Subject Matter or Context repugnant thereto, every Word importing the Singular Number or the Masculine Gender only shall include several Persons, Matters, or Things, as well as One Person, Matter, or Thing, and Females as well as Males, respectively; and every Word importing the Plural Number shall include One Person or Thing as well as several Persons or Things.

Definition of Terms; viz.

"United Kingdom:"

"North America:"

"West Indies:"

"Governor:"

"Statute Adult:"

"Passage" and "Passengers:"

"Passenger Deck:"

"Ship:"

"Passenger Ship:"

"Master:"

Number and Gender.

IV. This

Prefatory Clauses.

To what Vessels and Voyages this Act shall extend.

IV. This Act shall extend to every "Passenger Ship" proceeding on any Voyage from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, and on every Colonial Voyage as herein-after described, but shall not extend to any of Her Majesty's Ships of War, nor to any Ships in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, nor to any Ship of War or Transport in the Service of the *East India* Company, nor to any Steam Vessel carrying the Royal Mails or carrying Mails under Contract with the Government of the Country to which such Steam Vessel may belong.

Commissioners of Emigration to carry this Act into execution.

V. 'And whereas by a Warrant under Her Majesty's Sign Manual, bearing Date on the Twenty-seventh 'Day of *November* One thousand eight hundred and forty-seven, Her Majesty was pleased to appoint 'certain Persons therein named to be, during Her Majesty's Pleasure, Commissioners in the United King-'dom for the Sale of the Waste Lands of the Crown in Her Majesty's Colonies, and for superintending 'the Emigration of the poorer Classes of Her Majesty's Subjects to such Colonies: And whereas it is 'expedient that such Commissioners should be empowered to carry this Act into execution:' Be it therefore enacted, That the said Commissioners, and their Successors for the Time being, shall and they are hereby empowered to carry this Act into execution; and that for all legal Purposes it shall be sufficient to describe such Commissioners by the Style of the "Colonial Land and Emigration Commissioners."

Emigration Commissioners may sue, &c. in the Name of their Secretary or of One of themselves. The Commissioners and their private Estates exempt from Liability.

VI. The Colonial Land and Emigration Commissioners for the Time being may sue and be sued in the Name of their Secretary, or of any One of such Commissioners for the Time being, and legal or equitable Proceedings taken by or against the said Commissioners in the Name of any One of them or of their Secretary shall not abate nor be discontinued by the Death or Removal of such Secretary or Commissioner, but the Secretary for the Time being, or any One of such Commissioners, shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in any such Proceedings: Provided always, that the said Commissioners and their Secretary respectively shall in no Case be personally liable, nor shall the private Estate and Effects of any of them be liable, for the Payment of any Monies or Costs or otherwise in respect of any Contract made or hereafter to be made by them or any of them, or in respect of any legal or equitable Proceedings taken against them or any of them, or for any Act, Deed, or Matter done or executed by them or any of them in their or his official Capacity and on the Public Service.

Emigration Officers and Assistants to act under Commissioners, &c.

Existing Appointments to continue.

VII. In the United Kingdom the said Commissioners acting under the Sanction of One of Her Majesty's Principal Secretaries of State, and in Her Majesty's Possessions abroad the respective Governors thereof, may from Time to Time appoint, and the said Commissioners and Governors may at pleasure from Time to Time remove, such Emigration Officers and Assistant Emigration Officers as they may respectively think necessary, for the Purpose of carrying this Act into execution, under the Direction of the said Commissioners or Governors, as the Case may be: Provided nevertheless, that all existing Appointments of Emigration Officers and of their Assistants, as well in the United Kingdom as in Her Majesty's Possessions abroad, shall continue in force under this Act until duly revoked.

Duties of Emigration Officer may be performed by Assistant, or Officer of Customs.

VIII. All Powers, Functions, and Duties to be exercised or performed by any such Emigration Officer shall be exercised and performed respectively by his Assistant, or, at any Port where there shall be no such Emigration Officer or Assistant, or in their Absence, by the Chief Officer of Customs for the Time being at such Ports.

Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers.

IX. The Master of every Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers upon any Voyage to which this Act extends, shall afford to such Emigration Officer or his Assistant as aforesaid at any Port or Place in Her Majesty's Dominions, and, in the Case of *British* Ships, to Her Majesty's Consul at any Foreign Port or Place at which such Ship shall be or arrive, every Facility for inspecting such Ship, and for communicating with the Passengers, and for ascertaining that the Provisions of this Act, so far as the same may be applicable to such Ships, have been duly complied with.

No Passenger Ship to clear out without a Certificate from Emigration Officer, nor till Bond be given.

X. No Ship fitted or intended for the Carriage of Passengers as a "Passenger Ship" shall clear out or proceed to Sea until the Master thereof shall have obtained from the Emigration Officer at the Port of Clearance a Certificate under his Hand that all the Requirements of this Act, so far as the same can be complied with before the Departure of such Ship, have been duly complied with, nor until the Master shall have joined in executing such Bond to the Crown as required by the Fifty-ninth Section of this Act.

Passenger Ships clearing out without Certificate, &c. forfeited; and to be dealt with as if seized under Customs Laws.

XI. If any "Passenger Ship" shall clear out or proceed to Sea without the Master's having first obtained such Certificate, or without his having joined in executing such Bond, as by this Act is required, such Ship shall be forfeited to the Use of Her Majesty, and may be seized by any Officer of Customs, if found, within Two Years from the Commission of the Offence, in any Port or Place in the United Kingdom or in Her Majesty's Possessions abroad; and such Ship shall thereupon be dealt with in the same Manner as if she had been seized as forfeited under any of the Laws relating to the Customs for an Offence incurring Forfeiture under those Laws.

Arrangements for the Ship.

Passengers to be carried only on "Passenger Decks," and the Number limited.

XII. No Ship shall clear out or shall proceed to Sea with a greater Number of Passengers on board (exclusive of *bonâ fide* Cabin Passengers) than will allow of the Appropriation to them of the following Space on the "Passenger Decks," unoccupied by Stores, not being the personal Luggage of the Passengers; (that is to say,) if the Ship is not intended to pass within the Tropics, Twelve clear Superficial Feet for every Statute Adult; but if the Ship is intended to pass within the Tropics, Fifteen such clear Superficial Feet for every Statute Adult: Nor (unless the Ship be propelled by Steam) with a greater Number of Persons on board (including the Master and Crew, and Cabin Passengers, if any, and counting

counting Two Children above the Age of One Year and under that of Fourteen as One Person,) than in the Proportion of One Person to every Two Tons of the registered Tonnage of such Ship. If there shall be on board of any Ship at or after the Time of Clearance a greater Number either of Persons or of Passengers than in the Proportions respectively herein-before mentioned, the Master of such Ship shall be liable, on such Conviction as herein-after is mentioned, to a Penalty not exceeding Five Pounds nor less than Two Pounds Sterling for each Person or Passenger constituting any such Excess.

Arrangements for the Ship.

Penalty for Excess of Persons on board.

XIII. The Master of every Ship, whether a "Passenger Ship" or otherwise, carrying Passengers on any Voyage to which this Act extends, shall, before demanding a Clearance for such Ship, sign Two Lists, made out according to the Form contained in Schedule (A.) hereto annexed, correctly setting forth in the Manner therein directed the Name and other Particulars of the Ship, and of every Passenger on board thereof; and the said Lists, when countersigned by the Emigration Officer, where there is One at the Port, shall be delivered by the Master to the Officer of the Customs from whom a Clearance of the said Ship shall be demanded, and such Officer shall thereupon also countersign and return to the said Master One of such Lists, herein-after called "The Master's List;" and the said Master shall exhibit such last-mentioned List, with any Additions which may from Time to Time be made thereto, as herein-after directed, to the Chief Officer of Her Majesty's Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consul at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Chief Officer of Customs, or such Consul, as the Case may be, at the final Port or Place of Discharge.

Two Lists of Passengers to be made out in the Form in Schedule (A.), and delivered in every Case before Clearance.

XIV. If at any Time after such Lists shall have been signed and delivered as aforesaid any additional Passenger shall be taken on board, in every such Case the Master shall, according to the Form aforesaid, add to "The Master's List" the Names and other Particulars of every such additional Passenger, and shall also sign a separate List, made out according to the Form aforesaid, containing the Names and other Particulars of every such additional Passenger; and such last-mentioned List, when countersigned by the Emigration Officer, where there is One at the Port, shall, together with "The Master's List" to which such Addition shall have been made, be delivered to the Chief Officer of Customs as aforesaid, and thereupon such Officer shall countersign "The Master's List," and shall return the same to the said Master, and shall retain the separate List; and so on in like Manner whenever any additional Passenger or Passengers may be taken on board; or if no Officer of Customs shall be stationed at the Port or Place where such additional Passenger or Passengers may be taken on board, the said Lists shall be delivered to the Officer of Customs at the next Port or Place at which such Vessel shall touch or arrive and where any such Officer shall be stationed, to be dealt with as herein-before mentioned: Provided, that when any additional Passengers shall be taken on board the Master shall obtain a fresh Certificate from the Emigration Officer of the Port that all the Requirements of this Act have been duly complied with, before the Ship shall proceed to Sea, and in default thereof shall be liable to a Penalty for each Offence not exceeding Fifty Pounds.

Lists of additional Passengers taken on board after Clearance to be made out, and signed by Master.

XV. If any Person shall be found on board any Passenger Ship, with Intent to obtain a Passage therein without the Knowledge and Consent of the Owner, Charterer, or Master thereof, such Person, and every Person aiding and abetting him in such fraudulent Intent, shall respectively be liable, on such summary Conviction as herein-after mentioned, to a Penalty not exceeding Five Pounds, and in default of Payment to Imprisonment, with Hard Labour, for a Period not exceeding Three Calendar Months; and such Person so found on board may be taken before any Justice of the Peace, without Warrant, and such Justice may hear the Case, and on Proof of the Offence convict such Offender as aforesaid.

Penalty on Persons attempting fraudulently to obtain a Passage, and on Persons aiding and abetting.

XVI. No "Passenger Ship" shall clear out or proceed to Sea unless she shall have been surveyed, under the Direction of the Emigration Officer at the Port of Clearance, but at the Expense of the Owner or Charterer thereof, by Two or more competent Surveyors, to be appointed by the said Colonial Land and Emigration Commissioners for each Port at which there may be an Emigration Officer, and for other Ports by the Commissioners of Customs, nor unless it shall be reported by such Surveyors, that such "Passenger Ship" is in their Opinion seaworthy, and fit in all respects for her intended Voyage: Provided always, that in case any "Passenger Ship" shall be reported by any such Surveyors not to be seaworthy, nor fit in all respects for her said intended Voyage, the Owner or Charterer, if he shall think fit, may require, by Writing under his Hand, the Emigration Officer, or in his Absence the Chief Officer of Customs, to appoint Three other competent Surveyors, of whom Two at least shall be Shipwrights, to survey the said Ship, at the Expense of the said Owner or Charterer; and the said Officer shall thereupon appoint such Surveyors, who shall survey the said Ship, and if they shall, by an unanimous Report under their Hands (but not otherwise), declare the said Ship to be seaworthy, and fit in all respects for her intended Voyage, the said Ship shall then, for the Purposes of this Act, be deemed seaworthy for such Voyage.

All Passenger Ships to be surveyed before clearing out.

XVII. In every "Passenger Ship" the Beams supporting the "Passenger Decks" shall form Part of the permanent Structure of the Ship: They shall be of adequate Strength, in the Judgment of the Emigration Officer at the Port of Clearance, and shall be firmly secured to the Ship to the Satisfaction of such Officer: The "Passenger Decks" shall be at least One Inch and a Half in Thickness, and shall be laid and firmly fastened upon the Beams continuously from Side to Side of the Compartment in which the Passengers are berthed, or substantially secured to the Beams, at least Three Inches clear above the Bottom thereof, to the Satisfaction of such Emigration Officer: The Height between any Deck on which Passengers are carried and the Deck immediately above it shall not be less than Six Feet.

Beams and Decks.

XVIII. There

Arrangements for the Ship.

As to Arrangement and Size of Berths.

XVIII. There shall not be more than Two Tiers of Berths on any One Deck in any "Passenger Ship," and the Interval between the Floor of the Berths and the Deck immediately beneath them shall not be less than Six Inches: The Berths shall be securely constructed, and of Dimensions not less than after the Rate of Six Feet in Length and Eighteen Inches in Width for each Statute Adult, and shall be sufficient in Number for the proper Accommodation of all the Passengers contained in the Lists of Passengers herein-before required to be delivered by the Master of the Ship.

Single Men to be berthed in a separate Compartment.

As to Numbers and Sexes in One Berth.

XIX. In every Passenger Ship all the unmarried Male Passengers of the Age of Fourteen Years and upwards shall, to the Satisfaction of the Emigration Officer at the Port of Clearance, be berthed in the fore Part of the Ship, in a Compartment divided off from the Space appropriated to the other Passengers by a substantial and well-secured Bulkhead, or in separate Rooms, if the Ship be divided into Compartments, and fitted with enclosed Berths: Not more than Two Passengers, unless Members of the same Family, shall be placed in the same Berth: Nor in any Case shall Persons of different Sexes above the Age of Fourteen, unless Husband and Wife, be placed in the same Berth.

Berths not to be removed till Passengers landed.

XX. No Berths in a "Passenger Ship" occupied by Passengers during the Voyage shall be taken down until Forty-eight Hours after the Arrival of such Ship at the Port of final Discharge, unless all the Passengers shall have voluntarily quitted the Ship before the Expiration of that Time.

A Space in every Ship to be set apart for an Hospital.

XXI. In every "Passenger Ship" a Space shall be properly divided off to the Satisfaction of the Emigration Officer at the Port of Clearance, and set apart for an Hospital, not less, in Ships carrying as many as One hundred Statute Adults, than Fifty-six clear Superficial Feet, with Four Bed-berths erected therein, and properly supplied with Bedding, nor less, in Vessels carrying Three hundred or more Statute Adults, than One hundred and twenty clear Superficial Feet, with at least Eight Bed-berths properly supplied as aforesaid.

As to fitting up of Privies.

XXII. No "Passenger Ship" shall clear out or proceed to Sea unless fitted, to the Satisfaction of the Emigration Officer at the Port of Clearance, with at least Two Privies, and with Two additional Privies for every One hundred Passengers on board, which shall be maintained in a serviceable Condition throughout the Voyage; provided that such Privies shall be placed in equal Numbers on each Side of the Ship, and need not in any Case exceed Twelve in Number.

Directions as to Light and Ventilation.

XXIII. No "Passenger Ship" having on board as many as One hundred Statute Adults shall clear out or proceed to Sea without having on board an adequate and proper ventilating Apparatus, to be approved by the Emigration Officer at the Port of Clearance, and fitted to his Satisfaction; and in every "Passenger Ship" the Passengers, whatever be their Number, shall at all Times during the Voyage (Weather permitting) have free Access to and from the Between Decks by the whole of each Hatchway situate over the Space appropriated to the Use of such Passengers: If, however, the Main Hatchway be not One of the Hatchways appropriated to the Use of the Passengers, or if the natural Supply of Light and Air through the same be in any Manner unduly impeded, the Emigration Officer at the Port of Clearance may direct such other Provision to be made for affording Light and Air to the Between Decks as the Circumstances of the Case may, in his Judgment, appear to require; and in case of Noncompliance with any such Directions, or in case such Ship shall be cleared out or proceed to Sea without such ventilating Apparatus, the Owner, Charterer, or Master of such Ship shall be liable, on such Conviction as herein-after is mentioned, to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds Sterling.

Penalty on Noncompliance with such Directions.

Passenger Ships shall carry Boats.

XXIV. Every "Passenger Ship" shall carry a Number of Boats according to the following Scale; (that is to say,)

Two Boats for every Ship of One hundred Tons and upwards:

Three Boats for every Ship of Two hundred Tons and upwards, if the Number of Statute Adults on board shall exceed Fifty:

Four Boats for every Ship of Five hundred Tons and upwards, if the Number of Statute Adults shall exceed Two hundred:

Five Boats for every Ship of Eight hundred Tons and upwards, if the Number of Statute Adults shall exceed Three hundred:

Six Boats for every Ship of Twelve hundred Tons and upwards, if the Number of Statute Adults shall exceed Five hundred and fifty:

One Boat to be a Life Boat.

One of such Boats shall in all Cases be a Long Boat, and One shall be a properly fitted Life Boat, which shall be kept properly suspended at the Quarter or Stern of the Ship; and each of such Boats shall be of a suitable Size, to be approved by the Emigration Officer at the Port of Clearance, and shall be seaworthy, and properly supplied with all Requisites, and kept clear at all Times for immediate Use at Sea: There shall likewise be on board each "Passenger Ship" Two properly fitted Life Buoys, kept ready at all Times for immediate Use, and some adequate Means, to be approved by the Emigration Officer at the Port of Clearance, of making Signals by Night; also a Fire Engine, in proper working Order, or other Apparatus for extinguishing Fire, to be approved by such Officer; provided that "Passenger Ships" which shall comply with the Requirements of this Act as regards Boats shall be exempted from the Requirements respecting Boats contained in the "Steam Navigation Act, 1851."

Life Buoys, Means for making Night Signals, and Fire Engines to be provided.

Passenger Ship to be properly manned.

XXV. Every "Passenger Ship" shall be manned with an efficient Crew for her intended Voyage, to the Satisfaction of the Officer from whom a Clearance of such Ship may be demanded.

Certain Articles prohibited as Cargo and Ballast.

XXVI. No "Passenger Ship" shall clear out or proceed to Sea if there shall be on board as Cargo any Horses, Cattle, Gunpowder, Vitriol, Lucifer Matches, Guano, green Hides, or any other Article, whether as Cargo or Ballast, which by reason of its Nature or Quantity shall be deemed by the Emigration Officer

Officer at the Port of Clearance likely to endanger the Health or Lives of the Passengers, or the Safety of the Ship: No Part of the Cargo, or of the Provisions, Water, or Stores, whether for the Use of the Passengers or of the Crew, shall be carried on the Upper Deck, or on the "Passenger Decks," unless in the Opinion of such Emigration Officer it shall be so placed as not to impede Light or Ventilation, nor interfere with the Comfort of the Passengers; nor unless the same be stowed and secured to the Satisfaction of such Emigration Officer; and the Space occupied thereby on the Passenger Decks, or rendered, in the Opinion of such Emigration Officer, unavailable for the Accommodation of the Passengers, shall be deducted in calculating the Space by which, under the Provision of this Act, the Number of Passengers is regulated.

Cargo and Stores not to be carried on Deck, except in certain Cases and under certain Conditions.

XXVII. For the Purposes of this Act, the Length of the Voyage for a "Passenger Ship," proceeding from the United Kingdom to the under-mentioned Places respectively, shall be determined by the following Scale; (that is to say,)

Computation of Voyages.

	If the Ship be propelled by Sails alone.	If the Ship be propelled wholly by Steam Engines of not less Power than after the Rate of 20 Horses to every 100 registered Tons, or by such Steam Engines in aid of Sails.
	Days.	*Days.*
To North America (except the West Coast thereof):—		
For Ships clearing out between the Sixteenth Day of January and the Fourteenth Day of October, both Days inclusive	70	40
For Ships clearing out between the Fourteenth Day of October and the Sixteenth Day of January, both Days inclusive	80	45
To the West Indies	70	40
To any Part of the East Coast of the Continent of Central or South America Northward of the Twenty-fifth Degree of South Latitude, except British Guiana	84	50
To the West Coast of Africa	84	50
To the Cape of Good Hope or the Falkland Islands, or to any Part of the East Coast of South America Southward of the Twenty-fifth Degree of South Latitude	105	65
To the Mauritius, and to the Western Coast of America South of the Equator	126	75
To Ceylon	140	85
To Western Australia	120	85
To any other of the Australian Colonies	140	90
To New Zealand and to the Western Coast of America between the Equator and the Fortieth Degree of North Latitude	150	90
To the Western Coast of America North of the Fortieth Degree of North Latitude, and the Islands adjacent thereto	182	96

For the like Purposes, the said Colonial Land and Emigration Commissioners, acting by and under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time, by any Notice in Writing issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, may nevertheless declare what shall be deemed to be the Length of Voyage from the United Kingdom to any of the said herein-before mentioned Places, or to any other Port or Place whatsoever, and may fix such different Lengths of Voyage as they may think reasonable for such different Descriptions of Vessels as aforesaid.

Before clearing out the Provisions and Water to be surveyed.

XXVIII. Before any "Passenger Ship" shall be cleared out the Emigration Officer at the Port of Clearance shall survey or cause to be surveyed by some competent Person the Provisions and Water by this Act required to be placed on board for the Consumption of the Passengers, and shall satisfy himself that the same are of a good and wholesome Quality, and in a sweet and good Condition, and are in Quantities sufficient to secure throughout the Voyage the Issues herein-after prescribed: He shall also satisfy himself that over and above the same there is on board, for the victualling of the Crew of the Ship and all other Persons, if any, on board, an ample Supply of pure Water, and of wholesome Provisions and Stores; and that such of the last-mentioned Provisions or Stores as consist of Articles of a like Description to those hereby required for the Consumption of the Passengers are not inferior in Quality to the same: All such Water, Provisions, and Stores shall be provided and properly stowed away in accordance with the Requirements of the Twenty-sixth Section of this Act, by and at the Expense of the Owner, Charterer, or Master of the Ship; and if a Clearance be obtained for any "Passenger Ship" which shall not be then stored with the requisite Quantities of such Water, Provisions, and Stores as are required by this Act, the Owner, Charterer, or Master of such Ship shall be liable,

Provisions for Crew not to be inferior to those for Passengers.

Penalty on Owners, &c. for Neglect.

Arrangements for the Ship.

liable, on such Conviction as herein-after is mentioned, to the Payment of a Penalty not exceeding One hundred Pounds.

Emigration Officer may reject and mark bad Provisions, and direct same to be landed.

XXIX. If such Emigration Officer shall consider that any of the Provisions or Stores are not of a good and wholesome Quality, or are not in a sweet or good Condition, it shall be lawful for him to reject and mark the same, or the Packages in which they are contained, and to direct the same to be landed; and if such rejected Provisions or Stores shall not thereupon be forthwith landed, or if, after being landed, the same or any Part thereof shall be reshipped in such Ship, the Owner, Charterer, or Master thereof, or if reshipped in any other "Passenger Ship," the Person causing the same to be reshipped, shall be liable, on Conviction as herein-after mentioned, to a Penalty not exceeding One hundred Pounds.

Penalty.

Water Tanks or Casks to be approved by Emigration Officer.

XXX. In every "Passenger Ship" the Water to be laden on board, as herein-before required, shall be carried in Tanks or in Casks to be approved by the Emigration Officer at the Port of Clearance; and when Casks are used they shall be sweet and tight, of sufficient Strength, and properly charred inside, and shall not be made of Fir or soft Wood Staves, nor be capable severally of containing more than Three hundred Gallons each.

Proviso for touching at intermediate Ports to fill up Water.

XXXI. If any "Passenger Ship" shall be intended to call at any intermediate Port or Place during the Voyage, for the Purpose of taking in Water, and if an Engagement to that Effect shall be inserted in the Bond mentioned in the Fifty-ninth Section of this Act, then it shall be sufficient to place on board at the Port of Clearance such Supply of Water as may be requisite, according to the Rate herein-after mentioned, for the Voyage of the said Ship to such intermediate Port or Place, subject to the following Conditions; (that is to say,)

First, That the Emigration Officer signify his Approval in Writing of the Arrangement, to be carried amongst the Papers of the Ship, and exhibited to the Chief Officer of Customs, or to Her Majesty's Consul, as the Case may be, at such intermediate Port or Place, and to be delivered to the Chief Officer of Customs, or to Her Majesty's Consul, as the Case may be, on the Arrival of the said Ship at the final Port or Place of Discharge:

Secondly, That if the Length of either Portion of the Voyage, whether to such intermediate Port or Place, or from such intermediate Port or Place to the final Port or Place of Discharge, be not prescribed in or under the Provisions of this Act, the Emigration Officer at the Port of Clearance shall in every such Case declare the same:

Thirdly, That the Ship shall have on board, at the Time a Clearance is demanded, Tanks or Water Casks, of the Description herein-before mentioned, sufficient for stowing the Quantity of Water required for the longest of such Portions of the Voyage as aforesaid.

Dietary Scale for the Voyage.

XXXII. In addition to and irrespective of any Provisions of their own which any Passengers may have on board, the Master of every "Passenger Ship" shall make to each Statute Adult during the Voyage, including the Time of Detention, if any, at any Port or Place before the Termination of such Voyage, an Allowance of pure Water and sweet and wholesome Provisions, according to the following Dietary Scale:

DIETARY SCALE.

Weekly.	3 Quarts of Water daily. 2½ lbs. of Bread or Biscuit, not inferior in Quality to Navy Biscuit. 1 lb. Wheaten Flour. 5 lbs. Oatmeal. 2 lbs. Rice. ½ lb. Sugar. 2 oz. of Tea, or 4 oz. of Cocoa or of roasted Coffee. 2 oz. Salt.	Per Statute Adult.

As to Articles which may be substituted for Oatmeal, Rice, and Potatoes.

The following Substitutions for Articles in the above Dietary Scale may be made, at the Option of the Master of any "Passenger Ship," provided that the substituted Articles be set forth in the Contract Tickets of the Passengers; that is to say, 5 lbs. of good Potatoes, or ½ lb. of Beef or of Pork, exclusive of Bone, or of preserved Meat, or ¾ lb. of dried Salt Fish, or 1 lb. of Bread or Biscuit not inferior in Quality to Navy Biscuit, or 1 lb. of best Wheaten Flour, or 1 lb. of Split Peas, for 1¼ lb. of Oatmeal, or for 1 lb. of Rice; and ¼ lb. of preserved Potatoes may be substituted for 1 lb. of Potatoes; but in Vessels clearing out from *Scotch* or *Irish* Ports the weekly Allowance of Oatmeal shall not be less than at the Rate of 3½ lbs. for each Statute Adult.

Provisions to be issued daily, and Articles which require cooking to be cooked.

XXXIII. In every "Passenger Ship" the Issues of Provisions shall be made daily before Two o'Clock in the Afternoon, as near as may be in the Proportion of One Seventh of the weekly Allowance on each Day; the first of such Issues shall be made before Two o'Clock in the Afternoon of the Day of Embarkation, to such Passengers as shall be then on board; and all Articles which require to be cooked shall be issued in a cooked State.

Emigration Commissioners may authorize an alternative Dietary Scale.

XXXIV. The said Colonial Land and Emigration Commissioners for the Time being, acting under the Authority of One of Her Majesty's Principal Secretaries of State, may, from Time to Time, by any Notice for that Purpose, issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, authorize the Issue of Provisions in any "Passenger Ship" according to such other Dietary Scale (besides the One herein-before prescribed) as shall in their Opinion contain in the whole an equivalent Amount of wholesome Nutriment; and after the Publication of such Notice it shall be lawful for the Master of any "Passenger Ship" to issue Provisions to his Passengers either according to the Scale by this Act prescribed, or according to the Scale authorized by the said Commissioners, which-

ever may have been set forth in the Contract Tickets of the Passengers: Provided always, that the said Commissioners acting under such Authority and by such Notice as aforesaid may revoke or alter any such Dietary Scale authorized by them, as Occasion may require. Dietary Scale may be revoked, &c.

XXXV. Every "Passenger Ship" carrying as many as One hundred Statute Adults shall have on board a seafaring Person, who shall be rated in the Ship's Articles as Passengers Steward, and who shall be approved by the Emigration Officer at the Port of Clearance, and who shall be employed in messing and serving out the Provisions to the Passengers, and in assisting to maintain Cleanliness, Order, and good Discipline among the Passengers, and who shall not assist in any way in navigating or working the Ship. As to Appointment of Passengers Stewards.

XXXVI. Every "Passenger Ship" carrying as many as One hundred "Statute Adults" shall also have on board a seafaring Man, or if carrying more than Four hundred "Statute Adults," Two seafaring Men, to be rated and approved as in the Case of Passengers Stewards, who shall be employed in cooking the Food of the Passengers: A convenient Place for cooking shall also be set apart on Deck; and a sufficient cooking Apparatus, properly covered in and arranged, shall be provided, to the Satisfaction of the said Emigration Officer, together with a proper Supply of Fuel adequate, in his Opinion, for the intended Voyage. As to Appointment of Passengers Cook and providing cooking Apparatus.

XXXVII. In every Foreign "Passenger Ship" in which as many as One Half of the Passengers shall be *British* Subjects, unless the Master and Officers or not less than Three of them shall understand and speak intelligibly the *English* Language, there shall be carried, where the Number of Passengers does not exceed Two hundred and fifty, One Person, and where it exceeds Two hundred and fifty, Two Persons, who understand and speak intelligibly the Language spoken by the Master and Crew and also the *English* Language, and such Persons shall act as Interpreters, and be employed exclusively in attendance on the Passengers, and not in the working of the Ship; and the Master of any such Foreign Ship clearing out or proceeding to Sea without having such Interpreter or Interpreters on board as aforesaid shall be liable, on Conviction, as herein-after mentioned, to a Penalty not exceeding Fifty Pounds nor less than Five Pounds. In what Cases Interpreters to be carried.

XXXVIII. Every "Passenger Ship" shall carry a duly qualified Medical Practitioner in the following Cases, who shall be rated on the Ship's Articles: In what Cases a Medical Man must be carried.

First, when the Duration of the intended Voyage, as herein-before computed, exceeds Eighty Days in the Case of Ships propelled by Sails, and Forty-five Days in the Case of Ships propelled by Steam Engines, and the Number of Persons on board (including Cabin Passengers, Officers, and Crew,) exceeds Fifty:

Second, when the intended Voyage is to *North America*, and the Number of Passengers exceeds One hundred "Statute Adults," and the Space allotted to such Passengers on the "Passenger Decks" is less than Fourteen clear Superficial Feet for each "Statute Adult:"

Third, when, whatever may be the Destination of the Ship, or the Space allotted to the Passengers, the Number of Persons on board (including Cabin Passengers, Officers, and Crew,) exceeds Five hundred.

XXXIX. No Medical Practitioner shall be considered to be duly qualified for the Purposes of this Act unless authorized by Law to practise in the United Kingdom, or, in the Case of a Foreign Ship, in the Country to which such Ship may belong, as a Physician, Surgeon, or Apothecary, nor unless his Name shall have been notified to the Emigration Officer at the Port of Clearance, and shall not be objected to by him, nor unless he shall be provided with proper surgical Instruments to the Satisfaction of such Officer. Qualification of Medical Man.

XL. The Owner or Charterer of every "Passenger Ship" shall provide for the Use of the Passengers a Medicine Chest containing a Supply of Medicines, Instruments, and other Things proper and necessary for Diseases and Accidents incident to Sea Voyages, and for the Medical Treatment of the Passengers during the Voyage, including an adequate Supply of disinfecting Fluid or Agent, together with printed or written Directions for the Use of the same respectively; and such Medicines and other Things shall be good in Quality, and, in the Judgment of the Emigration Officer at the Port of Clearance, sufficient in Quantity, for the probable Exigencies of the intended Voyage, and shall be placed under the Charge of the Surgeon, when there is One on board, to be used at his Discretion. As to Supply of Medicines, &c.

XLI. No "Passenger Ship," except as herein-after provided, shall clear out or proceed to Sea until some Medical Practitioner, to be appointed by the Emigration Officer at the Port of Clearance, shall have inspected the Medicine Chest of the said Ship, and also all the Passengers and Crew about to proceed in her, and shall certify to the said Emigration Officer that the said Ship contains a sufficient Supply of Medicines, disinfecting Fluid or Agent, Instruments, and other Things requisite for the Medical Treatment of the Passengers during the intended Voyage, and that none of the Passengers or Crew appear likely, by reason of being affected by any infectious or other Disease, to endanger the Health of the other Persons about to proceed in such Vessel: Such Medical Inspection of the Passengers shall take place either on board the Vessel, or, at the Discretion of the said Emigration Officer, at such convenient Place on shore before Embarkation as he may appoint; and the Master, Owner, or Charterer of the Ship shall pay to such Emigration Officer a Sum at the Rate of Twenty Shillings for every Hundred Statute Adults so examined: Provided also, that in case the Emigration Officer on any particular Occasion shall be unable to obtain the Attendance of such Medical Practitioner, it shall be lawful for the Master of any such Ship to clear out and proceed to Sea, on receiving from the said Emigration Officer written Permission for the Purpose. As to Medical Inspection of Passengers and Medicines. Proviso where no Medical Practitioner can be obtained.

Arrangements for the Ship.

Diseased Passengers may be relanded.

XLII. If any such Medical Practitioner shall notify to the Emigration Officer at the original Port of Clearance, or at any other Port or Place in the United Kingdom into which the Vessel may subsequently put, or if the said Emigration Officer shall be otherwise satisfied, that any Person about to proceed in any such "Passenger Ship" is unfit by reason of Sickness, or is likely, by reason of being affected by any infectious or other Disease, to endanger the Health of the other Persons on board, it shall be lawful for such Officer to reland or cause to be relanded any such Person, and such Members of his Family, if any, as may be dependent on him, or as may be unwilling to be separated from him, together with their Clothes and Effects; and no "Passenger Ship" shall clear out or proceed to Sea so long as any such diseased Person shall be on board.

Passengers Rights.

Return of Passage Money to Passengers relanded.

XLIII. Any Passenger so relanded, or any Emigration Officer on his Behalf, shall be entitled to recover, by summary Process in manner herein-after provided, the whole of the Monies which may have been paid by or on account of such Passenger for his Passage, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer.

Return of Passage Money and Compensation to Passengers where Passages not provided for them according to Contract.

XLIV. If any intending Passenger, either by himself or by any other Person, shall have contracted for a Passage for himself, or for him and his Family, in any Ship proceeding on any Voyage to which this Act extends, and shall be at the Place of Embarkation at the Time appointed for that Purpose in and by such Contract, and shall apply for such Passage, and shall, on Demand, pay or tender such Part of the Passage Money not already paid as shall be payable under such Contract previously to Embarkation, and if, owing to the previous Departure of the Ship in which such Passage shall have been engaged, or to the Want of Room therein, or to the Neglect, Refusal, or other Default of the Owner, Charterer, or Master thereof, or of the Party with whom or on whose Account such Passage shall have been contracted for, such Passenger shall not obtain a Passage in such Ship, or shall not, together with all the immediate Members of his Family who may be included in such Contract, obtain a Passage to the same Port in some other equally eligible Ship, to sail within Ten Days from the Expiration of the Day named in such Contract, and in the meantime be paid Subsistence Money, at the Rate herein-after mentioned, such Passenger, or any Emigration Officer on his Behalf, shall be entitled to recover, in manner herein-after provided, either from the Party to whom or on whose Account the same may have been paid, or (in case such Contract shall have been made with the Owner, Charterer, or Master of such Ship, or with any Person acting on behalf or by the Authority of any of them respectively,) from such Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer, all Monies which shall have been paid by or on account of such Passengers for such Passage, and also such further Sum, not exceeding Ten Pounds in respect of each such Passage, as shall, in the Opinion of the Justices of the Peace who shall adjudicate on the Complaint, be a reasonable Compensation for the Loss or Inconvenience occasioned to each such Passenger by the Loss of such Passage.

As to Subsistence in case of Detention.

XLV. If any Ship, whether a "Passenger Ship" or otherwise, shall not actually put to Sea, and proceed on her intended Voyage on the Day appointed for sailing in and by any Contract made by the Owner, Charterer, or Master of such Ship, or by his or their Agent, with any Passenger who shall on that Day be on board the same, or ready to go on board, the Owner, Charterer, or Master of such Ship, or his or their Agent, or any of them, at the Option of such Passenger or Emigration Officer, shall pay to every such Passenger (or if such Passenger shall be lodged and maintained in any Establishment under the Superintendence of the said Colonial Land and Emigration Commissioners, then to the Emigration Officer at the Port of Embarkation), Subsistence Money after the Rate of One Shilling for each Statute Adult in respect of each Day of Delay, until the final Departure of such Ship on such Voyage, and the same may be recovered in manner herein-after mentioned; provided that if any such Ship be unavoidably detained, either by Wind or Weather, and the Passengers be maintained on board in the same Manner as if the Voyage had commenced, no such Subsistence Money shall be payable.

As to Ships putting back to replenish Provisions, &c.

XLVI. If any "Passenger Ship" shall, after Clearance, be detained in Port for more than Seven Days, or shall put into or touch at any Port or Place in the United Kingdom, she shall not put to Sea again until there shall have been laden on board, at the Expense of the Owner, Charterer, or Master of such Ship, such further Supply of pure Water, wholesome Provisions of the requisite Kinds and Qualities, and Medical Stores, as may be necessary to make up the full Quantities of those Articles herein-before required for the Use of the Passengers during the whole of the intended Voyage, nor until any Damage she may have sustained shall have been effectually repaired, nor until the Master of the said Ship shall have obtained from the Emigration Officer or his Assistant, or where there is no such Officer, or in his Absence, from the Officer of Customs at such Port or Place, a Certificate to the same Effect as the Certificate herein-before required to enable the Ship to be cleared out; and in case of any Default herein the said Master shall be liable, on Conviction, as herein-after mentioned, to a Penalty not exceeding One hundred Pounds nor less than Fifty Pounds Sterling: And, if the Master of any "Passenger Ship" so putting into or touching at any Port or Place as aforesaid shall not within Twenty-four Hours thereafter report in Writing, his Arrival, and the Cause of his putting back, and the Condition of his Ship, and of her Stores and Provisions, to the Emigration Officer, or, as the Case may be, to the Officer of Customs at the Port, and shall not produce to such Officer the Official or "Master's List" of Passengers, such Master shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Two Pounds Sterling.

Penalty on Master for Default.

Ships putting back to be reported to Emigration Officer.

Penalty on Master for Neglect.

In case of Disaster at Sea, &c., Passengers

XLVII. If any "Passenger Ship" shall, from Disaster at Sea, or any other Cause whatsoever, put into any Port or Place within the United Kingdom, and shall not be made sound and sea-worthy, and within

within Six Weeks again proceed with her Passengers on her intended Voyage, the Owner, Charterer, or Master thereof shall provide the Passengers with a Passage in some other eligible Ship to the Port or Place at which they respectively may have originally contracted to land, and shall in the meantime, if the Passengers be not lodged and maintained on board in the same Manner as if the Ship were at Sea, pay to such Passengers (or if such Passengers shall be lodged and maintained in any Establishment under the Superintendence of the said Colonial Land and Emigration Commissioners, then to the Emigration Officer at such Port or Place,) Subsistence Money after the Rate of One Shilling Sterling for each Statute Adult in respect of each Day of Delay until such Passengers are duly forwarded to their Destination; and if Default shall be made in any of the Requirements of this Section such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process, as herein-after mentioned, all Monies which shall have been paid by or on account of such Passengers or any of them for such Passage, from the Party to whom or on whose Account the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer: Provided that the said Emigration Officer may, if he shall think it necessary, direct that the Passengers shall be removed from such "Passenger Ship" at the Expense of the Master thereof; and if after such Direction any Passenger shall refuse to leave such Ship, he shall be liable, on Conviction as herein-after mentioned, to a Penalty not exceeding Forty Shillings, or to Imprisonment not exceeding One Calendar Month, as the Justices of the Peace may direct.

to be provided with a Passage by some other Vessel; and maintained in the meantime.

In default Passengers may recover Compensation by summary Process.

Power to remove Passengers from Ship; Penalty on Passengers refusing.

XLVIII. If the Passengers of any "Passenger Ship" shall be taken off from any such "Passenger Ship" at Sea, it shall be lawful, if the Port or Place to which they shall be conveyed shall be in the United Kingdom, for One of Her Majesty's Principal Secretaries of State, or if in any of Her Majesty's Colonial Possessions, for the Governor of such Colony, or for any Person authorized by him for the Purpose, or if in any Foreign Country, for Her Majesty's Consul, or Vice Consul, at such Port or Place therein, to defray all or any Part of the Expenses incurred by such Conveyance.

Secretary of State, Governor, or Consul may pay Expenses of taking off Passengers at Sea.

XLIX. If any Passengers of any "Passenger Ship" shall, without any Neglect or Default of their own, find themselves within any Colonial or Foreign Port or Place other than that at which they may have contracted to land, and the Master of such Ship shall decline or omit within Six Weeks thereafter to forward or carry them on to their original Destination, it shall be lawful for the Governor of such Colony, or for any Person authorized by him for the Purpose, or for Her Majesty's Consul or Vice Consul at such Foreign Port or Place, as the Case may be, to forward such Passengers to their intended Destination.

Governors or Consuls may send on shipwrecked Passengers, if the Master of the Ship fail to do so.

L. All Expenses incurred under the last Two preceding Sections or either of them, by or by the Authority of such Secretary of State, Governor, Consul, or Vice Consul as aforesaid, including the Cost of maintaining the Passengers until forwarded to their Destination, and of all necessary Bedding, Provisions, and Stores, shall become a Debt to Her Majesty and Her Successors from the Owner, Charterer, and Master of such Ship, and shall be recoverable from them, or from any One or more of them, at the Suit and for the Use of Her Majesty, in like Manner as in the Case of other Crown Debts; and a Certificate purporting to be under the Hand of any such Secretary of State, Governor, or Consul, or Vice Consul, (as the Case may be,) stating the total Amount of such Expenses, shall in any Suit or other Proceeding for the Recovery of such Debt be deemed sufficient Evidence of the Amount of such Expenses, and that the same were duly incurred, without any Proof of the Handwriting or of the official Character of the Secretary of State, Governor, Consul, or Vice Consul who may have signed such Certificate: Provided nevertheless, that in no Case shall any larger Sum be recovered on account of such Expenses than a Sum equal to the Amount originally paid for the Passage of the Passengers who may be so forwarded or conveyed as aforesaid; which original Amount of Passage Money shall be proved by the Defendant, if he will have the Advantage of this Limitation of the Debt; but if any such Passengers are forwarded or conveyed to their intended Destination under the Provisions of the last preceding Section, they shall not be entitled to the Return of their Passage Money, or to any Compensation for Loss of Passage under the Provisions of this Act.

Expenses incurred under the Two preceding Sections to be a Crown Debt.

Passengers forwarded by Governor, &c. not entitled to Return of Passage Money.

LI. No Policy of Assurance effected in respect of any Passages, or of any Passage or Compensation Monies, by any Person by this Act made liable, in the Events aforesaid, to provide such Passages or to pay such Monies, shall be deemed to be invalid by reason of the Nature of the Risk or Interest sought to be covered by such Policy of Assurance.

Insurance of Passage Money not void on account of Risk.

Miscellaneous.

LII. No Passenger in any Ship, whether a "Passenger Ship" or otherwise, shall be landed, without his previous Consent, at any Port or Place other than the Port or Place at which he may have contracted to land.

Wrongfully landing Passengers.

LIII. Every Passenger in a "Passenger Ship" shall be entitled, for at least Forty-eight Hours next after his Arrival at the End of his Voyage, to sleep in the Ship, and to be provided for and maintained on board thereof, in the same Manner as during the Voyage, unless within that Period the Ship shall quit such Port or Place in the further Prosecution of her Voyage.

Passengers to be maintained for 48 Hours after Arrival.

LIV. Nothing herein contained shall take away or abridge any Right of Action which may accrue to any Passenger in any Ship, or to any other Person, in respect of the Breach or Nonperformance of any Contract made or entered into between or on behalf of any such Passenger or other Person, and the Master, Charterer, or Owner of any such Ship, or his or their Agent, or any Passage Broker.

Passengers Right of Action preserved.

LV. It shall be lawful for Her Majesty and Her Successors, by any Order in Council to be by Her or Them made, with the Advice of the Privy Council, to prescribe such Rules and Regulations as to Her Majesty or Her Successors may seem fit, for preserving Order, for promoting Health, and for securing Cleanliness

Her Majesty may, by Orders in Council, prescribe Rules for preserving

Order, &c. in Vessels bound to the Colonies. What shall be Evidence of Orders, &c.

Cleanliness and Ventilation, on board of "Passenger Ships" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad, and the said Rules and Regulations from Time to Time in like Manner to alter, amend, and revoke, as Occasion may require; and any Copy of such Order in Council contained in the "*London Gazette*," or purporting to be printed by the Queen's Printer, shall throughout Her Majesty's Dominions be received in all legal Proceedings as good and sufficient Evidence of the making and Contents of any such Order in Council.

Surgeon or Master to exact Obedience to Rules and Regulations.

Penalty.

LVI. In every such "Passenger Ship" the Medical Practitioner on board, aided by the Master thereof, or, in the Absence of such Medical Practitioner, the Master of such Ship, is hereby empowered to exact Obedience to all such Rules and Regulations as aforesaid; and any Person on board who shall neglect or refuse to obey any such Rule or Regulation, or who shall obstruct the Medical Practitioner or Master of such Ship in the Execution of any Duty imposed upon him by any such Rule or Regulation, or who shall be guilty of riotous or insubordinate Conduct, shall be liable for each Offence to a Penalty not exceeding Two Pounds Sterling, and, in addition thereto, to be confined in the Common Gaol for any Period not exceeding One Month, at the Discretion of the Justices who shall adjudicate on the Complaint.

Emigration Commissioners to prepare an Abstract of Act and Orders in Council. Such Abstract to be posted up in each Ship.

Penalty on Master for Neglect; and on Person defacing Abstract.

LVII. The said Colonial Land and Emigration Commissioners shall from Time to Time prepare such Abstracts as they may think proper of the whole or any Part of this Act, and of any such Order in Council as aforesaid; and Four Copies of such Abstracts, together with a Copy of this Act, shall, on Demand, be supplied by the Principal Officer of Customs at the Port of Clearance to the Master of every "Passenger Ship" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad; and such Master shall, on Request made to him, produce a Copy of the Act to any Passenger on board, for his Perusal, and, further, shall post, previous to the Embarkation of the Passengers, and shall keep posted so long as any Passenger shall be entitled to remain in the Ship, in at least Two conspicuous Places between the Decks on which Passengers may be carried, Copies of such Abstracts; and such Master shall be liable to a Penalty not exceeding Forty Shillings Sterling for every Day during any Part of which by his Act or Default such Abstracts shall fail to be so posted; and any Person displacing or defacing such Abstracts so posted shall be liable to a Penalty not exceeding Forty Shillings Sterling.

Sale of Spirits prohibited. Penalty.

LVIII. If in any "Passenger Ship" any Person shall during the Voyage, directly or indirectly, sell or cause to be sold any Spirits or Strong Waters to any Passenger, he shall be liable for every such Offence to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Bond to be given by Masters of British and Foreign Passenger Ships.

LIX. Before any "Passenger Ship" shall clear out or proceed to Sea, the Owner or Charterer, or, in the event of the Absence of such Owner or Charterer, One good and sufficient Person on his Behalf, to be approved by the Chief Officer of Customs at the Port of Clearance, shall, with the Master of the said Ship, enter into a joint and several Bond, in the Sum of One thousand Pounds, to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (B.) hereto annexed, the Condition of which Bond shall be, that the said Ship is in all respects seaworthy, and that, notwithstanding any Penalty by this Act imposed, and whether the same may have been sued for and recovered or not, all and every the Requirements of this Act (except such as relate exclusively to Passage Brokers), and of the said Colonial Land and Emigration Commissioners acting in the Manner prescribed by this Act, and of any Order which may at the Date of such Bond have been passed by Her Majesty in Council in virtue of this Act, shall in all respects be well and truly fulfilled and performed, and in the Case of any Foreign "Passenger Ship" which shall be bound to any of Her Majesty's Possessions abroad, that the Master thereof shall submit himself in like Manner as a *British* Subject, being the Master of a *British* "Passenger Ship," to the Jurisdiction of such Courts and Magistrates in Her Majesty's Possessions abroad as are by this Act empowered to adjudicate on Offences committed against this Act, and moreover that the Master, whether of a *British* or Foreign "Passenger Ship," shall well and truly pay all Penalties, Fines, and Forfeitures which he may be adjudged to pay, either in the United Kingdom or by any such Tribunal abroad, for or in respect of the Breach or Nonperformance of any of the Requirements of this Act, or of the said Commissioners, or of any such Order in Council: Such Bond shall not be liable to Stamp Duty, and shall be executed in Duplicate.

Counterpart of Bond to be certified, and sent to the Colony to which Foreign Ship bound, and to be received in Evidence without further Proof of Execution.

LX. It shall be the Duty of the Chief Officer of Customs at the Port of Clearance of any Foreign "Passenger Ship" bound to any of Her Majesty's Possessions abroad, to certify on One Part of such Bond that it has been duly executed by the said Master of such Ship and the other Obligor, and to forward the same by Post to the Colonial Secretary of the Colony to which such Foreign "Passenger Ship" may be bound; and such Certificate shall, in any Colonial Court of Judicature in which the Bond may be put in suit, be deemed conclusive Evidence of the due Execution of the Bond by the said Master and the other Obligor, and it shall not be necessary to prove the Handwriting of the Officer of Customs who may have signed such Certificate, nor that he was at the Time of signing it Chief Officer of Customs at the Port of Clearance; provided that no such Bond shall be put in suit in any of Her Majesty's Possessions abroad after the Expiration of Three Calendar Months next after the Arrival therein of the said Ship, nor in the United Kingdom after the Expiration of Twelve Calendar Months next after the Return of the said Ship or of the said Master to the United Kingdom.

Passage Broker.

No Person to act as a Passage Broker without a Licence.

LXI. No Person whatever, except the Colonial Land and Emigration Commissioners, or Persons contracting with them or acting under their Authority, shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the

the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest to the Place of Business of such Person, shall have previously entered into a joint and several Bond, in the Sum of Five hundred Pounds, to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (C.) hereto annexed, which Bond shall be renewed on each Occasion of obtaining such Licence as herein-after mentioned, and shall be in Duplicate, without Stamps, and One Part thereof shall be deposited at the Office in *London* of the said Colonial Land and Emigration Commissioners, and the other Part thereof with the Chief Officer of Customs at the Port nearest to the Place of Business of such Person; nor unless such Person shall have obtained a Licence, as herein-after mentioned, to let or sell Passages, nor unless such Licence shall then be in force; and if any Person shall offend against this Enactment, every Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds, to be sued for and recovered as herein-after mentioned: Provided always, that such Bond shall not be required of any Person who shall be One of the Sworn Brokers of the City of *London*. *Passage Broker.*

LXII. Any Person wishing to obtain a Licence to act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being in the *Mediterranean Sea*, shall make Application for the same to the Justices at the Petty Sessions held for the District or Place in which such Person shall have his Place of Business; and such Justices are hereby authorized (if they shall think fit) to grant a Licence for that Purpose, according to the Form in the Schedule (D.) hereunto annexed, which Licence shall continue in force until the Thirty-first Day of *December* in the Year in which such Licence shall be granted, and for Thirty-one Days afterwards, unless sooner forfeited, as herein mentioned; and upon granting such Licence the Justices shall cause a Notice thereof according to the Form in Schedule (E.) hereto annexed to be transmitted forthwith by the Post to the said Colonial Land and Emigration Commissioners at their Office in *London:* Provided always, that no such Licence shall be granted unless the Party applying for the same shall show to the Satisfaction of the Justices that he has given such Bond to Her Majesty, Her Heirs and Successors, as herein-before required, and has deposited One Part thereof at the Office in *London* of the said Commissioners, or is a Sworn Broker of the City of *London*, and has in either Case given Notice to the said Commissioners Fourteen clear Days at least before such Application of his Intention to apply for the same, which Notice shall be transmitted by the Post to the Office in *London* of the said Commissioners, and shall be according to the Form contained in the Schedule (F.) hereto annexed: Provided also, that any Justices of the Peace who shall adjudicate on any Offence against this Act, or on any Breach or Nonperformance of any of the Requirements thereof, are hereby authorized, if they shall think fit, and the Offender is a Passage Broker, to order his Licence to be forfeited, and the same shall thereupon be forfeited accordingly; and the said Justices making such Order shall forthwith cause Notice of such Forfeiture, in the Form contained in the Schedule (G.) hereunto annexed, to be transmitted by the Post to the said Commissioners at their Office in *London:* In *Scotland*, where any Person wishing to obtain such Licence shall make Application for the same to the Sheriff or Steward or Sheriff Substitute or Steward Substitute in place of to such Justices of the Peace as aforesaid, the Forms given in the said Schedule shall still be adhered to, with such Alterations as may be necessary. How Passage Brokers Licences may be obtained. Justices to give Notice to Emigration Commissioners of Licence granted. Notice to be given of intended Application for Licences. Justices may order Licences to be forfeited; and Notice to be given to Emigration Commissioners. Application for Licences in Scotland.

LXIII. Every Passenger Broker's Licence in force at the Commencement of this Act shall, unless adjudged to be forfeited, continue in force until the First Day of *February* One thousand eight hundred and fifty-three, but no longer; and all Acts done under such Licence while in force shall be as valid as if done under any Licence granted under this Act. Existing Licences to continue in force until 1st Feb. 1853.

LXIV. If any Owner, Charterer, or Master of a Ship, or any Passage Broker, or Agent, or other Person, shall receive Money from any Person for or in respect of a Passage or intended Passage from the United Kingdom to any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, the Person so receiving such Money shall give to the Party from whom the same shall have been received, a Contract Ticket in plain and legible Characters, and made out upon a printed Form, which shall be in all respects according to the Form in the Schedule (H.) hereto annexed, or according to such other Form as may from Time to Time be prescribed by the said Colonial Land and Emigration Commissioners, in any Notice issued under their Hands or the Hands of any Two of them, and published in the "*London Gazette*," and shall also comply with all the Directions contained on the Face of such Form, and in default thereof shall be liable to a Penalty, not exceeding Ten Pounds nor less than Five Pounds, in respect of each Passenger on account of whose Passage such Money shall have been received, to be sued for and recovered as herein-after is mentioned: Provided always, that such Contract Ticket shall not be liable to any Stamp Duty. Contract Tickets for Passages. Penalty for Default.

LXV. Any Person who shall fraudulently alter or cause to be altered, after it is once issued, or shall induce any Person to part with, render useless, or destroy, any such Contract Ticket, during the Continuance of the Contract which it is intended to evidence, shall be liable in each Case to a Penalty not exceeding Five Pounds nor less than Two Pounds, to be recovered as herein-after mentioned. Penalty for inducing any one to part with Contract Ticket.

LXVI. If any licensed Passage Broker shall, as Agent for any Person, whether a licensed Broker or not, receive Money for or on account of the Passage of any Passenger from the United Kingdom to any Port or Place out of *Europe*, and not being within the *Mediterranean Sea*, without having a written Authority to act as such Agent, or shall, on the Demand of any Emigration Officer, refuse or fail to exhibit his Licence and such written Authority, or if any Person whatever, whether licensed or not, shall receive Money for or on account of any such Passage, or if any Person, whether as Principal or Agent, shall Penalties on Agents acting without written Authority from Principals; and on Persons fraudulently in-

ducing others to engage Passages.

shall by any Fraud, or by false Representation as to the Size of the Ship or otherwise, or by any false Pretence whatsoever, induce any Person to engage any Passage as aforesaid, every such Broker or other Person shall be liable, upon Conviction, as herein-after is mentioned, in respect of every such Offence, to a Penalty not exceeding Twenty Pounds nor less than Five Pounds, to be sued for and recovered in manner herein-after mentioned.

No Runner entitled to Commission or Fee for Services to Emigrants, unless acting with Authority from a Broker.

LXVII. No Person, unless acting under the written Authority and as the Agent or Runner of a licensed Passage Broker, duly qualified at the Time to act in that Capacity, (which Authority shall be countersigned by an Emigration Officer,) shall be entitled to recover by legal Process from any intending Emigrant, or from any Passage Broker or other Person, any Fee, Commission, or Reward for or in consideration of any Service rendered or performed to or for any Passenger or Person seeking Information or Assistance in any way relating to Emigration; and every such Runner shall exhibit such Authority, when required so to do by any Justice of the Peace, or any Constable or Police Officer, or any Owner, Charterer, Master, or Mate of a "Passenger Ship," or by any such intending Emigrant, and if he shall refuse or omit to produce the same, when so required, he shall be liable to a Penalty for every such Offence not exceeding Twenty Shillings, to be sued for and recovered in manner herein-after mentioned.

List of Runners to be exhibited by Brokers, and sent to Emigration Officers.

LXVIII. Every licensed Passage Broker shall exhibit and keep constantly exhibited in some conspicuous Place in his Office or Place of Business a correct List containing the Names and Addresses in full of every Person for the Time being holding such Authority to act as Agent or Runner for him as aforesaid, and shall at least once in every Month transmit a true Copy of such List duly signed by him to the Emigration Officer stationed nearest to the Place of Business of such licensed Passage Broker; and in case of any Default herein such licensed Passage Broker shall be liable, on Conviction, as herein-after mentioned, to a Penalty not exceeding Five Pounds nor less than Two Pounds for each Offence.

Trustees of Docks may pass Byelaws for regulating the Landing and Embarkation of intending Emigrants, and for licensing Emigrant Porters.

LXIX. It shall be lawful for the Trustees or other Persons charged with the Management of any Docks or Basins in any Port within the United Kingdom from which "Passenger Ships" are despatched to make, and from Time to Time to alter, amend, or repeal, such Rules and Byelaws as may be necessary for prescribing the Docks, Basins, or other Places at which Persons arriving by Sea at such Ports for the Purpose of emigrating, or actually emigrating therefrom, shall be landed and embarked, and the Mode of their Landing and Embarkation, and for licensing Porters to carry their Luggage and otherwise to attend upon them, and for the Storing and safe Custody of their Luggage, and for admitting Persons to and excluding Persons from Access to such Docks or Basins; and for attaching a Penalty not exceeding Five Pounds for the Breach of any of such Rules or Byelaws, such Penalty to be sued for and recovered as other Penalties are by this Act directed to be recovered: And it shall further be lawful for such Trustees, by their Officers or Servants, or by any Police Officer, to arrest and detain any Person charged with the Breach of any such Rule or Byelaw until brought before any Justice of the Peace, who is hereby authorized to adjudicate on the Offence in a summary Way: Provided that no such Rules or Byelaws shall take effect until they shall have been approved by One of Her Majesty's Principal Secretaries of State, and published by his Authority in the *London Gazette*, which Publication shall for all Purposes be deemed conclusive Evidence of such Rules and Byelaws, and of the Approval thereof by such Secretary of State.

Byelaws to be approved by Secretary of State, and published in London Gazette.

Penalties.

LXX. A Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling is hereby imposed on the Master of any Ship or "Passenger Ship," as the Case may be, coming within the Provisions of this Act, who shall be convicted in manner herein-after mentioned of any One of the following Offences; that is to say,

Penalties on Masters of Ships for following Offences.

Inspection of Ships.

Carriage of Passengers on other than Passenger Decks.

Passengers Lists.

Additional Passengers Lists.

Survey.

Beams.

Decks.

Height between Decks.

Berths.

If in any Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers on any Voyage to which any of the Provisions of this Act may extend, every such Facility for Inspection shall not be afforded as herein-before required; or if Passengers be carried on any other than the "Passenger Decks," as herein-before required; or if a Clearance be demanded for any Ship, whether a "Passenger Ship" or otherwise, before such Lists of Passengers shall be signed and delivered to the proper Officer as herein-before required; or if at any Time during the Voyage all such Additions to the "Masters Lists" shall not be made, or if such additional or separate Lists shall not be duly signed and delivered to the proper Officer, as herein-before required, or if any such List or any Additions to the same shall not be duly exhibited to or deposited with the proper Officer at any Port or Place as herein-before required, or if any of such Lists, or the Additions thereto respectively, shall be wilfully false; or if any "Passenger Ship" shall clear out or proceed to Sea without having been duly surveyed as herein-before required; or if at the Time of Clearance or at any Time during the Voyage the Beams on which the "Passenger Decks" are supported in any such "Passenger Ship" shall not form Part of her permanent Structure, and be secured as herein-before required; or if the "Passenger Decks" shall not be of the Thickness and laid or secured in such Manner as herein-before required; or if the Height between any Deck on which Passengers may lawfully be carried and the Deck immediately above it shall be less than Six Feet; or if there shall be more than Two Tiers of Berths on any One Deck, or if such Berths shall not be securely constructed, or shall not be of such Dimensions as herein-before required, or if there shall not be such an Interval between the Deck and the Floor of the Berths as is herein-before required; or if the Passengers be berthed contrary to the Requirements of this Act; or if the unmarried Male Passengers of Fourteen Years of Age and upwards shall not be berthed in such separate Compartments as herein-before required; or if any of the Berths shall be taken down, contrary to the Requirement in that Behalf herein-before contained; or if in any

"Passenger

Penalties.

"Passenger Ship" a Space shall not be properly divided off and set apart for a Hospital, as herein-before required; or if before Clearance any Passenger Ship shall not be fitted with Privies, or if the same shall not throughout the Voyage be maintained in a serviceable Condition, as herein-before required; or if the Passengers shall not have free Access to or from the Between Decks, in the Manner herein-before required; or if any "Passenger Ship," at the Time of Clearance, or at any Time during the Voyage, shall not have on board such Boats and Life Buoys, and such adequate Means for making Signals by Night, and for extinguishing Fire, as herein-before required; or if any "Passenger Ship" shall proceed to Sea without being properly manned, or shall have on board as Cargo, or as Ballast, any Articles by this Act prohibited, or any Articles likely by reason of their Nature or Quality to endanger the Health or Lives of the Passengers, or the Safety of the Ship, as herein-before mentioned, or if any Part of the Cargo, or of the Provisions, Water, or Stores, shall be carried on the Upper Deck or on the "Passengers Decks," contrary to the Provisions of this Act; or if in any "Passenger Ship," at any Time during the Voyage, Water and Provisions of the Description, Quantity, and Quality required by or under this Act, shall not be issued in the Quantities and in manner herein-before required; or if bad or unwholesome Provisions be issued to any Passenger, contrary to the Requirements of this Act; or if the Water shall not be carried in such Tanks or Casks as herein-before required; or if, in the Cases respectively herein-before mentioned, there shall not be on board of any "Passenger Ship" at the Time of Clearance, and at all Times during the Voyage, such Passengers Steward and such Passengers Cook or Cooks, as the Case may be, and such Place for cooking, and cooking Apparatus, as herein-before required; and such duly qualified Medical Practitioner as herein-before required; or if there shall not be on board of any "Passenger Ship" such Medicines, disinfecting Fluid or Agent, Instruments, and Medical Apparatus, and such printed or written Directions for the Use of the same respectively, as may at any Time be required by or under the Provisions of this Act; or if any "Passenger Ship," except as herein-before provided, shall clear out or proceed to Sea before such Medical Inspection of the Medicines and Passengers shall have taken place, and such Certificate of the Medical Inspector shall have been granted, as herein-before required; or if any diseased Person on board of any "Passenger Ship," or the Members of his Family, shall not be relanded as herein-before required; or if any Passenger shall, without his previous Consent, be landed at any Place other than the Place at which he may have contracted to land; or if any Passenger shall not be allowed to sleep and be maintained on board the Ship after Arrival for the Period and in manner herein-before provided; or if there shall not be kept on board a Copy of this Act, or if the same shall not be produced, on Demand, as herein-before required.

Hospital. Privies. Access to the Between Decks. Boats, Life Buoys, Night Signals, and Fire Engines. Manning. Cargo. Issue of Provisions and Water. Water Casks. Cook and Cooking Apparatus. Surgeon. Medicines. Medical Inspection. Relanding of diseased Passengers. Wrongfully landing. Maintenance on Arrival. Keeping Act on board, &c.

LXXI. 'And whereas certain Forms are from Time to Time issued by the said Colonial Land and 'Emigration Commissioners, for the Use of Persons applying to them, or to Persons acting under their 'Authority, for Passages from the United Kingdom to the *British* Colonies wholly or partially at the 'Expense of *British* or Colonial Funds: And whereas it is expedient to afford additional Security against 'false Representations in such Forms, and in any Certificate of Marriage, Baptism, or otherwise adduced 'in support thereof, and against the forging or fraudulently altering of any Signature or Statement in 'such Forms or Certificates, and against Personation:' Be it therefore enacted, That if any Person shall wilfully make any false Representation in any such Form or Certificate as aforesaid, or shall forge or fraudulently alter any Signature or Statement in any such Form or Certificate, or shall personate any Person named in any such Form or Certificate, or in any Embarkation Order issued by or under the Authority of the said Commissioners, such Person shall be liable, for and in respect of each and every such Offence, on such Conviction as herein-after mentioned, to a Penalty not exceeding Fifty Pounds nor less than Two Pounds Sterling.

Penalty for falsifying Documents to obtain free Passages, and for Personation.

LXXII. All Penalties and Forfeitures imposed by this Act shall be sued for in the United Kingdom by any Emigration Officer or his Assistant, or by any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized in Writing by the Commissioners of Her Majesty's Customs to sue for Penalties and Forfeitures under this Act, and in any of Her Majesty's Possessions abroad by any Government Emigration Agent, or by any such Collector or Comptroller of Customs, or other Officer of Customs so authorized as aforesaid, or by any Officer authorized to sue for Penalties and Forfeitures under this Act by Writing under the Hand and Seal of the Governor of any such Possession, and the Commissioners of Her Majesty's Customs and every such Governor are hereby respectively empowered to grant such Authority as aforesaid: And all Sums of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, or Compensation may be sued for and recovered by and for the Use of any Passenger entitled thereto under this Act, or by any of such Officers as aforesaid, for and on behalf and to the Use of any such Passenger or any Number of such Passengers respectively, and in any Case either by One or several Informations or Complaints.

By whom Penalties are to be recovered.

By whom Passage, Subsistence, and Compensation Monies may be recovered.

LXXIII. All Penalties and Sums of Money by this Act made recoverable shall and may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty's Dominions or Possessions in which the Offence shall have been committed or the Cause of Complaint shall have arisen, or in which the Offender or Party complained against shall happen to be, or acting in any County or Borough or Place adjacent to any navigable River or Inlet of the Sea on which such Offence shall have been committed or Cause of Complaint have arisen; and upon Information or Complaint made before any One Justice of the Peace acting as aforesaid, he shall issue a Summons according to the Form in the Schedule (J.) hereto annexed, requiring the Party offending or complained against to appear at a

Tribunal for adjudicating on Offences and Complaints under this Act.

Penalties.

Time and Place to be named therein; and every such Summons shall be served on the Party offending or complained against, or shall be left at his last known Place of Abode or of Business, or on board any Ship to which he may belong; and if such Party shall not appear accordingly, then (upon Proof of the due Service of the Summons by delivering the Summons or a Copy thereof to the Party, or at his last known Place of Abode or of Business, or on board any Ship to which he may belong, to the Person in charge of any such Ship,) any Two of such Justices so acting as aforesaid may either hear and determine the Case in the Absence of the Party, or either of them may issue his Warrant for apprehending and bringing such Party before them or any Two Justices so acting as aforesaid; or the Justice before whom the Charge shall be made, if he shall have Reason to suspect, from Information upon Oath, that the Party is likely to abscond, may issue such Warrant in the first instance, without any previous Summons; and either upon the Appearance of the Party offending or complained against, or in his Absence as aforesaid, any Two of such Justices so acting as aforesaid may hear and determine the Case, either with or without any written Information or Complaint; and upon Proof of the Offence, or of the Complainant's Claim, (as the Case may be,) either by Confession of the Party offending or complained against, or upon the Oath of One or more credible Witness or Witnesses (and the Justices are hereby authorized to summon and swear any Witnesses who may be deemed necessary), it shall be lawful for such Justices so acting as aforesaid to convict the Offender, or adjudicate upon the Complaint (such Conviction or Adjudication to be drawn up according to One of the Forms of Conviction or Adjudication contained in Schedule (K.) hereto annexed, or as near thereto as the Circumstances of the Case will admit,) and upon every such Conviction to order the Offender to pay such Penalty as they may think proper, not exceeding the Penalties herein-before imposed, and upon every such Adjudication to order the Party complained against to pay to the Party suing for the same the Sum of Money sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, together with, in every Case, the Costs of the Proceedings; and if the Monies and Costs mentioned in such Conviction or Adjudication be not paid immediately or within the Time limited thereby, it shall be lawful for any Two of such Justices so acting as aforesaid, by Warrant, (and although the written Order of Conviction or Adjudication, or any Minute thereof, may not have been served,) to cause the Party offending to be committed to Gaol, there to be imprisoned, with or without Hard Labour, according to the Discretion of such Justices, for any Term not exceeding Three Calendar Months, unless such Monies and Costs be sooner paid and satisfied: Provided always, that in all Proceedings taken under this Act for which no Form is herein expressly provided it shall be lawful to use Forms similar, as nearly as Circumstances will admit, to those contained in the Schedule to an Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

Police and Stipendiary Magistrates, and in Scotland Sheriffs, &c., to have the same Powers as Justices of the Peace.

LXXIV. Every Police or Stipendiary Magistrate, and in *Scotland* every Sheriff or Steward and Sheriff Substitute or Steward Substitute of a County or Stewartry within his own County or Stewartry, shall have such and the like Powers, Privileges, and Functions, and be entitled to exercise such and the like Jurisdiction under this Act, as any Justice or Two Justices, or Justices at Petty Sessions, have or is or are entitled to exercise under the Provisions of this Act; and all Acts, Matters, and Things competent to be done under the Provisions of this Act by or before any Justice or Two Justices of the Peace, or Justices at Petty Sessions, or otherwise, may be done by and before any Police or Stipendiary Magistrate, and in *Scotland* by and before any Sheriff or Steward or Sheriff Substitute or Steward Substitute within his own County or Stewartry.

No Objection to be allowed, nor Convictions to be quashed for Want of Form.

LXXV. No Objection shall be taken or allowed to any Complaint, Information, Summons, or Warrant under this Act, for any alleged Defect therein, either in Substance or in Form, or for any Variance between such Complaint or Information and the Evidence adduced on the Hearing thereof; but if any Variance shall appear to the Justice or Justices present and acting at such Hearing to be such that the Party so summoned and appearing has been thereby deceived or misled, it shall be lawful for such Justice or Justices, upon such Terms as he or they shall think fit, to adjourn the Hearing of the Case to some future Day, and in the meantime to commit the Defendant to such safe Custody as the said Justice or Justices may think fit, or to discharge him upon his Recognizance, with or without Sureties, to appear at such Time and Place as may be appointed: No Conviction, Order, Adjudication, or other Proceeding under or in pursuance of this Act shall be quashed or vacated for Want of Form.

Application of Penalties.

LXXVI. All Penalties imposed by this Act shall, when recovered, be paid to the Party at whose Suit the same shall have been recovered, for the Use of Her Majesty and Her Successors, and if recovered in the Colonies shall be paid over by the Party receiving the same into the Colonial Treasury, and shall form Part of the general Revenue of the Colony, and if recovered in the United Kingdom shall be paid over to the Colonial Land and Emigration Commissioners if the Party at whose Suit the same shall have been recovered be an Emigration Officer, or his Assistant, and to Her Majesty's Commissioners of Customs if the Party at whose Suit the same shall have been recovered be an Officer of Customs, to be by such Colonial Land and Emigration Commissioners and Commissioners of Customs respectively duly accounted for; and all such Penalties as may be recovered in the United Kingdom shall be appropriated to such Purposes and in such Manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury may from Time to Time direct and appoint: Provided always, that it shall be lawful for the Justices of the Peace who shall impose any such Penalty at the same Time to direct, if they shall think fit, that a Part, not exceeding One Moiety thereof, be applied to compensate any Passenger for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty or Forfeiture shall have been imposed.

Justices may award Compensation out of Penalties to Party aggrieved.

Penalties.

Burden of Proof to be on Persons claiming Exemption from Act.

Proof of Negatives.

LXXVII. If in any Suit, Action, Prosecution, or other legal Proceeding under this Act any Question shall arise whether any Ship was or was not exempted from the Provisions of this Act, or any of them, the Burden of proving that such Ship was so exempted shall lie on the Party claiming the Benefit of the Exemption, and failing such Proof it shall for any such Purpose as aforesaid be taken and adjudged that the Ship did come within the Provisions of this Act; and it shall not be necessary, in any Information, Complaint, or other Process or Proceeding, to negative any Exemption, Proviso, or Condition contained in any Section of this Act on which such Information, Complaint, or other Process or Proceeding shall be framed, neither shall it be necessary for the Complainant to prove the Negative, but the Defendant may prove the Affirmative thereof, if he will have Advantage of the same.

Proof of a Party being an Emigration Officer, &c.

LXXVIII. If in any Proceeding before any Justice or Justices of the Peace under this Act, or upon any Action, Suit, or other Proceeding whatsoever, against any Person, for anything done either contrary to or in pursuance of this Act, a Question should arise whether any Person is an Emigration Officer or Assistant Emigration Officer, or an Officer of Customs, *vivâ voce* Evidence may be given of such Fact by the Officer himself, and shall be deemed legal and sufficient Evidence.

Passengers suing not incompetent Witnesses.

LXXIX. Any Passenger suing under this Act for any Sum of Money made recoverable by this Act as Passage Money, Subsistence Money, or Compensation, shall not be deemed an incompetent Witness in any Proceeding for the Recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own Use and Benefit.

Tender of Amends.

LXXX. No Plaintiff shall recover in any Action against any Emigration Officer, his Assistant, Government Emigration Agent, or Officer of Customs, or other Person, for anything done in pursuance of this Act, if Tender of sufficient Amends shall have been made before such Action brought, or if, after Action brought, a sufficient Sum of Money shall have been paid into Court, by or on behalf of the Defendant.

Limitation of Actions against Officers executing the Act.

LXXXI. No Action or Suit shall be commenced against any Emigration Officer, his Assistant, Government Emigration Agent, Officer of Customs, or other Person, for anything done in pursuance of or under the Authority of this Act, until Ten clear Days Notice has been given thereof in Writing to the Officer, Agent, or Person as aforesaid, against whom such Action or Suit is intended to be brought, nor after Three Calendar Months next after the Act committed for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Ten clear Days Notice thereof given as aforesaid, or if any Action or Suit shall not be commenced within the Time herein-before limited, or shall be brought or laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action Judgment shall be given for the Defendant thereon, then and in any of the Cases aforesaid such Defendant shall and may recover full Costs of Suit as between Solicitor and Client, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

Defendant may plead the General Issue, &c.

Costs.

Limitation of legal Proceedings generally.

LXXXII. Where no Time is expressly limited within which any Complaint or Information is to be made or laid for any Breach or Nonperformance of any of the Requirements of this Act, the Complaint shall be made or the Information laid within Twelve Calendar Months from the Time when the Matter of such Complaint or Information respectively arose, or in case the Master of any Ship is the Offender or Party complained against, within Twelve Calendar Months next after his Return to the Country in which the Matter of Complaint or Information arose.

Colonial Voyages.

Colonial Voyages defined.

LXXXIII. 'And whereas it is expedient to provide in certain Cases for the Carriage of Passengers 'by Sea from Her Majesty's Possessions abroad:' Be it therefore enacted as follows: For the Purposes of this Act the Term "Colonial Voyage" shall signify any Voyage from any Port or Place within any of such Possessions (except the Territories under the Government of the *East India* Company) to any Port or Place whatever, of which the Duration, to be prescribed as herein-after mentioned, shall exceed Three Days.

This Act to apply to Colonial Voyages, except as relates to Matters herein named.

LXXXIV. This Act shall apply, so far as the same is applicable, to all Ships carrying Passengers on any such "Colonial Voyage," except as to such Parts of the Act as relate to the following Matters; (that is to say,)

1. To Passage Brokers and their Licences:
2. To Passengers Contract Tickets:
3. To the giving Bond to Her Majesty:
4. To the keeping on board a Copy of this Act:
5. To Orders in Council prescribing Rules for Cleanliness, Order, and Ventilation:

If any Colonial Voyage be less than Three Weeks, this Act not to apply to Subjects herein named.

Provided that if the prescribed Duration of any "Colonial Voyage" be less than Three Weeks, then, in addition to the Matters lastly herein-before excepted, the Provisions of this Act shall not extend or apply so far as they relate to the following Subjects; (namely,)

The Construction or Thickness of the Decks:
The Berths and Berthing:
The Height between Decks:

Colonial Voyages.

Privies:
Hospitals:
Light and Ventilation:
Manning:
Passengers Stewards:
Passengers Cooks and cooking Apparatus:
The Surgeon and Medicine Chest:
The Maintenance of Passengers for Forty-eight Hours after Arrival:

Provided also, that in the Case of such "Colonial Voyages" whereof the prescribed Duration is less than Three Weeks, the Requirements of this Act respecting the Issue of Provisions shall not, except as to the Issue of Water, be applicable to any Passenger who may have contracted to furnish his own Provisions.

Governor of Colonies may, by Proclamation, declare Length of Voyage, and substitute other Articles of Food and Medicine.

LXXXV. It shall be lawful for the Governor of any of Her Majesty's Possessions abroad, by any Proclamation to be by him from Time to Time issued for that Purpose (which shall take effect from the issuing thereof), to declare what shall be deemed for the Purposes of this Act to be the Length of the Voyage of any Ship carrying Passengers from such Possession to any other Place whatsoever, and to substitute for the Articles of Food and Provisions specified in this Act such other Articles of Food and Provisions as he shall deem to be a full Equivalent for the same, and also to declare what Medicines, Medical Instruments, and other Matters shall be deemed necessary for the Medical Treatment of the Passengers during such "Colonial Voyage:" Every such Proclamation shall be transmitted, by the Governor by whom the same may have been issued, to Her Majesty, through One of Her Majesty's Principal Secretaries of State, for Her Majesty's Confirmation or Disallowance; and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the public Seal of such Colony, shall in any other Colony wherein the same shall be so produced be received as good and sufficient Evidence of the issuing and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Proclamations to be transmitted for Confirmation or Disallowance.

Evidence of Proclamation.

Provision for Survey of Ships in the Colonies, and for appointing Surgeons thereto.

LXXXVI. It shall be lawful for the Governors of any such Possessions respectively to authorize such Person or Persons as they may think fit to make the like Survey and Examination of "Passenger Ships" sailing from such Possessions respectively as is herein-before required to be made by Two or more competent Surveyors in respect of "Passenger Ships" sailing from the United Kingdom, and also to authorize in such Cases, as to such Governors may seem proper, any competent Person to act as Medical Practitioner on board any "Passenger Ship" proceeding on a "Colonial Voyage."

Power to the Governor General of India in Council, by any Act to be passed for that Purpose, to adopt this Act for India; and to make Rules respecting Food, Passengers, &c.;

LXXXVII. This Act shall not apply to any of the Territories or Places under the Government of the *East India* Company: It shall, however, be lawful for the Governor General of *India* in Council, from Time to Time by any Act or Acts to be passed for that Purpose, to declare that this Act or any Part thereof shall apply to the Carriage of Passengers upon any Voyage from any Ports or Places within such Territories, to be specified in such Act or Acts, to any other Places whatsoever, to be also specified in such Act or Acts; and also in like Manner to authorize the Substitution, as respects such Voyages, of other Articles of Food and Provisions for those herein-before enumerated; and to declare the Rule of Computation by which the Length of any such Voyage shall be estimated; and to determine the Persons or Officers who in such Territories shall be entitled to exercise or perform the Powers, Functions, or Duties herein-before given to or imposed upon the Emigration Officers and Officers of Customs in the United Kingdom; and to authorize the Employment on board any Ship of a Medical Practitioner duly qualified by Law to practise as a Physician, Surgeon, or Apothecary within such Territories; and to declare for the Purposes of this Act the Space necessary for Passengers, and the Age at which Two Children shall be considered equal to One Statute Adult, in Ships that may clear out from any Port or Place within such Territories; and also to declare in what Manner and before what Authorities, and by what Form of Proceedings, the Penalties imposed and the Sums of Money made recoverable by this Act shall be sued for and recovered within such Territories, and to what Uses such Penalties shall be applied: And on the passing of such *Indian* Act or Acts, and whilst the same shall remain in force, all such Parts of this Act as shall be adopted therein shall apply to and extend to the Carriage of Passengers upon such Voyages as in the said *Indian* Act or Acts shall be specified; and the same shall be enforced in all Her Majesty's Possessions in like Manner as the Provisions of this Act may be enforced: Every such *Indian* Act shall be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, to be laid before both Houses of Parliament, as in the Case of any other Law made by the Governor General in Council.

and to declare in what Manner Penalties, &c. may be sued for and recovered.

Indian Act may be enforced in the Colonies the same as this Act.

Voyages to the United Kingdom.

List of Passengers brought in to be delivered by Master to Emigration Officer.

LXXXVIII. The Master of every Ship bringing Passengers into the United Kingdom from any Port or Place out of *Europe* shall, within Twenty-four Hours after Arrival, deliver to the Emigration Officer or his Assistant, or in their Absence to the Chief Officer of Customs at the Port of Arrival, a correct List, signed by such Master, and specifying the Names, Ages, and Callings of all the Passengers embarked, and also the Port or Ports at which they respectively may have embarked, and showing which, if any of them, may have died or have been born on the Voyage; and if any Master shall fail so to deliver such List, or if the same shall be wilfully false, he shall, on Conviction, as herein-before mentioned, be liable to a Penalty not exceeding Fifty Pounds.

Penalty for Neglect.

Penalty on Masters for having on board more

LXXXIX. If any Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall have on board a greater Number of Persons or Statute Adults than in the Proportions respectively prescribed in the Twelfth Section of this Act for Ships carrying Passengers from the United

Kingdom,

Kingdom, the Master of such Ship shall be liable, on such Conviction as herein-before mentioned, to a Penalty not exceeding Five Pounds nor less than Two Pounds for each such Person or Statute Adult constituting any such Excess. Persons than prescribed by s. 12 of this Act.

XC. The Master of every Passenger Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall make to each Statute Adult during the Voyage, including the Time of Detention, if any, at any Port or Place before the Termination thereof, Issues of pure Water and of good and wholesome Provisions in a sweet Condition, in Quantities not less in Amount than is prescribed in the Thirty-second Section of this Act for Passengers proceeding from the United Kingdom; and in case of any Default herein, the Master of such Ship shall, on such Conviction as herein-before mentioned, be liable for each Offence to a Penalty not exceeding Fifty Pounds. Provisions and Water to be issued the same as in Ships carrying Passengers from United Kingdom, under a Penalty.

XCI. The Schedules to this Act shall be deemed to be Part of this Act, and all the marginal or other Directions therein shall be duly followed and enforced, under a Penalty not exceeding Ten Pounds on the Person failing to obey the same respectively. Schedules to be Part of the Act.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

FORM OF PASSENGERS LIST.

Ship's Name.	Master's Name.	Tons per Register.	Aggregate Number of Superficial Feet in the several Compartments set apart for Passengers other than Cabin Passengers.	Total Number of Statute Adults, exclusive of Master, Crew, and Cabin Passengers, which the Ship can legally carry.	Where bound.

I hereby certify, That the Provisions actually laden on board this Ship, according to the Requirements of the Passengers Act, are sufficient for Statute Adults.

(Signature) _____ Master.

Date _____ 185 .

NAMES AND DESCRIPTIONS OF PASSENGERS.

Ports of Embarkation.	Names of Passengers.	Adults.		Children between 14 and 1.		Number of Infants not older than 1 Year.	Profession, Occupation, or Calling of Passenger.	State whether English, Scotch, or Irish.	Port at which Passengers have contracted to land.
		Age.		Age.					
		M.	F.	M.	F.				

SUMMARY.

	Number of Souls.				Equal to Statute Adults.
	English.	Scotch.	Irish.	Total.	
Adults - - - -					
Children between 14 and 1 -					
Infants - - - -					
TOTAL - -					

We hereby certify, That the above is a correct List of the Names and Descriptions of all the Passengers who embarked at the Port of _____

(Signed) _____ Master.

_____ Emigration Officer.

(Countersigned) _____ Officer of Customs at _____.

Date_____ 185 .

N.B.—Lines should be ruled in the same Form for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

SCHEDULE (B.)

FORM of BOND to be given by the OWNER or CHARTERER and by the MASTER.

KNOW all Men by these Presents, That we are held and firmly bound unto our Sovereign by the Grace of God of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty

WHEREAS by the "Passengers Act, 1852," it is amongst other things enacted, that before any "Passenger Ship" shall clear out or proceed to Sea, the Owner or Charterer, or in the Absence of such Owner or Charterer, One good and sufficient Person on his Behalf, to be approved by the Chief Officer of Customs at the Port of Clearance, shall, with the Master of the said Ship, enter into a Bond to Majesty, Heirs and Successors, in the Sum of One thousand Pounds:

Now the Condition of this Obligation is such, that if the Ship whereof is Master, bound to is in all respects seaworthy, *[and if the said Ship shall call at the Port of and there shall be shipped on board at such Port pure Water for the Use of the Passengers, sufficient in Quantity to afford an Allowance of Three Quarts daily to each Statute Adult for the Period of Days on the Voyage from such Port to the final Port or Place of Discharge of such Vessel,] and if (notwithstanding any Penalty by the said Act imposed, and whether the same may have been sued for and recovered or not,) all and every the Requirements of the said Passengers Act, 1852, (except such of them as relate exclusively to Passage Brokers,) and of the Colonial Land and Emigration Commissioners acting in the Manner prescribed by the said Act, and of any Order in Council passed in virtue of the said Act, shall in all respects be well and truly performed, †[and if the Master for the Time being of the said Ship shall submit himself, in like Manner as a British Subject being the Master of a British Passenger Ship, to the Jurisdiction of the Tribunals in Majesty's Possessions abroad, empowered by the said Act to adjudicate on Offences committed against the said Act,] and if moreover all Penalties, Fines, and Forfeitures which the Master of such Ship

* The Clause within Brackets is to be inserted only when the Ship is to call at an intermediate Port to take in Water as provided by s. 31. of the Act.

† This Clause to be inserted only in the Case of a Foreign Passenger Ship proceeding to any of the British Colonies.

Ship may be adjudged to pay for or in respect of the Breach or Nonfulfilment of any of such Requirements as aforesaid shall be well and truly paid, then this Obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered by the above-bounden and in the Presence of ‡

‡ Insert Names and Addresses in full of the Witnesses.

§ [I hereby certify, that the above Bond was duly signed, sealed, and delivered according to the Law of Great Britain by the said Master of the said Ship and by the said].

(*Signature*)_____ { Chief Officer of Customs for the Port of .

(*Date*)_____ 185 .

§ Certificate to be signed by the Chief Officer of Customs in case of a Foreign Passenger Ship, and forwarded with the Bond to the Colony, according to s.60. of the Act.

SCHEDULE (C.)

FORM of PASSAGE BROKER'S ANNUAL BOND, with Two Sureties to be approved by the Emigration Officer at the nearest Port.

KNOW all Men by these Presents, that we, *A.B.** of *C.D.* of, *&c.* and *E.F.* of, *&c.* are held and firmly bound unto our Sovereign by the Grace of God of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of Five hundred Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made, we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty.

* Insert Christian and Surnames in full, with Occupations and Address of each of the Parties.

WHEREAS by the "Passengers Act, 1852," it is amongst other things enacted, that no Person whatever shall carry on the Business of a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest the Place of Business of such Person, shall have previously entered into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of Five hundred Pounds Sterling: And whereas the said *C.D.* and *E.F.* have been duly approved by the proper Emigration Officer as Sureties for the said *A.B.*:

Now the Condition of this Obligation is such, that if the above-bounden *A.B.* shall well and truly observe and comply with all the Requirements of the said recited Act, so far as the same relate to Passage Brokers, and further shall well and truly pay all Fines, Forfeitures, and Penalties, and also all Sums of Money, by way of Subsistence Money, or of Return of Passage Money, and Compensation, to any Passenger, or on his Account, and also all Costs which the above-bounden *A.B.* may at any Time be adjudged to pay under or by virtue of any of the Provisions of the said recited Act, then and in such Case this Obligation to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above-bounden *A.B.*, *C.D.*, and *E.F.*, in the Presence of *

* Insert the Names and Addresses in full of the Witnesses.

N.B.—This Bond is to be executed in Duplicate, in the Presence of and to be attested by an Emigration Officer or his Assistant, or an Officer of Customs, or a Magistrate, or a Notary Public. One Part is to be deposited with the Colonial Land and Emigration Commissioners in London, and the other Part with the Chief Officer of Customs at the Port nearest to the Place of Business of the Broker.

[*The Bond is exempt from Stamp Duty, but must be renewed annually with the Licence.*]

SCHEDULE (D.)

FORM of PASSAGE BROKER'S LICENCE.

*A.B.** of in the having shown to the Satisfaction of me (*or* us) the undersigned, that he hath given Bond to Majesty, as by the "Passengers Act, 1852," required, and also given Fourteen Days previous Notice to the Colonial Land and Emigration Commissioners of his Intention to make Application for a Licence to carry on the Business of a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, I (*or* we), the undersigned, having had no sufficient Cause shown to me (*or* us), and seeing

* The Christian and Surnames in full, with the Address and Trade or Occupation of the Party applying for the Licence, must be correctly inserted.

seeing no valid Reason why the said *A.B.* should not receive such Licence, do hereby license and authorize the said *A.B.* to carry on the Business of a Passage Broker as aforesaid until the End of the present Year, and Thirty-one Days afterwards, unless this Licence shall be sooner determined by Forfeiture for Misconduct on the Part of the said *A.B.*, as in the "Passengers Act, 1852," is provided.

Given under my Hand and Seal (*or* our respective Hands and Seals), this Day of 185 at

Signature (L.S.) { Justices of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Steward Substitute, *as the Case may be.*

SCHEDULE (E.)

FORM of NOTICE to be given to the Colonial Land and Emigration Commissioners by Justices granting a Licence.

Gentlemen,

THIS is to give you Notice, That we (*or* I), the undersigned, did on the Day of 185 license *A.B.* of* to carry on the Business of a Passage Broker under the Provisions of the "Passengers Act, 1852."

Signatures } Justices of the Peace, *or as the Case may be.*

Place

Date

To the Colonial Land and Emigration Commissioners, London.

* Insert the Christian and Surnames in full, with the Address and Occupation of the Party.

SCHEDULE (F.)

FORM of NOTICE to be given to Her Majesty's Colonial Land and Emigration Commissioners, by any Applicant for a Passage Broker's Licence.

Gentlemen,

I, *A.B.** of in do hereby give you Notice, That it is my Intention to apply, after the Expiration of Fourteen clear Days from the putting of this Notice into the Post, to the Justices to be assembled in Petty Sessions to be held † (*or* to the Police or Stipendiary Magistrate for the City *or* Borough *or* District of *or if in Scotland* to the Sheriff *or* Steward of *as the Case may be*) for a Licence to carry on the Business of a Passage Broker under the Provisions of the "Passengers Act, 1852."

Signature

Date

To Her Majesty's Colonial Land and Emigration Commissioners, London.

* The Christian Names and Surname in full, with the Address and Trade or Occupation of the Party applying for a Licence, must be here correctly inserted.

† The Place or District in which the Party giving the Notice has his Place of Business.

SCHEDULE (G.)

FORM of NOTICE to be given to the Colonial Land and Emigration Commissioners of Forfeiture of a Licence.

Gentlemen,

THIS is to give you Notice, That the Licence granted on the Day of 185 to *A.B.** of in to act as a Passage Broker, was on the Day of now last past duly declared by me (*or* us) the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited.†

Signatures

Place and Date 185

To the Colonial Land and Emigration Commissioners, London.

* The Christian and Surnames in full, with the Address and Trade or Occupation of the Party, to be here inserted.

† Here state generally the Reason of Forfeiture.

SCHE-

SCHEDULE (H.)

PASSENGER'S CONTRACT TICKET.

THIS Part of the Contract Ticket is to be separated from the other, and to be delivered by the Passenger to the Emigration Officer at the Port of Embarkation, (or, if no such Officer, to the Officer of Customs,) or to any one appointed by him to receive it.

CONTRACT TICKET.

Ship _____ to sail from _____ for _____ on the _____ Day of _____ 185__.

NAMES.	Ages.

_____ Souls, equal to * _____ Statute Adults.

Passage Money including all Charges £

To be signed in full by the Party issuing the Ticket. _____

* Insert Number of Souls and of Statute Adults.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Passenger engaging a Passage from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea.
2. The Victualling Scale for the Voyage must be printed in the Body of the Ticket.
3. All the Blanks must be correctly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures.
5. When once issued this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it.

Ship _____ of _____ Tons Register, to sail from _____ for _____ on the _____ Day of _____ 185__.

NAMES.	Ages.	Equal to Statute Adults.

I engage that the Parties herein named shall be provided with a Steerage Passage to the Port of _____ in _____ in the Ship _____ with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the Voyage and the Time of Detention at any Place before its Termination, according to the subjoined Scale, for the Sum of £_____ including Government Dues before Embarkation, and Head Money, if any, at the Place of Landing, and every other Charge, except Freight for Excess of Luggage beyond the Quantity above specified, and I hereby acknowledge to have received the Sum of £_____ in { full / part } Payment.

In addition to any Provisions which the Passengers may themselves bring, the following Quantities, at least, of Water and Provisions, (to be issued daily,) will be supplied by the Master of the Ship, as required by Law; viz., to each Statute Adult 3 Quarts of Water daily; and a Weekly Allowance of Provisions according to the following Scale:

[Here insert the Victualling Scale intended to be used on the Voyage. This must be either the Scale prescribed in the 32d Section of the Passengers Act, 1852, or that Scale modified by the Introduction of Articles authorized by the Act, to be substituted for Oatmeal, Rice, and Potatoes.]

[N.B.—If Mess Utensils and Bedding are to be provided by the Ship, the Stipulation must be inserted here.]

Signature in full _____
Place and Date _____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____
Balance £_____ to be paid at _____
Total £_____

NOTICES TO PASSENGERS.

1. If the Ship do not proceed to Sea on the Day specified above, Passengers, if ready to go on board, are entitled to Subsistence Money at the Rate of One Shilling a Day per Statute Adult (each Person of Fourteen or Two Children between One and Fourteen Years of Age being reckoned as a Statute Adult) for each Day of Delay until the final Departure of the Ship; but if the Passengers are lodged and maintained in any Establishment under the Superintendence of the Colonial Land and Emigration Commissioners, the Shilling a Day is payable to the Emigration Officer at the Port of Embarkation. In either Case the Money may be recovered by summary Process before Magistrates. If, however, the Ship is unavoidably detained by Wind or Weather, and if the Passengers be maintained on board in the same Manner as if the Voyage had commenced, no Subsistence Money is payable.
2. If Passengers fail to obtain a Passage in the Ship, according to their Contract, either from her having sailed before the appointed Time, or from there being no Room in her, or through any Default of the Owner, Charterer, or Master, and are not provided with a Passage in some other equally eligible Ship, to sail within 10 Days to the same Port, then they are entitled to a Return of their Passage Money, and to such Compensation, not exceeding £10, as the Justices may award.
3. Passengers should carefully keep this Part of their Contract Ticket till after the End of the Voyage.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHEDULE (J.)

FORM of SUMMONS for a DEFENDANT or a WITNESS.

A.B. Complainant,
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District of , (*as the Case may be*).

THIS is to command you to appear without fail on the Day of instant (*or* next) at o'Clock in the noon at before me, or other the Magistrate or Justices of the Peace then and there present (1) [to answer the Complaint of (an Emigration Officer, *or* Assistant Emigration Officer, *or* Officer of Customs, *or* (*in the Colonies*) a Government Emigration (*or* Immigration) Agent, *as the Case may be,*) for a Breach of the Section (*or* Sections, *as the Case may be,*) of the Passengers Act, 1852,] (2) [*or*, to give Evidence in the above-named Complaint of *A.B.* against *C.D.* for Breach of the Passengers Act, 1852.]

(1) Insert this when the Defendant is summoned.

(2) Insert this in case a Witness is summoned.

Signed _____ { Justice of the Peace, *or* Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff Substitute, *or* Steward Substitute, *as the Case may be.*

Dated this Day of One thousand eight hundred and fifty-two.

To _____

SCHEDULE (K.)

FORM of CONVICTION and ORDER of ADJUDICATION under the Passengers Act, 1852, when the DEFENDANT appears.

A.B. Complainant,
C.D. Defendant.

County *or* City, *or* Borough, *or* Police District, *or* Steward of (*as the Case may be*).

BE it remembered, That on the Day of instant, *C.D.* of personally came before me (*or* us, *as the Case may be,*) at to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections, *as the Case may be,*) of the Passengers Act, 1852, in that (2)

Whereupon I (*or* we) did proceed to examine into the Complaint so made against the said *C.D.*, and the same having been (admitted to be true by the said *C.D.*, *or as the Case may be,*) fully proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) (4) [do convict him the said *C.D.* of the Offence (*or* Offences) aforesaid; and I (*or* we)] do adjudge and order that he shall pay to the said *A.B.* as such (Emigration Officer, *or* Government Emigration Agent, *or* Officer of Customs, *or* Passenger of the Ship , *as the Case may be,*) the Sum of *l.* by way of Penalty (*or* by way of Subsistence Money, or of Return of Passage Money, *as the Case may be,*) [(5) and shall also pay to the said *A.B.* the further Sum of *l.* as Compensation for the Loss and Inconvenience occasioned to (6) by the Loss of Passage in the Ship .]

(7) [And I (*or* we) do also adjudge and order that the Licence granted to the said *C.D.* to act as a Passage Broker be forfeited.]

(8) [And I (*or* we) do hereby also adjudge and order that the Sum of *l.* being a Part not exceeding One Moiety of the said Penalty of *l.*, be applied to compensate (9) for the Wrong or Damage which he (she, *or* they) has (*or* have) sustained in this Matter.]

And I (*or* we) do further adjudge and order, that the said *C.D.* shall forthwith pay to the said *A.B.* the further Sum of *l.* for the Costs and Charges by him the said *A.B.* incurred in the Prosecution of this Matter.

Given under my Hand and Seal (*or* our Hands and Seal), this Day of One thousand eight hundred and fifty-

Signature _____ { Justice of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Stewards Substitute, *as the Case may be*, for _____ (10)

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship _____, as the Case may be.

(2) Here describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness, or Witnesses if more than One.

(4) Omit these Words where there is no Conviction, but only an Order of Adjudication.

(5) Insert this in Cases where Compensation is awarded.

(6) Name the Passenger or Passengers by or on whose Behalf the Compensation is awarded.

(7) Insert this where the Offender is a Passage Broker, and his Licence is declared forfeited.

(8) Insert this where Compensation out of the Penalty is awarded to any aggrieved Passenger.

(9) Name the Passenger or Passengers.

(10) State County or District, &c. as the Case may be.

FORM of CONVICTION and ORDER of ADJUDICATION where the DEFENDANT does not appear.

A.B. Complainant,
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District, *or* Stewartry of , *as the Case may be.*

BE it remembered, That *C.D.* of being duly summoned to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections) of the Passengers Act, 1852, in that, &c. (2) did not appear before me (*or* us), pursuant to the said Summons. Nevertheless, I (*or* we) did proceed to examine into the Complaint so preferred against the said *C.D.*, and the same having been duly proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) do, &c. (*proceed as in preceding Form of Conviction according to the Circumstances of the Case.*)

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship _____, as the Case may be.

(2) Describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness or Witnesses.

CAP. XLV.

An Act for making a Turnpike Road between *Stone Creek* and *Sunk Island* Church in the County of *York*, and between *Sunk Island* Church and *Patrington Haven*, and for consolidating with such Roads the present Turnpike Road from *Sunk Island* Church to *Ottringham*, and for constructing Quays and Wharfs at *Stone Creek*. [30th *June* 1852.]

'WHEREAS under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of King *William* the Fourth, Chapter Ninety-one, a Turnpike Road has been constructed from the Town of *Ottringham* in the East Riding of the County of *York* to the Church in the Parish of *Sunk Island* in the same Riding, and the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, together with such other Persons as should be appointed as therein mentioned, were by the said Act constituted the Trustees for carrying into execution the several Acts for regulating Turnpike Roads, together with the said Act now in recital; and it was by the said Act provided that it should be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to advance any Sum or Sums of Money not exceeding in the whole Five thousand Pounds towards the Payment of the Expenses of obtaining the same Act and of carrying the same into execution, such Sums to be repaid, with Interest after the Rate of Five *per Cent. per Annum;* and it was also enacted, that it should be lawful for the Commissioners for the Issue of Exchequer Bills to advance for the Purposes of the said Act any Sum or Sums in Exchequer Bills, not exceeding in the whole the Sum of Five thousand Pounds, to be secured by an Assignment to the said last-mentioned Commissioners of so much of the Tolls, Rates, and Duties thereby authorized to be raised as should be a sufficient Security for the Repayment of the said Exchequer Bills as therein is mentioned: And whereas the Costs of obtaining the said Act and of carrying the same into execution were paid by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings out of Monies received by them on account of the ordinary Land Revenue of the Crown; and the Tolls, Rates, and Duties by the said Act authorized to be raised have been insufficient to discharge any Part of the Monies so advanced: And whereas it would be of great Benefit, not only to Her Majesty as the Owner of *Sunk Island* aforesaid, but to the other Owners, Inhabitants, and Occupiers of Lands in the Parishes of *Sunk Island*, *Ottringham*, and *Patrington*, and to the Public at large, if Powers were given to widen and convert into and use and maintain as a Turnpike Road the existing Occupation Road leading from the Turnpike Road between *Patrington Haven* and the Town of *Patrington*, across *Patrington Haven* Bridge or Clough in the Parish of *Patrington* in the said East Riding of the County of *York* to the North Channel Bridge or Clough in the Parishes of *Patrington* and *Sunk Island*, or One of them; and also to make and maintain a new Turnpike Road to commence on the North Side of *Patrington* Reservoir or Drain in the Parish of *Patrington* aforesaid, to run from thence across a Bridge to be built over the said Reservoir or Drain, and from thence to the Occupation Road leading from the said Turnpike Road between *Patrington Haven* and the Town of *Patrington* aforesaid, and across *Patrington Haven* Bridge or Clough aforesaid, to the said North Channel Bridge or Clough; and also to make and maintain a new Turnpike Road in continuation of the last-mentioned Road from the North Side of the said North Channel Bridge in the Parish of *Patrington* aforesaid to the East End of the Island Highway or Road called *Brick Lane* in the Parish of *Sunk Island* aforesaid, and to convert into and use and maintain as a Turnpike Road the said *Brick Lane* to its Junction with the existing Turnpike Road from *Ottringham* to *Sunk Island* Church aforesaid; and also to convert into and use and maintain as a Turnpike Road the Island Highway or Road leading from *Sunk Island* Church aforesaid in a Westward and Southward Direction to or near to the Harbour called *Stone Creek*, in the Parish of *Sunk Island;* and also to consolidate the said existing Turnpike Road from *Ottringham* to *Sunk Island* Church with such new Turnpike Roads as aforesaid, and to place the whole under the Management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and also to construct Wharfs, Quays, and Landing Places, with or without Warehouses, Sheds, or other convenient Buildings, at *Stone Creek* aforesaid, and to enable the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to levy such Tolls, Dues, and Rates as herein-after mentioned for the Use of the said Turnpike Roads, Wharfs, Quays, and Landing Places as aforesaid: And whereas Plans and Sections of the said intended Turnpike Roads and Works, together with Books of Reference thereto, have been deposited for public Inspection in the Office of the Clerk of the Peace for the East Riding of the County of *York*, and Plans and Sections of so much of the said intended Turnpike Roads and Works as are comprised within or relate to the said Parishes of *Ottringham*, *Patrington*, and *Sunk Island* respectively, together with Books of Reference thereto, have been deposited for public Inspection with the Parish Clerks of the same Parishes respectively at their respective Places of Abode:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, and such other Person or Persons as shall be appointed in manner herein-after mentioned, and their Successors, such last-mentioned Persons being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be Trustees for carrying into execution

Commissioners of Her Majesty's Woods, &c., and other Persons to be

named as after mentioned, to be Trustees for carrying Act into execution.

tion this Act (so far as it relates to the making and maintaining of Turnpike Roads) and the several Acts for regulating Turnpike Roads in *England* (whether the said Commissioners are qualified according to the last-mentioned Acts or not); and the said last-mentioned Acts shall extend to the Roads to be made and maintained under the Provisions of this Act, notwithstanding that this Act is passed for an unlimited Period; and the Commissioner or Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues having the Management and Direction of the Land Revenues of the Crown in the said Parish of *Sunk Island* shall have full Power to carry into effect all the Powers and Authorities by this Act vested in the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues.

Commissioners of Woods, &c. may appoint other Trustees.

II. It shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues from Time to Time, by any Writing under their Hands, to appoint any Number of Persons not exceeding Eight in the whole at any One Time, to be Trustees for the Purposes of this Act, so far as it relates to the making or maintaining of Turnpike Roads, in addition to the said Commissioners, and such additional Trustees so appointed, and being duly qualified as aforesaid, shall have the same Powers and Authorities for executing the several Acts for regulating Turnpike Roads in *England* and this Act as if they had been named herein.

Meeting of Trustees.

III. The Trustees for executing this Act, so far as it relates to the making and maintaining of Turnpike Roads, shall hold their First Meeting at the *Vittoria* Hotel in *Kingston-upon-Hull* on the Seventh Day of *September* next, or as soon afterwards as conveniently may be, between the Hours of Ten and Five, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint.

Power to make Roads according to deposited Plans.

IV. This Act shall relate to and be executed for more effectually improving, maintaining, and keeping in repair the said Turnpike Road and Works by the said Act of the Sixth and Seventh Years of King *William* the Fourth made, improved, maintained, and kept in repair, and also the several Roads and Works by this Act authorized to be respectively made and improved; and the Trustees for executing this Act shall and may set out, make, and complete such intended Turnpike Roads, and widen and improve such existing Roads or Highways as aforesaid, in the Lines and through the Lands respectively delineated and described in the aforesaid Plans and Books of Reference, and may make such Roads respectively of such Width as they may think proper not exceeding Sixty Feet, together with such Toll Houses, Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite, and for the Purposes aforesaid may take Possession of the Lands delineated and described in such Maps or Plans and Books of Reference, making Satisfaction for the same to the Occupiers thereof and other Persons interested therein: Provided always, that such Part of the said intended Turnpike Roads as is hereby authorized to be made between *Patrington Haven* Bridge or Clough and the North Channel Bridge or Clough shall not exceed the Width of Forty Feet.

After passing of this Act 6 & 7 W. 4. c. 91. repealed, and all Property and Debts of Trustees under it transferred to Trustees under this Act.

V. From and after the passing of this Act the aforesaid Act of the Sixth and Seventh Years of King *William* the Fourth shall be and the same is hereby repealed; and the aforesaid Turnpike Road from *Ottringham* to *Sunk Island* Church shall become and be absolutely vested in the said Trustees for executing this Act, for all the Estate and Interest therein of the Trustees appointed by the said recited Act of the Sixth and Seventh Years of King *William* the Fourth; and all Monies due to and all Property and Choses in Action vested in the Trustees for executing the said recited Act shall immediately on the Commencement of this Act be vested in the said Trustees for executing this Act, and they may use, sue for, and recover the same, and act as effectually in respect thereof as if the same had been vested in them under the said recited Act, and they shall be liable to all Debts and Engagements to which the Trustees for executing the said recited Act were liable at the Commencement of this Act; and all Covenants, Securities, and Contracts made or entered into under the Powers and Provisions of the said recited Act to, by, or with any Persons and the Trustees for executing the same shall, until the same be fully satisfied or performed, be and continue available to and in favour of such Persons and the Trustees for executing this Act in all Courts of Law and Equity.

Tolls to be levied.

VI. Until the said intended Turnpike Road from *Sunk Island* Church to *Stone Creek* shall be completed, the said Trustees for executing this Act shall and may levy the Tolls by the said recited Act authorized to be levied for the Use of the said Turnpike Road from *Ottringham* to *Sunk Island* Church, in like Manner in all respects as by the same Act is provided; and so soon as the said intended Turnpike Road from *Sunk Island* Church to *Stone Creek* shall be completed, such last-mentioned Tolls shall cease to be chargeable, and thenceforth the respective Tolls following shall and may be demanded, collected, taken, and paid at the several and respective Toll Gates or Toll Bars which have been or shall hereafter be set up and erected in, upon, across, or on the Sides of the said Turnpike Roads comprised in this Act; (that is to say,)

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Chaise, Curricle, Car, Gig, Hearse, or any such Carriage, the Sum of Fourpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, Van, Caravan, or other such Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Six Inches, the Sum of Threepence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, Van, Caravan, or other such Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Four Inches and a Half and not of the Breadth of Six Inches, the Sum of Fourpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, Van, Caravan, or any such Carriage, the Fellies of the Wheels whereof shall be of less Breadth than Four Inches and a Half, the Sum of Fivepence:

For every Horse or Beast, laden or unladen and not drawing, One Penny:

For every Score of Oxen or Neat Cattle, Tenpence, and so in proportion for any less Number:

For every Score of Calves, Sheep, Lamb, or Swine, Fivepence, and so in proportion for any less Number:

For every Coach, Waggon, Vehicle, or other Carriage of whatever Description, propelled or drawn wholly or in part by Steam, Gas, or any such Means, or by Machinery, or otherwise than by Animal Power, the Sum of Two Shillings and Sixpence:

And for every Steam Thrashing Machine, whether drawn or propelled by Animal or other Power, the Sum of Three Shillings, but without any Toll for Horses or Beasts drawing the same:

Such respective Tolls to be paid before any such Horse, Mule, Ass, Cattle, or Beast, or any such Carriage as aforesaid, shall be entitled to pass through any Turnpike or Toll Gate to be erected on the said Road; and in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of the Tolls hereby granted, the Sum of One Halfpenny shall and may be demanded and taken in lieu of such fractional Part.

Exemptions in General Act as to Thrashing Machines, &c. not to apply to Tolls under this Act.

VII. Notwithstanding the Exemptions contained in any General Act for regulating Turnpike Roads, no Exemption from any of the Tolls by this Act authorized to be taken and demanded shall be allowed for or in respect of any Steam Thrashing Machine, however conveyed, nor in respect of any Horse, Beast, or Cattle drawing any Waggon, Wain, Cart, or other Carriage laden with any Materials for making any Highway, or for building, rebuilding, or repairing any Bridge, or with Dung, Soil, Compost, or Manure for improving Lands, or Lime for agricultural Purposes, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other agricultural Produce, such Waggon, Wain, Cart, or other Carriage having the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above the Surface of such Tire.

Only One Toll to be taken for the whole Line of Road, except in certain Cases.

VIII. In case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Cart, or Cattle through any Toll Gate or Toll Bar, such Horse, Beast, or Cattle shall at any Time during the same Day, upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to pass and repass Toll-free (except in the Cases hereafter mentioned) along the whole Line of Road from *Ottringham* to *Stone Creek*, or along the whole Line of Road from *Patrington Harbour* to *Stone Creek*, or along the whole Line of Road from *Patrington Harbour* to *Ottringham*; but no Horse, Beast, or Cattle for which Toll shall have been paid at any Toll Gate or Toll Bar drawing another or different Waggon, Wain, Cart, or other such Carriage, or drawing for Hire or Reward a fresh or different Lading of a Weight of Two hundred and forty Pounds Avoirdupois or more in the same Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate or Toll Bar, or through any other Toll Gate or Toll Bar, on the same Day without again paying Toll, if in so repassing such Horse, Beast, or Cattle shall go or travel upon the said Road for the Distance of Two Miles or more.

Horses or other Cattle drawing Carriages for Hire to pay for each Time of passing;

or when a new Hiring takes place.

IX. The Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing along any of the said Roads, but no further or additional Tolls shall be payable in respect of any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage on account only of the Horses drawing the same having been changed.

X. The Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle let out for Hire, and drawing any Post Chaise or other Carriage, for each Time of passing along any of the said several Roads whenever a new Hiring thereof shall take place.

Tolls for certain Carriages to be paid for each Time of passing.

XI. The Tolls hereby made payable for and in respect of any Carriage propelled or moved by Steam, Gas, Machinery, or any other like Means, or for and in respect of any Steam Thrashing Machine, shall be paid every Time of the passing or repassing of such Carriage or Machine along any of the said Roads.

Power to Commissioners of Woods, &c. to construct Quays, &c.

Certain Provisions of 10 & 11 Vict. c. 27. incorporated with this Act.

XII. It shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being to construct and maintain, when and as and in such Manner as they shall think expedient, any Quays, Wharfs, or Landing Places, and with or without Warehouses, Sheds, or other convenient Buildings, at *Stone Creek* aforesaid, on the Eastern Side thereof; and so much of "The Harbours, Docks, and Piers Clauses Act, 1847," as relates to the Consent to be given by the Lords of the Admiralty, and to the Construction of Warehouses, Wharfs, and other convenient Buildings, and to the Rates to be taken by the Undertakers, and to the Collection and Recovery of Rates (so far as regards Tonnage Rates), and to the Appointment of Harbour Masters, Dock Masters, and Pier Masters, and to the discharging of Vessels, and the Removal of the Goods, and to the Protection of the Harbour, Dock, and Piers, and the Vessels therein, from Fire or other Injury, and to the Police of the Harbour, Dock, or Pier, and to the Byelaws to be made by the Undertakers, and to the Recovery of Damages and Penalties, and the Determination of any other Matter referred to Justices, shall be incorporated with and form Part of this Act.

Power to demand Wharfage Dues.

XIII. It shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being to demand for every Vessel using Her Majesty's Quays, Wharfs, or Landing Places (except for Shelter in Stress of Weather,) for every Ton Measurement a Sum not exceeding Three Halfpence, such Sum to become due on the Vessel being moored.

XIV. If

Further Provision as to Wharfage Dues.

XIV. If any Vessel using the said Quays, Wharfs, or Works, or any of them, whether the same shall previously have paid or been liable to Tonnage Rates or not, shall remain at the said Quays, Wharfs, or Works, or any of them, for any longer Space of Time than Fourteen Days, to be computed from the Time of such Vessel first occupying a Berth at or in the said Quay or Works, or any of them, the said Commissioners may demand for every such Vessel a further Rate of One Halfpenny *per* Ton for every Week, and so on in proportion for any Period less than a Week, during which any such Vessel shall remain at the said Quays, Wharfs, or Works, or any of them, beyond the said Period of Fourteen Days, in addition to the Tonnage Rates payable by virtue of this Act: Provided always, that such additional Rates shall not be payable for any Vessel which shall have been prevented from leaving the said Quays, Wharfs, or Works, or any of them, by an Embargo or Stress of Weather.

Commissioners of Woods, &c., with Consent of Admiralty, may dredge Bed of Stone Creek.

XV. It shall be lawful for the said Commissioners, with the previous Approval of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of the United Kingdom, to be signified in Writing under the Hand of the Secretary to the Admiralty for the Time being, to dredge, deepen, and remove the Bed of the said Creek, or of the River *Humber*, so far as may be necessary, for the Purpose of enabling Vessels of the greatest Draughts of Water that may use the Quays, Wharfs, or Works to have Access to and lie afloat in front of the same.

Expenses of Act.

XVI. For the Purpose of defraying the Expense of making, widening, improving, and constructing the several Roads, Quays, Wharfs, Warehouses, Buildings, and Works hereby authorized to be made, widened, improved, or constructed, and also for discharging all the Debts (if any) now due by the Trustees of the said existing Turnpike Road from *Ottringham* to *Sunk Island* Church, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to advance and apply out of the Capital of the Land Revenues of the Crown, from Time to Time, such Monies as shall be necessary, not exceeding in the whole the Sum of Four thousand Pounds, such Sums to be repaid in manner herein-after provided.

Application of Tolls and Dues.

XVII. All the Monies which shall arise and be produced by and from the Tolls, Rates, Duties, and Penalties by this Act authorized to be taken and levied, and all other Monies which shall arise and be produced by virtue hereof, shall be vested in the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, and shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in keeping in good and sufficient Repair all and singular the Roads, Wharfs, Quays, Warehouses, Buildings, and Works to be made, widened, improved, or constructed as aforesaid, with their Appurtenances, and providing for the efficient Collection of the Tolls and Duties hereby authorized; secondly, in the Payment of all the Costs, Charges, and Expenses which shall have been incurred in making, widening, or improving the said Roads, or constructing any Quays, Wharfs, Warehouses, or Buildings, and otherwise relating to the Works hereby authorized to be made or constructed; thirdly, in repaying to the Capital of the Land Revenues of the Crown, yearly and every Year until the whole shall be repaid, One Twentieth Part of all the Monies advanced out of the said Capital for the Purposes of this Act; and, subject as aforesaid, all the Produce of the said Tolls, Rates, and other Payments shall be paid to and constitute Part of the annual Land Revenue of the Crown: Provided always, that if in any Year the said Tolls, Rates, and other Payments shall be insufficient to repay the One Twentieth Part of the Capital advanced in manner herein-before mentioned, the Deficiency shall be made good out of the general annual Land Revenue of the Crown, so that the whole Capital advanced shall be replaced in Twenty Years.

Saving Rights of the Trustees of Keyingham and Ottringham Drainage.

XVIII. Provided always, That in the Execution of the Works by this Act authorized, the said Commissioners shall not in any way impede, hinder, or obstruct the Outfall at the said *Stone Creek* of the Drainage of the Low Lands drained under and by virtue of an Act of Parliament made and passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, for draining and improving the Low Grounds and Carrs lying in the Townships of *Keyingham*, *Keyingham Marsh*, *Ryhill*, and *Camerton*, and other Places within the Seigniory of *Holderness* and East Riding of the County of *York*, and of an Act of Parliament made and passed in the Ninth Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend an Act for draining the Low Grounds and Carrs in the Parish of* Keyingham *and other Places in the East Riding of the County of* York; nor in any way impede, hinder, or obstruct the Outfall at *Stone Creek* aforesaid, of the Drainage of the Lands drained under and by virtue of another Act of Parliament passed in the Session held in the Forty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for draining, embanking, and improving Lands in the Parish of* Ottringham *in* Holderness *in the East Riding of the County of* York; or in anywise affect, injure, damage, or destroy the Cloughs, Sluices, Works, Engines, and Devices erected by the Commissioners under the said last-named Acts or any of them, at or near the said *Stone Creek*, for the draining, running off, issuing, and discharging the Waters from the Cuts and Drains made in pursuance of the said Acts or any of them.

Saving Rights of the Trinity House in Hull.

XIX. That nothing in this Act contained shall prejudice or derogate from any of the Rights or Privileges, Jurisdiction, or Authority of the Corporation of the Guild or Brotherhood of Masters and Pilots Seamen of the *Trinity House in Kingston-upon-Hull.*

CAP. XLVI.

An Act to amend an Act of the Eleventh Year of King *George* the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy. [30th *June* 1852.]

'WHEREAS by the Eighteenth Section of the Act of Eleventh of *George* the Fourth, Chapter Twenty, Provisions are made for the Payment of Wages and Pay of the Officers and Seamen of the Royal Navy, and by such Section it is, among other things, enacted, that there shall always be left Six Months Wages in arrear and unpaid over and above the Wages accruing to the Time during which the Ship's Books shall have been preparing and examining, but that whenever any Ship shall return home in order to be laid up all the Wages due for such Ship shall be entirely paid off as soon afterwards as may be: And whereas it is expedient to repeal the said Eighteenth Section of the said Act, and to make other Provisions in lieu of those thereby enacted, and also other Provisions in regard to Naval Remittances:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That from and after the First Day of *October* One thousand eight hundred and fifty-two the Eighteenth Section of the Act of Eleventh of *George* the Fourth, Chapter Twenty, shall be and the same is hereby repealed. After 1st Oct. 1852, Section 18. of 11 G. 4. c. 20. repealed.

II. That out of all Supplies to be granted by Parliament for Naval Services, the necessary Sums of Money shall be first appropriated, issued, and applied for the regular and punctual Payment of the Pay and Wages of the Officers and Men of the Royal Navy and Royal Marines; and when any of Her Majesty's Ships in Commission shall be or arrive at any Port of the United Kingdom, or on the Coast thereof, on or after the First Day of *October* One thousand eight hundred and fifty-two, such Officers and Men shall be paid their Pay and Wages according to such Regulations and subject to such Restrictions as the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, shall at any Time or Times or from Time to Time order, direct, or appoint, with Power for such Lord High Admiral or Commissioners to alter or revoke at any Time or Times such Regulations and Restrictions, or any of them, or to make the same or any of them applicable, if he or they think fit, both to sea-going and stationary Ships, or to make some applicable to sea-going Ships and others to stationary Ships, and to order, at any Time or Times, which Ship or Ships shall be deemed sea-going and which shall be deemed stationary: Provided always, that under such Regulations and Restrictions there shall not at any Time be due to any of such Officers and Men, when borne on the Books of any of Her Majesty's Ships in Commission which may be at any such Port or on such Coast, more than the gross Amount of Three Calendar Months Pay and Wages, except when any such Officers or Men shall cease to have full Pay or be discharged from the Service, when all the Pay and Wages which may be due to them or to which they may be entitled as having belonged to any Ship in Commission shall be entirely paid to them as soon as may be. Payment to Officers and Men of the Navy and Marines belonging to Ships in Ports or on the Coasts of the United Kingdom. Restriction as to Amount of Wages to remain due.

III. That, notwithstanding anything in the said Act of the Eleventh of *George* the Fourth, Chapter Twenty, or anything in any other Act or Acts contained, all Naval Remittances whatsoever, when made by any Person belonging to One of Her Majesty's Ships not being in any Port of the United Kingdom or on the Coast thereof, may extend to and include all such Wages and Pay which may be due to the Persons respectively making any such Remittances, as the said Lord High Admiral or the said Commissioners may at any Time or Times or from Time to Time order or direct, with Power for him or them at any Time or Times to alter or revoke any such Order or Direction. As to Remittances where the Ships are not in any Port or on the Coasts of the United Kingdom.

CAP. XLVII.

An Act to enable Her Majesty to abolish otherwise than by Treaty, on Condition of Reciprocity, Differential Duties on Foreign Ships. [30th *June* 1852.]

'WHEREAS by an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to carry into effect a Convention of Commerce concluded between His Majesty and the United States of* America, *and a Treaty with the Prince Regent of* Portugal, Provisions were made respecting the Rates or Duties payable on Ships or Vessels of the *United States* and *Portuguese* Ships or Vessels entering and touching at the Ports of the United Kingdom or of His Majesty's Territories in *Europe*, and respecting the Repayment to Corporations and Persons of the Amount of the Sums of Money of which they would be deprived by means of the said Act: And whereas by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for granting Duties of Customs*, it was enacted and declared, that from and after the Ratification of any Treaty theretofore made by Her Majesty or any of Her Royal Predecessors subsequently to the Enactment of the said first-recited Act, or of any Treaty which might thereafter be made by Her Majesty, Her Heirs and Successors, with any Foreign Power, in which Treaty had been or should be contained Provisions similar to those recited in the said first-recited Act, all and every the Provisions, Clauses, Matters, and Things in the said first-recited Act contained should apply and extend to the Trade and Shipping of such Foreign Powers respectively, as fully and effectually to all Intents and Purposes as to the Trade and Shipping of the said *United States* and of the said Kingdom of *Portugal*, and also should apply and extend to differential Duties or Charges on Goods imported or exported in the Ships of such Foreign Powers, 59 G. 3. c. 54. 8 & 9 Vict. c. 90.

'Powers, as well as to differential Duties on the Ships of such Foreign Powers: And whereas it is 'expedient that the Provisions of the said first-recited Act should extend to the Trade and Shipping of 'any Foreign Power which, without any Treaty for that Purpose having been made and ratified between 'Her Majesty and such Foreign Power, shall place the Trade and Shipping of *Great Britain* in the 'Ports of such Foreign Power on the same Footing in respect of Duties and Charges as the Trade and 'Shipping of such Foreign Power:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Where the Trade and Shipping of Great Britain have been placed in the Ports of any Foreign Power on a Footing of Reciprocity, Her Majesty may issue an Order in Council, declaring the Trade, &c. of such Foreign Power to have the Benefit of the Provisions of this Act.

I. Where it shall appear to Her Majesty that by the Laws or Regulations of any Foreign Power the Trade and Shipping of *Great Britain* in the Ports of such Foreign Power have been placed upon the same Footing as the Trade and Shipping of such Foreign Power, either absolutely or on Condition of equal or like Benefits being conceded to the Vessels of such Foreign Power in the Ports of Her Majesty, it shall be lawful for Her Majesty, by Order to be by Her made with the Advice of Her Privy Council, and to be published in the *London Gazette*, to order and declare that the Trade and Shipping of such Foreign Power shall have the Benefit of the Provisions of this Act: and thereupon all the Provisions, Clauses, Matters, and Things in the said first-recited Act contained shall, so long as such Order in Council shall remain in force, but no longer, apply and extend to the Trade and Shipping of such Foreign Power, as fully and effectually, to all Intents and Purposes, as they apply to the Trade and Shipping of the said *United States* and *Portugal*, or would apply to such Trade and Shipping if the Convention and Treaty intended to be carried into effect by the said first-recited Act were in force, and shall also apply and extend to differential Duties or Charges on Goods imported or exported in the Ships or Vessels of such Foreign Power, as well as to differential Duties on the Ships or Vessels of such Foreign Power; and every such Order in Council shall have the same Effect, with reference to such Duties and Charges and to the Exemption from the Payment thereof contained in any Local Act, as if a Treaty of Reciprocity had been concluded and was then in force between Her Majesty and such Foreign Power.

Order in Council may be revoked.

II. It shall be lawful for Her Majesty, by Order in Council, from Time to Time to revoke any Order in Council previously made under the Authority of this Act.

CAP. XLVIII.

An Act for the Amendment of the Law respecting the Property of Lunatics. [30th *June* 1852.]

11 G. 4. & 1 W. 4. c. 65. s. 23.

'WHEREAS by an Act of Parliament passed in the First Year of the Reign of His late Majesty 'King *William* the Fourth, intituled *An Act for consolidating and amending the Laws relating to 'Property belonging to Infants, Femes Covert, Idiots, Lunatics, and Persons of unsound Mind*, a Power 'is given of ordering any Land of any Lunatic to be sold, or charged and incumbered by way of Mort-'gage, or otherwise disposed of, for the Purpose of raising Money for the Payment of Debts, and other 'Purposes therein mentioned, and Provision is thereby made as to the surplus Monies; and it is expe-'dient that such Powers should be enlarged, and that the several Provisions of the said Act relative 'thereto, and to the Application of the Money raised, and the Quality of the surplus Monies, should be 'extended accordingly:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers and Provisions of the recited Act extended to other Cases and Purposes.

I. The aforesaid Power of selling, or charging and incumbering by way of Mortgage, or otherwise disposing of the Land of any Lunatic, and the aforesaid Provisions relating thereto, or to the Application and Quality of the Monies to be raised, and every of them, is and are hereby extended so as to be applicable to and to include any Estate or Interest of any Lunatic in Land or Stock, in reversion, remainder, or expectancy, and so as to authorize the Payment out of the Monies to be raised of any Expenditure made or Debt incurred after Inquisition found, for the Maintenance or otherwise for the Benefit of the Lunatic, and the Payment of or Provision for the Expenses of his future Maintenance, and the Costs of such Sales, Charges, and Incumbrances, and other Dispositions as are hereby or by the said recited Act authorized.

Modes in which future Maintenance may be charged.

II. In case of a Charge or Mortgage being made by Order upon an Interest in contingency, or in reversion, remainder, or expectancy, for the Expenses of future Maintenance, the Order may direct the same to be payable and paid, either contingently, if the Interest charged be a contingent one, or upon the happening of the Event if the Interest be depending on an Event which must happen, and either in a gross Sum or in annual or other periodical Sums, and at such Times, in such Manner, and either with or without Interest, as shall be deemed expedient, and any Charge already made which would have been valid if made after this Act shall be and is hereby declared to be valid.

By whom Jurisdiction to be exercised. Foregoing Provisions to be incorporated with the recited Act.

III. The Powers so given by the said Act as aforesaid, and the Powers herein-before given, may be exercised by and are hereby given to the Person or Persons for the Time being intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, and of unsound Mind; and the foregoing Provisions shall, as to Jurisdiction, and also as to the Interpretation of Expressions, and in all other respects, so far as may be consistent with the Meaning of this Act, be deemed to be incorporated with the said Act.

8 & 9 Vict. c. 100. s. 95.

IV. 'And whereas by an Act of Parliament passed in the Ninth Year of the Reign of Her present 'Majesty Queen *Victoria*, intituled *An Act for the Regulation of the Care and Treatment of Lunatics*,

'it

'it was enacted, that when any Person should have been received or taken charge of as a Lunatic upon 'an Order and Certificates, or an Order and Certificate, in pursuance of the Provisions of the said Act, 'or of any Act thereby repealed, and should either have been detained as a Lunatic for the Twelve Months 'then last past, or should have been the Subject of a Report by the Commissioners in pursuance of the 'Provision therein contained, it should be lawful for the Lord Chancellor to direct that One of the Masters 'in Lunacy should, and thereupon One of the said Masters should, personally examine such Person, and 'should take such Evidence and call for such Information as to such Master should seem necessary to 'satisfy him whether such Person was a Lunatic, and should report thereon to the Lord Chancellor, and 'such Report should be filed with the Secretary of Lunatics; and it should be lawful for the Lord 'Chancellor from Time to Time to make Orders for the Appointment of a Guardian, or otherwise for the 'Protection, Care, and Management of the Person of any Person who should by any such Report as last 'aforesaid be found to be a Lunatic, and such Guardian should have the same Powers and Authorities as 'a Committee of the Person of a Lunatic found such by Inquisition then had, and also to make Orders 'for the Appointment of a Receiver, or otherwise for the Protection, Care, and Management of the Estate 'of such Lunatic, and such Receiver should have the same Powers and Authorities as a Receiver of 'the Estate of a Lunatic found such by Inquisition then had, and also to make Orders for the Applica- 'tion of the Income of such Lunatic, or a sufficient Part thereof, for his Maintenance and Support, and 'in Payment of the Costs, Charges, and Expenses attending the Protection, Care, and Management 'of the Person and Estate of such Lunatic, and also as to the Investment or other Application for the 'Purpose of Accumulation of the Overplus, if any, of such Income, for the Use of such Lunatic, as to 'the Lord Chancellor should from Time to Time in each Case seem fit: And whereas Doubts have 'arisen whether the last-mentioned Act extends to authorize a Receiver appointed as aforesaid to receive 'Dividends on Government or Bank Stock or Annuities standing in the Lunatic's Name, and it is expedient 'that these Doubts should be removed:' Be it therefore enacted as follows:

Power to receive Dividends of Stock in Lunatic's Name.

Every Receiver of the Estate of such Lunatic as aforesaid, already appointed, or who may be hereafter appointed under the Powers in the said last-recited Act, shall have full Power to demand, and to receive and to give effectual Receipts for the Dividends due or to become due of any Stock belonging to the Lunatic.

Indemnity to Bank of England, &c.

V. This Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England*, and all other Companies and Societies, and their Officers and Servants, for all Acts and Things done or permitted to be done pursuant thereto, and such Acts and Things shall not be questioned or impeached in any Court of Law or Equity to their Prejudice or Detriment.

Receiver may, under Order, make Repairs, Leases, &c.

VI. The Person or Persons for the Time being intrusted as aforesaid may, by Order upon a Petition, direct the Receiver to make such Repairs and Improvements of or upon the Land of the Lunatic, or to make to the Tenant executing the same such Allowance in respect thereof by and out of the Lunatic's Income, and also to make and execute such Contracts, Agreements, Leases, or Under-leases of or concerning the same, as may seem expedient for the Preservation or Increase of the Income; and every Act done according to such Direction as aforesaid shall be valid and binding to all Intents and upon all Persons whomsoever.

Interpretation of Words.

VII. In the Construction of those Provisions of this Act which refer to the secondly-mentioned Act, the Words "Land," "Stock," and "Dividends" respectively shall be interpreted as is provided for the like Words in the first-mentioned Act.

CAP. XLIX.

An Act to extend the Provisions of the several Acts passed for the Conveyance of Sites for Schools. [30th *June* 1852.]

'WHEREAS an Act was passed in the Session of Parliament held in the Fourth and Fifth Years of 'the Reign of Her present Majesty, intituled *An Act to afford further Facilities for the Conveyance* 4 & 5 Vict. c. 38.
'*and Endowment of Sites for Schools:* And whereas an Act was passed in the Session of Parliament held
'in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to secure the* 7 & 8 Vict. c. 37.
'*Terms on which Grants are made by Her Majesty out of the Parliamentary Grant for the Education*
'*of the Poor, and to explain the Act of the Fifth Year of the Reign of Her present Majesty, for the*
'*Conveyance of Sites for Schools:* And whereas an Act was passed in the Session of Parliament held
'in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act to extend* 12 & 13 Vict.
'*and explain the Provisions of the Acts for the granting of Sites for Schools:* And whereas an Act c. 49.
'was passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign
'of Her present Majesty, intituled *An Act to render more simple and effectual the Title by which Con-* 13 & 14 Vict.
'*gregations or Societies for Purposes of Religious Worship or Education in* England *and* Ireland *hold* c. 28.
'*Property for such Purposes:* And whereas an Act was passed in the Session of Parliament held in the
'Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the* 14 & 15 Vict.
'*Acts for the granting of Sites for Schools:* And whereas it is expedient to encourage the building and c. 24.
'promoting of Schools or Colleges for the Sons of Yeomen and others, and to extend the Provisions of
'the said recited Acts to the Cases herein-after specified:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Provisions of recited Acts as to Conveyances and Endowments of Sites for Schools to apply to Schools herein specified.

and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: That from and after the passing of this Act all the Provisions contained in the said recited Acts or any of them in relation to the Conveyance and Endowment of Sites for such Schools as are contemplated by the Provisions of the said Acts respectively, shall apply to and be construed to be applicable to the Cases of such Schools as are herein-after specified; (that is to say,) Schools or Colleges for the religious or educational Training of the Sons of Yeomen or Tradesmen or others, or for the theological Training of Candidates for Holy Orders, which are erected or maintained in part by charitable Aid, and which in part are self-supporting, in the same or the like Manner as if such Schools or Colleges as last aforesaid had been expressly specified in the said Act of the Fourth and Fifth Years of Her present Majesty and the said subsequent Acts, and the same or the like Powers had been thereby given for or in relation to the Conveyance and Endowments of Sites for such Schools or Colleges, and for the Residences of Schoolmasters, or otherwise in connexion therewith, as are by the said Acts given for or in reference to the Conveyance and Endowment of Sites for Schools falling within the Provisions of those Acts: Provided always, that no Ecclesiastical Corporation, sole or aggregate, shall be authorized to grant any Site under this Act, except for Schools or Colleges which shall be conducted upon the Principles of and be in Union with the Church of *England* and *Ireland*, as by Law established; and that no Ecclesiastical Corporation, aggregate or sole, shall grant, by way of Gift, and without a valuable Consideration, for any of the Purposes of this Act, any greater Quantity of Land in the whole than Two Acres; and that no other Person or Persons or Corporation not coming within the Class or Description of Persons empowered by the Second Section of the said Act of the Fourth and Fifth Years of the Reign of Her present Majesty to convey Land for Sites as therein mentioned, shall grant, by way of Sale for a valuable Consideration, for any of the Purposes of this Act, any greater Quantity of Land in the whole than Two Acres, or shall grant any Land whatever for any of the Purposes of this Act by way of Gift and without a valuable Consideration, anything in the said recited Acts or herein-before contained to the contrary notwithstanding.

CAP. L.

An Act to consolidate and amend the Laws relating to the Militia in *England*. [30th *June* 1852.]

42 G. 3. c. 90.

14 & 15 Vict. c. 32.

'WHEREAS an Act was passed in the Forty-second Year of King *George* the Third, "for "amending the Laws relating to the Militia in *England*, and for augmenting the Militia," 'and the said Act has been since amended by divers Acts: And whereas by divers Acts, and ultimately 'by an Act of the last Session of Parliament, Chapter Thirty-two, all Proceedings for and relating to 'the Balloting or Enrolment of Militia Men stand suspended until the First Day of *October* One 'thousand eight hundred and fifty-two, subject to the Power of Her Majesty, by Order in Council, to 'direct any such Proceedings to be had at any Time before the Expiration of that Period: And 'whereas it is expedient, for better fulfilling the Purposes of the Institution of the Militia with as 'little Disturbance as may be to the ordinary Occupations of the People, that the Laws for raising and 'regulating the Militia should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary of State may make Regulations as to Qualification for Service of Officers.

I. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to make Regulations limiting the Ages at which Persons may be appointed Officers of the several Ranks in the Militia, and for securing the Appointment of Persons as such Officers who are qualified to discharge the Duties of Officers of their respective Ranks, and also for that Purpose to prescribe by such Regulations any Conditions, as to Drill, Training, and Exercise, or otherwise, under or subject to which any such Appointment shall be made.

Persons holding certain Military Ranks may be appointed Field Officers.

II. Notwithstanding anything contained in the said first-recited Act or any other Act, any Person holding or having held the Rank of Captain or any higher Rank in Her Majesty's other Forces, or in the Forces of the *East India* Company, may, without any Property Qualification, be appointed a Captain or Major of the Militia; and any Person holding or having held the Rank of Major or any higher Rank in any of the said Forces may, without any such Qualification, be appointed a Lieutenant-Colonel or Colonel of the Militia; and any Person who shall have been qualified to receive and shall have received a Commission of Major or Lieutenant-Colonel in the Militia shall be qualified to receive and hold a Commission of higher Rank in the Militia.

42 G. 3. c. 90. as to certain Property Qualifications repealed.

III. All the Provisions of the said first-recited Act or any other Act relating to Property Qualifications in the Case of Persons to be appointed Officers in the Militia shall, save as respects Appointments to the Rank of Captain or any higher Rank, be repealed.

Qualification of Deputy Lieutenant, Captain, or Officer of higher Rank.

IV. For the Purposes of the Qualification of any Deputy Lieutenant and of any Captain or Officer of higher Rank in the Militia, a clear yearly Income arising from any Personal Estate within the United Kingdom of *Great Britain* and *Ireland*, of or to which Personal Estate or the yearly Income thereof such Deputy Lieutenant or Officer is possessed or entitled at Law or in Equity for his own Use and Benefit, in possession for his own Life, or for the Life of his Wife, or for some greater Estate or Interest, shall be deemed equivalent to an Estate in Lands of a yearly Value of the same Amount with such yearly Income, and such yearly Income from Personal Estate shall be admitted in whole or in part of any such Qualification accordingly.

V. The

Certain Provisions respecting Half Pay extended to Field Officers.

V. The Provisions of the said first-recited Act and of an Act of the Fifty-fifth Year of King *George* the Third, Chapter Sixty-five, authorizing Officers entitled to Half Pay to receive the same while serving as such Officers as therein mentioned in the Militia, shall extend to Officers entitled to Half Pay who shall be appointed Field Officers in the Militia.

Power to Her Majesty to appoint Adjutants, &c.

While Militia is embodied Colonels to appoint Serjeants.

VI. It shall be lawful for Her Majesty to appoint from Time to Time such Persons as to Her Majesty may seem proper to be Quartermasters, Paymasters, Serjeants Major and Serjeants of the Militia; and the Provisions of the said first-recited Act applicable to Adjutants appointed by Her Majesty as therein provided shall be applicable to Adjutants to be appointed as aforesaid: Provided always, that while any Regiment, Battalion, or Corps of Militia is drawn out and embodied, it shall be lawful for the Colonel or Commanding Officer of such Regiment, Battalion, or Corps to appoint from Time to Time the Serjeant Major and Serjeants of such Regiment, Battalion, or Corps, as Occasion may require, for supplying any Vacancy or Vacancies, or completing the full Number of such Serjeants.

Existing Officers who are qualified for Service may continue.

Officers not so continued shall retain their Ranks.

VII. All Officers now holding Commissions in the Regular Militia may, subject to such Regulations as may hereafter be made by the Secretary of State, continue to hold such Commissions in the Militia to be raised under this Act, and to rank in the Militia Service according to the Dates of the Commissions now held by them respectively; and all Officers now holding such Commissions as aforesaid who shall not be so continued under this Act shall notwithstanding continue to hold their present Titles and Ranks as Officers of the Militia; and nothing herein contained shall extend to deprive such Officers not so continued of any Allowances to which they may now be entitled in respect of having held Commissions in the Militia when the same was last disembodied, or otherwise in respect of past Services, or to affect the Provisions authorizing the Grant of any retired or other Allowances to such Officers in respect of having held Commissions or of past Services as aforesaid.

Number of Militia to be raised.

VIII. It shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to raise and from Time to Time to keep up any Number not exceeding Eighty thousand Private Militia Men, to serve for the several Counties, Ridings, and Places required by the said first-recited Act to raise Militia, Fifty thousand of whom may be raised in the Year One thousand eight hundred and fifty-two, and Thirty thousand in the Year One thousand eight hundred and fifty-three: Provided always, that if it happen that the Number of Men to be raised in either of such Years shall not be fully raised in the Year in which the same is appointed to be raised, the Number deficient may be raised, as soon as may be, thereafter.

Quotas of Counties to be fixed by Order in Council.

IX. It shall be lawful for Her Majesty, with the Advice of Her Privy Council, forthwith after the passing of this Act, and afterwards from Time to Time as Occasion may appear to Her Majesty to require, to ascertain and fix the Number of Militia Men who shall, until other Quotas shall be fixed in like Manner, serve for each County, Riding, and Place, and the Numbers so fixed as aforesaid shall be transmitted to the respective Lieutenants of the said Counties, Ridings, and Places from Time to Time, and Notice of the same shall be published in the "*London Gazette*," and the Numbers so from Time to Time appointed by Her Majesty shall be the Quotas of the several Counties, Ridings, and Places until other Quotas are appointed in like Manner.

Her Majesty may, by Order in Council, make Subdivisions conterminous with Superintendent Registrars Districts, under 6 & 7 W. 4. c. 86.

X. It shall be lawful for Her Majesty, with the Advice of Her Privy Council, from Time to Time, in case it appear to Her expedient so to do for more conveniently apportioning the Quotas of Men to be furnished under this Act by the several Subdivisions of any County, Riding, or Place, to alter all or any of such Subdivisions, or to constitute new Subdivisions therein, so as to make all or any of such Subdivisions conterminous with the Superintendent Registrars Districts established under the Act passed in the Seventh Year of King *William* the Fourth, "for registering Births, Deaths, and Marriages "in *England*," or any Act amending the same, or with Two or more of such Districts added together; and where it appears that any such District not situate wholly in One County, Riding, or Place may for the Purposes of this Act be conveniently made Part of any County, Riding, or Place in which the same is partly situate, to declare that the whole of such District shall for such Purposes form Part of such County, Riding, or Place, and from and after such Time as shall be mentioned in the Order in Council the whole of such District shall for all the Purposes of this Act be deemed to be situate within any Part of such County, Riding, or Place accordingly.

Militia Men to be raised by voluntary Enlistment.

XI. For the Purpose of raising the Number of Men required to be raised under this Act, the Lieutenants of the said several Counties, Ridings, and Places shall, in the Year One thousand eight hundred and fifty-two, as soon as conveniently may be after the passing of this Act, and in the Year One thousand eight hundred and fifty-three at such Time as Her Majesty shall, by Order made with the Advice of Her Privy Council, appoint for that Purpose, direct their Deputy Lieutenants, or the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties, Ridings, and Places, without Delay, to proceed to raise and enrol Volunteers to serve for the Term of Five Years in the Militia of such Counties, Ridings, or Places, not exceeding the Numbers of Men for the Time being authorized to be therein raised under this Act, and such Deputy Lieutenants, Colonels, or Commanding Officers, and the Commissioned and Non-commissioned Officers of the Militia duly authorized by such Colonels or Commanding Officers, shall forthwith proceed to raise such Volunteers, being resident in the County in which such Men are directed to be raised, or in any County immediately adjoining thereto, and being able-bodied Men between such Ages and of such Height as shall be from Time to Time fixed by Regulations made by Her Majesty's Secretary-at-War as herein provided, and for such Bounties or other Payments as shall be from Time to Time authorized by such Regulations.

The Number not raised by Enlistment in any County may be raised by Enlistment as a supplemental Corps in another County.

XII. Provided always, That where the Number of Men for the Time being required to be raised under this Act for any County, Riding, or Place has not been raised by voluntary Enlistment, it shall be lawful for Her Majesty, if it appear to Her advisable so to do, by Order signed by One of Her Principal Secretaries of State, to authorize and direct all or any Part of such Number of Men as shall be deficient to be raised by voluntary Enlistment in and for any County, Riding, or Place in which the full Quota may have been raised and kept up; but no Ballot shall be had in such County, Riding, or Place for keeping up any greater Number of Militia Men in such County, Riding, or Place than would have been required to be kept up therein in case such Order had not been made.

Secretary-at-War may make Regulations.

XIII. It shall be lawful for Her Majesty's Secretary-at-War from Time to Time to make Regulations as to the Amount of the Sums to be paid to Volunteers under this Act by way of Bounty or periodical Payment or Allowance in consideration of their enlisting in the Militia, (such Bounty in no Case to exceed Six Pounds, and such periodical Payment or Allowance in no Case to exceed after the Rate of Two Shillings and Sixpence *per* Month during the Term of Service for which the Volunteer is enrolled,) and as to the Time or respective Times, Conditions, and Manner of the Payment thereof, and as to the Ages between which Men may be received as such Volunteers, and as to the Height and for the Examination and Approval by Medical Men of all Men to be raised for the Militia under this Act, whether as Volunteers or otherwise, and as to all other Matters which, under the Provisions herein contained, are made subject to Regulations to be made by such Secretary-at-War.

Regulations to be laid before Parliament.

XIV. All Regulations made under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the making thereof, if Parliament be then sitting, or if Parliament be not then sitting then within Twenty-one Days after the next Meeting of Parliament.

Volunteers to be raised for supplying the Places of Men whose Time is about to expire, and for supplying Vacancies by Death, &c.

XV. The Deputy Lieutenants, or the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia, shall from Time to Time, and so long before the Expiration of the respective Terms of Service of the Militia Men belonging to their respective Regiments, Battalions, or Corps as shall be directed by Regulations to be made by the Secretary-at-War, raise and enrol or cause to be raised and enrolled Volunteers to supply the Places of such Militia Men; and such Colonels or Commanding Officers shall from Time to Time, subject to any Regulations to be so made, raise and enrol or cause to be raised and enrolled Volunteers for supplying casual Vacancies by reason of Militia Men dying before the Expiration of their Term of Service, or being promoted to be Non-commissioned Officers or Drummers (except where they are so promoted in the Room of Non-commissioned Officers or Drummers reduced to the Ranks), or being discharged as unfit for Service, or in pursuance of the Sentence of a Court-martial, or having deserted.

Volunteers to be sworn and enrolled.

XVI. Every Volunteer so raised as aforesaid shall, when he has been examined and approved according to such Regulations as shall be made by the Secretary-at-War, take the Oath appointed by the Act of the Fifty-first Year of King *George* the Third, Chapter One hundred and eighteen, inserting therein the Name of the Sovereign for the Time being, to be taken by Men raised by Ballot, which Oath shall and may be administered by any Justice of the Peace or Deputy Lieutenant for the County, Riding, or Place in which such Volunteer shall have been raised, or in which the Regiment, Battalion, or Corps for which he shall have been raised shall be at the Time of his joining the same; and every such Volunteer shall be enrolled in a Roll, to be prepared and kept by or under the Direction of the Colonel or Commanding Officer, to serve in the Militia for the County, Riding, or Place for which he is raised, as a Militia Man, for the Space of Five Years.

Lists of Volunteers to be transmitted to Clerk of General Meetings.

XVII. The Deputy Lieutenants and the said Colonels or Commanding Officers shall keep or cause to be kept true and regular Entries of the Names, Additions, and Places of Residence of the Persons who shall be enrolled as aforesaid, and shall within such Time as shall be directed by the Lieutenant of the County, Riding, or Place in that Behalf, transmit Copies of such Entries, certified by them respectively, to the Clerk of General Meetings of the County, Riding, or Place for which such Men have been enrolled.

Where Men cannot be raised by voluntary Enlistment, Her Majesty in Council may order a Ballot.

XVIII. In case it appear to Her Majesty, after the Thirty-first of *December* in the Year One thousand eight hundred and fifty-two that the Number of Men required to be raised under this Act in such Year for any County, Riding, or Place cannot be raised by voluntary Enlistment, under the Provisions of this Act, or it appear to Her Majesty in any subsequent Year that the Number of Men for the Time being to be raised under this Act for any County, Riding, or Place for keeping up the full Number of Men herein-before appointed to be raised and kept up cannot be raised in manner aforesaid, or in case of actual Invasion or imminent Danger thereof, it shall be lawful for Her Majesty in any such Cases, with the Advice of Her Privy Council, if it appear to Her advisable so to do, to order and direct that the Number of Men so required to be raised shall be raised by Ballot as herein provided.

General Meetings to apportion Deficiencies among Subdivisions and Parishes.

XIX. Whenever, by such Order in Council as aforesaid, any Men are required to be raised for any County, Riding, or Place by Ballot, the Lieutenant and Deputy Lieutenants of such County, Riding, or Place, assembled at a General Meeting to be held for that Purpose, shall ascertain how many of the Private Men for the Time being serving in the Militia of such County, Riding, or Place were at the Time of their being enrolled resident in each of the Subdivisions and Parishes thereof, and shall apportion the Number of Men required to be raised by Ballot among the several Subdivisions and Parishes of such County, Riding, or Place, and shall make such Apportionment as near as may be according to the Number of Men fit and liable to serve in the Militia resident in such Subdivisions and Parishes respectively, giving Credit to each Subdivision and Parish for the Private Men for the Time being actually serving as aforesaid, and who at the Time of being enrolled were resident in such Subdivisions and Parishes respectively; and where the Number of Private Men serving as aforesaid, and who at the Time

Time of being enrolled were resident in any Subdivision or Parish, amounts to the full Number of Men which, upon a just Apportionment of the whole Number of Militia Men required to serve for such County, Riding, or Place among the several Subdivisions and Parishes thereof according to the Number of Men fit and liable to serve in the Militia resident therein respectively, ought to be furnished by any such Subdivision or Parish, no Proceeding for or in relation to a Ballot shall be had for such Subdivision or Parish, but the Men required to be raised by Ballot as aforesaid shall be apportioned among the other Subdivisions or Parishes as herein-before mentioned, and the Number of Men apportioned under this Provision shall be raised by Ballot in the Subdivisions and Parishes to which they are so apportioned accordingly, and such General Meeting shall do all Acts necessary for causing such Men to be raised by Ballot with all convenient Speed according to the Provisions of the said first-recited Act and the Acts amending the same.

Subdivisions and Parishes in which the full Number of Volunteers has been raised to be wholly exempt.

XX. Provided always, That Men shall not be liable to be balloted for the Militia after Thirty-five Years of Age; and all the Provisions of the said first-recited Act, and the Acts amending the same, shall be construed accordingly.

Men not liable to the Ballot after 35 Years of Age.

XXI. And no Member of the Senate of the University of *London*, nor any Examiner, Professor, Tutor, or Lecturer of the said University, or of any College, School, or Institution connected with the said University, under the Provisions of any Charter thereof, nor any Student of any such College, School, or Institution duly matriculated in the said University, and actually receiving Education in any of the said Colleges, Schools, or Institutions, nor any resident Member of the University of *Durham*, or of the Colleges of *St. David*, *Lampeter*, or *St. Bees*, shall be liable to serve or provide a Substitute for the Militia.

Members of London and Durham Universities and Lampeter and St. Bees Colleges exempted.

XXII. The Constables or other Officers of any Parish, Tything, or Place who, under the said first-recited Act, or any Act amending the same, are required to affix a Copy of every List to be returned to any Subdivision Meeting for the Purposes of a Ballot, with a Notice of the Day, Hour, and Place of the Meeting for hearing Appeals, shall affix a like Copy and Notice on the Door or the outer Wall near the Door of every Church and Public Chapel in such Parish, Tything, or Place, including Places of Public Worship which do not belong to the Established Church (but no List or Notice shall be invalidated by reason of the same not having been affixed in every Place herein required for the Publication thereof); and the *Sunday* on which every such Copy and Notice shall be affixed as aforesaid shall be Fourteen Days at the least before the Day appointed for the Meeting for hearing Appeals, and the Time for holding such Meeting may be appointed accordingly, notwithstanding such Time may exceed One Month after the issuing of any Order or Precept for the Return.

Publication of Lists and Notices of Meetings for hearing Appeals.

XXIII. Where any Person is incapacitated from serving in the Militia by reason of any Infirmity it shall be sufficient in any Return or List for the Purposes of the Militia to state that such Person is infirm, without describing or otherwise specifying the Nature of his Infirmity.

Nature of Infirmity need not be stated in Returns.

XXIV. The Registrar General shall from Time to Time, when directed by One of Her Majesty's Principal Secretaries of State, furnish to the Lieutenants of the said several Counties, Ridings, and Places, from the Returns which have been or may from Time to Time be made to him by Authority of Parliament, and from the other Documents in his Custody or Power, such Information or Estimates as such Secretary of State may direct of the Number of Men fit and liable to serve in the Subdivisions and Parishes of such several Counties, Ridings, and Places, for the Guidance of such Lieutenants and their Deputy Lieutenants in apportioning, as herein-before directed, the Number of Men required to be raised by Ballot; and it shall be lawful for such Lieutenants and Deputy Lieutenants, in making such Apportionments, to act upon the Information or Estimates so furnished.

Registrar General may be directed to furnish Information to Lieutenants of Counties for their Guidance in making Apportionments.

XXV. It shall be lawful for Her Majesty, by Order signified by One of Her Principal Secretaries of State, from Time to Time to direct the Lord Lieutenants to form the Militia of their several Counties, Ridings, and Places into such Companies, Regiments, Battalions, or Corps as to Her Majesty may seem fit, and to direct what Number of Officers and of what respective Ranks shall be appointed thereto, and what shall constitute the Staff thereof; and where the Number of Militia Men required to be raised for any County, Riding, or Place appears to Her Majesty insufficient to be conveniently formed into a separate Regiment, Battalion, or Corps, to direct the Militia of such County, Riding, or Place to be united with the Militia of any County, Riding, or Place adjoining; but, save where Her Majesty otherwise directs, the Militia of the several Counties, Ridings, and Places shall be formed into such Companies, Regiments, Battalions, or Corps, with such Officers and Staff, as directed by the said first-recited Act and Section Three of the Act of the Tenth Year of King *George* the Fourth, Chapter Ten.

Her Majesty may direct into what Regiments, &c. Militia shall be formed, and with what Officers and Staff.

XXVI. The Act of the Forty-third Year of King *George* the Third (Chapter Nineteen), "to authorize "the training and exercising the Militia of *Great Britain* for Twenty-eight Days," as amended by Section Five of the Act of the Fifty-fifth Year of His said Majesty (Chapter Sixty-five), "to amend "the Laws relating to the Militia of *Great Britain*," so far as the same relate to the Militia in *England*, shall be repealed, and the Period of Training and Exercise shall, save as herein-after provided, be Twenty-one Days in every Year; and Her Majesty may, if She see fit, direct all or any Part of the Militia of any County, Riding, or Place to be called out for Training and Exercise more than once in every or any Year, and at such Time or Times as Her Majesty may think fit, so as the whole Period of Training and Exercise of any Militia Man do not exceed Twenty-one Days in any Year, save as herein-after provided.

43 G. 3. c. 19. and 55 G. 3. c. 65. s. 5. repealed as to England.

Her Majesty may call out Militia for Training more than once in a Year.

XXVII. Provided always, That it shall be lawful for Her Majesty from Time to Time, where, with the Advice of Her Privy Council, She may see fit, to order all or any Part of the Militia to be marched out

Her Majesty may, by Order in Council, cause Militia to

be exercised out of their own Counties, or extend or reduce the Period of Exercise.

out of their own respective Counties, Ridings, or Places into any Part of *England* or *Wales*, for the Purpose of Training and Exercise, and also where, with such Advice as aforesaid, Her Majesty may see fit so to do, to extend or reduce the Period of Training and Exercise of all or any Part of the Militia, so as the whole Period of Training and Exercise in any Year shall not exceed Fifty-six Days nor be less than Three Days.

Lieutenants to provide Places for Exercise.

XXVIII. It shall be lawful for the Lieutenants of the several Counties, Ridings, and Places, with the Approbation of One of Her Majesty's Principal Secretaries of State, to take on Lease or Hire, for or during such Terms or Periods as they may think necessary, Pieces of Ground convenient for the Training and Exercise of the Militia of such Counties, Ridings, and Places.

Her Majesty may order increased Pay to Militia Men attached to the Artillery.

XXIX. It shall be lawful for Her Majesty, if She think fit, to order and direct that any Militia Men who shall be attached to the Service of the Artillery, and shall do Duty as Artillery Men, shall receive increased Pay, not exceeding such and the like Pay, during the Time of their serving and doing Duty as Artillery Men as aforesaid, as any of the Men serving in the Royal Corps of Artillery are or may be entitled to, and it shall also be lawful for Her Majesty to direct the same to be paid for such Periods, and under and subject to such Regulations and Restrictions, as Her Majesty may from Time to Time deem proper and necessary.

In case of Invasion, or imminent Danger thereof, Her Majesty may raise the Militia to 120,000 Men.

XXX. It shall be lawful for Her Majesty, in case of actual Invasion, or imminent Danger thereof, the Reason being first communicated to Parliament, if Parliament be then sitting, or declared in Council, and notified by Proclamation, if Parliament be not sitting or in being, to order and direct, by Her Royal Proclamation, that, in addition to the Number of Men for the Time being required to be raised under the Provisions herein-before contained, there shall be forthwith raised and enrolled such Number of Men as to Her Majesty may seem fit, so as the whole Number of Men for the Time being raised under this Act shall not exceed One hundred and twenty thousand; and the Lieutenants and Deputy Lieutenants of the several Counties, Ridings, and Places shall forthwith proceed to raise and enrol such additional Men at such Time or Times as shall be specified for that Purpose in such Proclamation; and all the Provisions herein contained, so far as the same are applicable, shall extend and be applicable to and for the raising, enrolling, training, and exercising, and the drawing out and embodying, of the additional Men so ordered and directed to be raised and enrolled, and to the additional Men so raised: Provided always, that it shall be lawful for Her Majesty, whenever She may deem it expedient so to do, to reduce the whole or any Part of such additional Number of Men, and by Royal Proclamation to declare such Reduction accordingly.

When additional Number of Men is raised, Parliament to meet within 14 Days.

XXXI. Whenever Her Majesty shall cause such additional Number of Men to be raised and enrolled, or drawn out and embodied as aforesaid, if Parliament be then separated by such Adjournment or Prorogation as will not expire within Fourteen Days, Her Majesty may and shall issue a Proclamation for the meeting of Parliament within Fourteen Days, and Parliament shall accordingly meet and sit upon such Day as shall be appointed by such Proclamation, and continue to sit and act, in like Manner, to all Intents and Purposes, as if it had stood adjourned or prorogued to the same Day.

The Provisions of 42 G. 3. c. 90. as amended to extend to this Act.

XXXII. All the Provisions of the said first-recited Act, and of any Acts amending the same, not hereby repealed, shall, subject to the Provisions of this Act, and so far as the same are not inconsistent herewith, extend and be applicable to the Militia to be raised under this Act, and to all the Purposes thereof: Provided always, that no Ballot nor any Meeting or other Proceedings for or in relation to a Ballot shall be had under the said first-recited Act, and the Acts amending the same, save when Her Majesty shall order Men to be raised by Ballot as herein-before provided; and the Militia to be raised under this Act shall be in substitution for, and not in addition to, the Militia directed to be raised by the said first-recited Act.

Quakers not to be committed to Gaol if no Distress can be levied.

XXXIII. That so much of the said first-recited Act as empowers the Deputy Lieutenants to commit a Quaker to the Common Gaol if no Goods or Chattels belonging to such Quaker can be found sufficient to levy a Distress to defray the Expense of providing and hiring a Substitute for such Quaker, be and the same is hereby repealed.

Militia may be billeted in the Beer Houses in which Soldiers may be billeted. 11 G. 4. & 1 W. 4. c. 64.

XXXIV. The Provisions of any Act or Acts applicable for or to the quartering and billeting of the Militia shall extend and be applicable for and to the quartering and billeting of the Militia in the Houses and Premises of all Persons licensed to sell Beer or Cider by Retail under the Act of the First Year of King *William* the Fourth, "to permit the general Sale of Beer and Cider by Retail in *England*," and the Acts amending the same, to whom, under such Acts or any of them, the Provisions in respect of billeting Soldiers in Victualling Houses contained in any Act for punishing Mutiny and Desertion, and the better Payment of the Army and their Quarters, are declared or made to extend.

Militia of the Tower Hamlets. 37 G. 3. c. 25.

XXXV. 'And whereas under an Act of the Thirty-seventh Year of King *George* the Third, "for 'the better raising and ordering the Militia of the *Tower Hamlets* in the County of *Middlesex*," Her 'Majesty's Constable of the *Tower* and Lieutenant of the *Tower Hamlets* is empowered and required to 'call together, arm, array, and cause to be trained and exercised, the Militia in and for the Liberty or 'District of the *Tower* Division in the County of *Middlesex* commonly known by the Name of the *Tower* '*Hamlets*; and by the said Act of the Forty-second Year of King *George* the Third the Provisions 'thereof were made applicable to such Militia, so far as the same were not contrary to the Provisions of 'the said Act of the Thirty-seventh Year of King *George* the Third: And whereas the Number of Men 'to be raised for the Militia of the *Tower Hamlets* was in addition to the Number of Men required to be 'raised for the Militia under the said Act of the Forty-second Year of King *George* the Third; and it 'is expedient that the Number of Men to be raised for the Militia of the *Tower Hamlets* should be and

'form

'form Part of the Eighty thousand Men herein-before required to be raised, and of any additional Number 'of Men which, under the Power herein-before contained, may be required to be raised, and that the 'Provisions herein-before contained for the raising of such Men, and otherwise in relation to the Militia, 'should extend to the Militia of the *Tower Hamlets*:'

In apportioning the said Eighty thousand Men, and any such additional Number of Men as aforesaid, among the several Counties, Ridings, and Places, under the Provisions herein-before contained, a Part of such Number and additional Number of Men shall be apportioned to be raised as and for the Militia of the *Tower Hamlets*; and all the Provisions of this Act for the raising and Enrolment of Men by voluntary Enlistment, and for and in relation to the Payments to be made to such Volunteers, and otherwise in relation to the Militia, shall extend and be applicable to and for the raising and Enrolment of Men for the Militia of the *Tower Hamlets* by and under the Authority of the said Constable and Lieutenant and his Deputy Lieutenants, and to such Militia, in like Manner as the same are applicable to and for the raising and Enrolment of the Militia of any County by and under the Authority of the Lieutenant and Deputy Lieutenants of such County, and to the Militia of such County.

Saving of the Militia of the City of London.

XXXVI. Notwithstanding anything herein contained, the Militia of the City of *London* shall continue to be raised and regulated under the Provisions of an Act of the First Year of King *George* the Fourth, "for amending and reducing into One Act of Parliament Two several Acts passed in the "Thirty-sixth and Thirty-ninth Years of the Reign of His late Majesty King *George* the Third, for "the better ordering and further regulating of the Militia of the City of *London*;" and nothing herein contained shall be taken to repeal or alter the Provisions of such Act, but the Number of Militia Men required to be raised thereunder shall be and form Part of the Eighty thousand Men herein-before required to be raised, and the Provisions of the Act for or in relation to the Payment to be made to Volunteers shall extend and be applicable to such Volunteers as shall be raised for the said City of *London*.

As to Yeomanry and Volunteer Corps.

XXXVII. Notwithstanding anything herein contained, the Provisions contained in an Act of the Forty-fourth Year of King *George* the Third, Chapter Fifty-four, intituled *An Act to consolidate and amend the Provisions of several Acts relating to Corps of Yeomanry and Volunteers of* Great Britain, *and to make Regulations relating thereto*, shall continue in force, so far as the same applies to the Enrolment of Corps of Yeomanry and Volunteers, and the Exemptions to which such Corps are entitled by virtue of the last-mentioned Act.

Miners of Cornwall and Devon.

XXXVIII. 'And whereas under the Act of the Forty-second Year of King *George* the Third, Chapter 'Seventy-two, Provision is made for raising a Body of Miners in the Counties of *Cornwall* and *Devon* 'in the Nature of a Militia Force, and such Act was amended by an Act of the Fifty-first Year of King '*George* the Third, Chapter One hundred and fourteen:' 42 G. 3. c. 72. 51 G. 3. c. 114.

In apportioning the said Eighty thousand Men, and any such additional Number of Men as aforesaid, among the several Counties, Ridings, and Places under the Provisions herein-before contained, a Part of such Number and additional Number of Men shall be apportioned to be raised as and for the Regiment of Miners in the Counties of *Cornwall* and *Devon*, and all the Provisions of this Act for the raising and Enrolment of Men by voluntary Enlistment, and for and in relation to the Payments to be made to Volunteers, shall extend and be applicable to and for the raising and Enrolment of Miners in the Counties of *Cornwall* and *Devon* by and under the Authority of the Warden of the Stannaries of the Counties of *Cornwall* and *Devon*, and his Special Deputy Wardens, and to the said Regiment of Miners, in like Manner as the same are applicable to and for the raising and Enrolment of the Militia of any County by and under the Authority of the Lieutenant and Deputy Lieutenants of such County, and to the Militia thereof, but so that in the event of Men being required under the Provisions of this Act to be raised by Ballot for the said Regiment the Provisions of the said Act of the Forty-second Year of King *George* the Third, Chapter Seventy-two, and of any Act amending the same, shall (subject to the Provisions of this Act) be applicable and put in force for the Purpose of raising such Men; and the Oath to be taken by Volunteers raised under this Act for such Regiment of Miners shall be the Oath appointed by the Act of the Fifty-first Year of King *George* the Third, Chapter One hundred and Fourteen, to be taken by Men raised by Ballot for the said Regiment (inserting in such Oath the Name of the Sovereign for the Time being); and no Man shall be liable to be balloted for the said Regiment after Thirty-five Years of Age.

42 G. 3. c. 72.

51 G. 3. c. 114.

CAP. LI.

An Act to extend the Provisions of the Acts for the Commutation of Manorial Rights, and for the gradual Enfranchisement of Lands of Copyhold and Customary Tenure. [30th *June* 1852.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Fourth and Fifth Years 'of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the Commutation of* 'certain Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of 'other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the 'Improvement of such Tenure:* And whereas the said Act was amended and explained by an Act passed 'in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of Her present 'Majesty, and by an Act passed in the Session of Parliament holden in the Seventh and Eighth Years 'of the Reign of Her present Majesty: And whereas it is expedient to extend the Provisions of the said 'Acts in manner herein-after provided:' May it therefore please Your Majesty that it may be enacted; and

4 & 5 Vict. c. 35. 6 & 7 Vict. c. 23. 7 & 8 Vict. c. 55.

and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

For effecting Enfranchisement after next Admittance.

I. At any Time after the next Admittance to any Lands which shall take place on or after the First Day of *July* One thousand eight hundred and fifty-three, in consequence of any Surrender, Bargain and Sale, or Assurance thereof (except upon or under a Mortgage in Cases where the Mortgagee is not in possession,) or in consequence of any Descent, Gift, or Devise, and whether such Surrender, Bargain and Sale, or Assurance shall have been made, passed, or executed, or such Descent shall happen, or such Gift or Devise shall take effect before or after that Day, it shall be lawful for the Tenant so admitted or for the Lord to require and compel Enfranchisement in manner herein-after mentioned of the Lands to which there shall have been such Admittance as aforesaid; provided that no such Tenant shall be entitled to require such Enfranchisement until after Payment or Tender of the Fine or Fines and of the Fees consequent on such Admittance: Provided also, that if from any Cause such Enfranchisement shall not take place until some Event shall have happened which may require a second or any subsequent Admittance, such second or subsequent Admittance shall be made, with all the Rights incident thereto, as if this Act had not passed, and it shall be competent for the Lord or Tenant to require and compel Enfranchisement upon or after such second or subsequent Admittance in the Manner hereby provided for Enfranchisement upon the next Admittance.

Mode of effecting Enfranchisements.

II. In every Case where under the Powers of this Act any Lord or Tenant shall become entitled to require, and shall require the Enfranchisement of any Copyhold Lands, he shall give Notice in Writing, the Lord to the Tenant, or the Tenant to the Lord, as the Case may be, of his Desire that such Lands should be enfranchised, and the Consideration to be paid to the Lord for such Enfranchisement shall, unless the Parties agree about the same, be ascertained under the Direction of the Copyhold Commissioners, upon Application to them in Writing in the Manner following, *viz.* by Two Valuers, One to be appointed by the Lord, and the other by the Tenant; and such Two Valuers before they proceed shall appoint an Umpire to whom any Points in dispute between them shall be referred; and in case the Valuers or Umpire, as the Case may be, shall not make their or his Decision, and deliver the Particulars thereof in Writing to the Lord and Tenant, or the Solicitor or Agent of such Lord and Tenant, within Forty-two Days after the Appointment of such Valuers, or after the Matter shall have been referred to such Umpire, as the Case may be, then the Commissioners shall act as Umpire in fixing the Consideration to be paid or rendered to the Lord; and in any Case where either Party shall neglect or refuse for Twenty-eight Days after being called on so to do to appoint his Valuer, the Commissioners shall appoint a Valuer for him as soon as may be after the Expiration of such Twenty-eight Days; and in any Case where any Valuers appointed under this Act, either originally or in the Place of any other Valuer, shall for the Space of One Week after their Appointment be unable to agree in the Appointment of such Umpire, the Commissioners shall appoint such Umpire; and such Umpire shall give in his Award in manner and within the Time aforesaid, and if he shall neglect or refuse or on any account fail so to do, the Commissioners shall act as such Umpire as aforesaid: Provided always, that it shall be lawful for the Lord and Tenant to appoint One and the same Person as Valuer, and in such Case the Valuations, Acts, and Award of such single Valuer shall have the same Effect as the Valuations, Acts, and Award of the Valuers or Umpire under the Provision herein contained: Provided also, that it shall be lawful for the said Commissioners, on Application to them in Writing by such Lord or Tenant, or such Umpire as aforesaid, if the said Commissioners shall see fit, to extend the Time within which a Valuer may be appointed, or any Decision or Award under this Act may be given.

Revoking Appointment of Valuer; Commissioners may remove for Misconduct, &c.

III. The Appointment of a Valuer by the Lord or by the Tenant shall not be afterwards revoked, except by the mutual Consent of the Lord and Tenant; provided always, that it shall be lawful for the Commissioners at any Time, on Complaint of either Party, to remove any Valuer or Umpire for Misconduct, or for Refusal or Omission to act.

In case of Death, &c. of Valuers, others to be appointed.

IV. Upon the Death, Incapacity, or Refusal to act, or Removal, from Time to Time, of any Valuer, another Valuer shall, by a Time to be fixed for such Purpose by the Commissioners, in the Manner and by the Means aforesaid, be appointed in his Stead; and in case such Death, Incapacity, or Refusal to act, or Removal, shall be of a Valuer who may have been chosen by the Lord and Tenant, then the Lord and the Tenant may in manner herein-before directed or authorized as regards them respectively substitute One other Person as Valuer, or the Lord may nominate One Valuer on his Behalf, and the Tenant another on his Behalf; and in any such Case where either Party shall neglect or refuse for Twenty-eight Days after being called on so to do to appoint his Valuer, the Commissioner shall appoint a Valuer for him as soon as may be after the Expiration of such Twenty-eight Days; and after every or any Substitution the new Valuer or Valuers for the Time being may adopt and act upon any Valuations and other Matters or Proceedings which shall have been completed or agreed upon by the Valuer or Valuers previously acting.

Commissioners, &c. may call for and enforce Production of Books and Documents.

V. The Commissioners, Assistant Commissioners, and Valuers may, by Summons under the Seal of the Commissioners, call for the Production for any of the Purposes of this Act, at such Time and Place as the Commissioners shall appoint, of any Court Rolls or Copies of Court Roll in the Possession or Power of any Lord or Tenant, or of the Steward of any Manor, and may by Summons under such Seal summon and examine any Lord or Tenant, or other Person on Oath, and administer the Oath necessary for that Purpose; and every Person who shall have been summoned, and to whom a reasonable Sum shall have been paid or tendered for his Expenses, and who shall without lawful Excuse neglect or refuse to attend or to produce any such Documents so called for as aforesaid, shall, being convicted thereof before any

Two

Two Justices of the Peace for the County wherein such Proceedings were held, forfeit the Sum of Five Pounds; and any Person who shall wilfully give false Evidence in any Proceeding under this Act shall be guilty of Perjury; provided always, that no Lord or Tenant so summoned shall be bound to answer any Questions as to his Title.

Power of Entry for Purposes of Act.

VI. It shall be lawful for the Commissioners, Assistant Commissioners, and Valuers, and their Agents or Servants respectively, upon giving reasonable Notice to the Occupier, to enter upon any of the Lands and Hereditaments proposed to be dealt with under the Provisions of this Act, and to make all necessary Admeasurements, Plans, and Valuations of the same, without being subject to any Action, Obstruction, or Hindrance, making Compensation for all Injury, if any occasioned thereby.

Valuers how to proceed.

VII. The Valuers shall determine the Value of the Manorial Rights and Incidents of Tenure from which the Lands proposed to be dealt with are to be enfranchised, and shall determine the Compensation to be received by the Lord for such Enfranchisement in manner herein-after mentioned; that is to say, where such Enfranchisement shall have been effected at the Instance of the Tenant, the Compensation shall be a gross Sum of Money to be paid at the Time of the Completion of the Enfranchisement, or in Cases where the Compensation exceeds Twenty Pounds, the same, if the said Commissioners shall so direct, and if all Persons (if any) who shall have any Mortgage, Charge, or Incumbrance affecting the Lands enfranchised, and which shall have been in existence at the Time of the passing of this Act, shall consent thereto, may remain as a First Charge, under the Provisions of this Act, on the Lands enfranchised, until the Expiration of such Time from the Day of such Completion as the said Commissioners shall appoint, but not exceeding in any Case Ten Years; and Interest at the Rate of Four Pounds *per Centum per Annum* shall be payable thereon, or on such Part thereof as shall from Time to Time remain unpaid, from the Time of such Completion as aforesaid half-yearly until full Payment thereof; and where such Enfranchisement shall have been effected at the Instance of the Lord, the Compensation shall be an annual Rentcharge to be issuing out of the Lands enfranchised: Provided always, that the Parties to any Enfranchisement under this Act may in any Case, with the Sanction of the Commissioners, agree that the Compensation shall be either a gross Sum of Money to be paid or charged as aforesaid, or a yearly Rentcharge, or a Conveyance of Land to be settled to the same Uses as the Manor of which the enfranchised Lands are holden is settled, as provided in the said recited Acts with respect to Enfranchisements effected by virtue thereof; and in every Case the Valuers shall frame an Award, showing the Amount, Nature, and Particulars of the Compensation, which shall be in full Satisfaction of all Manorial Rights whatsoever, save as herein-after mentioned.

Questions of Law or Fact may be referred to the Commissioners.

Appeal to be had on Matter of Law on a Case stated. 4 & 5 Vict. c. 35. s. 40.

VIII. In case any Objection shall be made or Question shall arise upon or prior to any Admittance or in the course of such Valuations, in relation to any alleged Custom, or the Evidence thereof, or any Matter of Law or Fact material to such Valuation or arising on any Enfranchisement, the same shall, on the Request in Writing, and at the Option of any One of the Parties on either Side of the Matter in difference, be referred to the Commissioners or Assistant Commissioner, who shall inquire into and ascertain the same; and the Decision of such Commissioners or Assistant Commissioners shall be final: Provided nevertheless, that where any One of the said Party or Parties dissatisfied with any Decision of such Commissioners or Assistant Commissioner on any Matter of Law shall be desirous to appeal, then the like Proceedings may and shall be had for obtaining the Decision of One of the Superior Courts of Law at *Westminster* thereon, and such Decision shall be binding in like Manner as is provided by the said Act of the Session of the Fourth and Fifth Years of Her Majesty, Chapter Thirty-five, where a Person is dissatisfied with a Decision of such Commissioners or an Assistant Commissioner which involves a Point of Law only, and the Parties in difference are agreed upon the Facts relating thereto: Provided always, that no such Proceedings as aforesaid shall be had unless a Request to the Commissioners to direct a Case to be stated as in the said Act mentioned be made within Twenty-eight Days after the Decision in respect of which the Appeal is desired.

Award to be confirmed by the Commissioners.

IX. After all such Objections (if made) shall have been heard and determined, then the Commissioners shall, if they shall see fit, and after such Investigation by themselves or by an Assistant Commissioner as may seem to them necessary, confirm such Award under their Hands and Seal as aforesaid, and such Award so confirmed shall be forthwith registered at the Office of the Commissioners, and a Copy thereof shall be entered on the Court Rolls of the Manor to which the same shall relate, but the same, whether so entered or not, shall, after Registration at the Office of the said Commissioners, be valid.

Charge under Act to be a First Charge.

X. Any Charge under this Act shall be a First Charge on such Lands, and shall have Priority over all Mortgages, Charges, and Incumbrances whatsoever affecting such Lands, (except Tithe Commutation Rentcharges, and any Charges or Rentcharges which may have been or shall be charged upon the same Lands for the Drainage thereof by virtue of any of the Statutes in that Behalf,) notwithstanding the actual Priority in point of Date or anterior Title of such Mortgages, Charges, and Incumbrances: Provided always, that, notwithstanding any such Charge, any Monies already invested or any Monies previously secured or charged thereon may be continued on the Security of the same, notwithstanding the Imposition of the said Charge under this Act: Provided also, that no such Charge shall have Priority over any Mortgage, Charge, or Incumbrance which at the Time of the passing of this Act may affect the Lands enfranchised, without the Consent of the Persons entitled to such Mortgage, Charge, or Incumbrance.

Enfranchisements to be according to Form in Schedule.

XI. Any Enfranchisement of Lands under this Act or the said recited Acts shall be by Deed according to the Form in the First Schedule to this Act annexed, or as near thereto as the Circumstances of the Case will admit, or by Deed in any other Form which the Parties, with the Consent of the Commissioners, may

may think fit, and which Deed the Lord shall be bound to execute within Twenty-eight Days after the same shall be approved by the Commissioners on the same being tendered to him for that Purpose; and all Enfranchisements so made shall take effect from the Time of the Execution of such Deed by the Lord, but not before, and shall be effectual to vest the Land thereby conveyed in the Tenant or other Person to whom the Lands shall be conveyed, free from any Estates, Rights, Titles to Dower and Free Bench, Interests, Incumbrances, Claims, or Demands affecting the Manor of which the same Lands are holden: Provided always, that in the meantime and until such Enfranchisement shall so take effect all the Rights, Remedies, Powers, Privileges, and Conditions of and affecting the Lord and Tenant respectively in regard to such Lands, with all the Incidents of Tenure, shall remain and continue unaffected.

Form of Charge.

XII. Every Charge under this Act shall be made by a Certificate under the Hands and Seal of the Commissioners, to be called a Certificate of Charge; and such Certificate shall specify the whole Amount of Principal Money to be charged on the Lands, enfranchised under the Powers of this Act, subject to which the Land is enfranchised, and may specify any Place, to be agreed upon between the Parties, as the Place of Payment of the Principal Money and Interest charged by such Certificate; and, if the Parties so agree, or the said Commissioners shall so direct as aforesaid, such Certificate may provide that such Principal Money, or any Part or Parts thereof, shall continue upon the Security of such Certificate for any Term or Terms of Years, Period or Periods, in such Certificate mentioned, not exceeding Ten Years, and the Lands charged thereby may be described by Reference to the Enfranchisement thereof under the said Acts, or otherwise, as the Commissioners may think fit; and such Certificate may be in the Form set forth in the Schedule to this Act, or in such other Form as the Parties, with the Consent of the Commissioners, may think proper, and shall be entered on the Court Rolls of the Manor.

Certificates to be transferable by Endorsement.

XIII. Such Certificate, and the Charge thereby made, shall be transferable by Endorsement of such Certificate, and such Endorsement may be in the Form set forth in the Schedule to this Act, or to the like Effect.

Stamp on Certificates.

XIV. Every Certificate of Charge and Transfer thereof issued or made under this Act shall be chargeable with the like Stamp Duties as are chargeable in respect of other Mortgages and Transfers thereof.

Commissioners may correct any Error in Award, &c. after Notice to Parties interested.

XV. It shall be lawful for the said Commissioners to correct and supply any manifest Error of Omission in any Award, or in any Deed of Enfranchisement or Charge under this Act, or any other Instrument authorized by this Act to be made or issued by the said Commissioners, after such Notice to the Parties interested as the said Commissioners shall deem sufficient; provided that no such Error or Omission shall be corrected or supplied more than Five Years after the Execution of any such Award, Deed, or Instrument.

Valuer to take particular Circumstances of the Cases into consideration.

XVI. In making any Valuation under this Act the Valuers shall take into account the Facilities for Improvement, Customs of the Manor, Fines, Heriots, Reliefs, Quit-rents, Chief-rents, Escheats, Forfeitures, and all other Incidents whatever of Copyhold or Customary Tenure, and all other Circumstances affecting or relating to the Land which shall be included in such Enfranchisement, and all Advantages to arise therefrom, and shall make due Allowance for the same.

If Consideration not paid, the Lord may take possession.

XVII. In case such Enfranchisement Consideration, or the Interest thereon, shall not be paid at the Time stipulated or provided for Payment thereof respectively, the Lord or other Person for the Time being entitled to the Benefit thereof shall become entitled to the Rents and Profits of the Land in respect of which the same Enfranchisement Consideration or Interest shall be due; and it shall be lawful for such Lord or other Person to proceed to obtain Possession of the said Land, or the Rents and Profits thereof, in like Manner as if the Land had remained unenfranchised, and been lawfully seised into the Hands of the Lord for some Default of a Tenant; and all the Rights and Remedies by the said recited Acts or any of them given for the Recovery of Rentcharges, Sums of Money, and other Payments, shall be applicable to the Sums of Money, Interest, and Payments payable under this Act, in the same Manner as if such Consideration had been a Consideration for an Enfranchisement under the said Acts.

Land so obtained by Lord may be let for not exceeding Seven Years.

XVIII. Where any Lord or other Person for the Time being entitled to the Benefit of any Enfranchisement Consideration, or the Interest thereon, shall have obtained Possession of the Land under the Powers and Provisions of the said recited Acts or this Act, it shall be lawful for the said Lord or other Person as aforesaid to let such Land, or any Portion thereof, for any Period not exceeding Seven Years, in possession, at such Rent as can be reasonably obtained for the same; and the Restitution of such Land on Payment or Satisfaction of the Money due, and of all Costs and Expenses, shall be subject and without Prejudice to any such Lease.

Steward's Compensation to include Preparation of Deed of Enfranchisement.

XIX. The Steward for the Time being of any Manor of which any Lands enfranchised under this Act shall be Parcel shall, on every such Enfranchisement, be entitled to receive from the Tenant, as a Compensation for the Trouble of such Steward about such Enfranchisement, and for the Extinguishment of his Office with respect to such Lands, such a Sum as the said Commissioners may direct, and, in the Absence of such Direction on this Subject, such a Sum as will amount to One Set of Fees on Surrender and Admittance for each of the Tenements included in such Enfranchisement, such Fees to be calculated according to the reasonable Custom or Usage prevalent in the Manor whereof such Lands shall be Parcel, and in case the Parties shall differ about the same the Amount shall be ascertained by the Commissioners; and the Steward, in consideration of such Compensation, shall prepare and deliver to the Tenant a proper Deed of Enfranchisement, duly executed by the Lord, without making any Charge for the same, or for completing the Enfranchisement, save Stamp Duty and Parchment: Provided always, that if more than

One

One Set of Fees is demanded by the Steward, it shall be lawful for the said Commissioners to moderate and tax the Amount of such Fees to such Sum as shall appear to them just and reasonable.

Inspection, &c. of Court Rolls of the Manor.

XX. At any Time after any Enfranchisement effected under the said recited Acts or this Act, it shall be lawful for any Persons seised of or interested in the Lands which have been so enfranchised to have Access to and to inspect the Court Rolls of the Manor of which the said Lands were holden, and to demand and have Copies thereof, on Payment of a reasonable Sum for the same; and the said Commissioners, if they shall think it necessary or expedient, may fix a Scale of Fees to be payable to the Steward or other Person having Custody of the Court Rolls for such Inspection of the Court Rolls, and for making all necessary Extracts or Copies thereof.

After Enfranchisement, the Court Rolls may be given up. Inspection, &c. thereof.

XXI. When and as soon as all the Lands held of any Manor shall be enfranchised, the Lord or other Person having Custody of the Court Rolls of such Manor may, if he thinks fit, give up and hand over to the said Commissioners all such Court Rolls; and from thenceforth all Persons seised of or interested in such Lands shall have Access to and may inspect such Court Rolls, and obtain Copies thereof, on the Payment of such reasonable Fees as to the said Commissioners may seem fit and proper.

Title of Lord to be made for the Purpose of Enfranchisement.

XXII. Previous to any Enfranchisement under this Act, it shall be lawful for the Lord and Steward if they shall see fit, and if there shall be no Steward then for the Lord alone, to make a solemn Declaration, in such Form as the said Commissioners shall direct, and to be taken and subscribed as solemn Declarations are by an Act made and passed in a Session held in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, Chapter Sixty-two, directed to be taken and subscribed, stating therein the Nature and Extent of the Estate and Interest of the Lord in the Manor of which he is such Lord, and the Date and short Particulars of the Deed, Will, or other Instrument under which he claims or derives Title, and the Name and Style or other Designation or Description of the Person in whose Name the Court of any such Manor was then last holden, and the Date or Time of the Holding of such Court, and the Incumbrances, if any, whether by Mortgage, Judgment, or otherwise, which affect such Manor; and it shall be lawful for the said Commissioners and they are hereby directed to approve of such Title for the Purposes of this Act, which Approval shall be testified under their Hands and Seal, upon such Evidence alone, unless they shall be of opinion that further Information is necessary in the respects aforesaid; but if the said Commissioners shall consider that such Evidence does not fully and truly disclose all such Particulars as are necessary, or if no such Declaration shall be made, or if the Lord shall refuse or decline or fail to give such Information and Evidence as they shall deem proper and necessary to show a satisfactory *primâ facie* Title in the Lord, or in Persons claiming under or in trust for him, and if the said Commissioners shall consider either that the Title of the Lord is not satisfactory, or that the Incumbrancers should be protected, then, if they think the Justice of the Case requires it, they may direct that the Enfranchisement Consideration shall be invested as herein-after directed in case of Lords under Disability.

After an Application for Enfranchisement, Commissioners may inquire into Lord's Title.

XXIII. In all Cases in which the Lord shall apply to the Commissioners to effect an Enfranchisement as aforesaid, it shall be lawful for the Tenant of the Lands so proposed to be enfranchised to require that the said Commissioners shall satisfy themselves, in such Way and by such Evidence as they shall see fit, of the Title of such Lord to the Manor of which the Lands are held.

Identity of Lands.

XXIV. In Cases where the Identity of any Lands described as to Quantity in the Court Books or Rolls of any Manor cannot be ascertained to the Satisfaction of the Valuers, such Lands shall be taken at the Quantities mentioned in the Court Books or Rolls of the Manor, and as to any Lands the Quantities of which are not specified in the Court Books or Rolls of any Manor, the same shall be taken at such Quantities as such Valuers may determine; and it shall be lawful for the Lord of any Manor, or for any Tenant of any Manor, at any Time hereafter, in case of any Doubt or Difference of Opinion as to the Identity of any Lands, to apply to the Commissioners to define the Boundaries thereof for the Purpose of any Enfranchisement under this Act or the said recited Acts; and the Expenses of Identification shall be borne by the Party making such Application, unless the Commissioners shall otherwise direct; and the Commissioners shall proceed, in such Manner as they shall see fit, to ascertain, identify, and define such Boundaries; and such Identification and Definition of Boundaries to be made by the Commissioners shall be final and conclusive on all Parties for the Purposes of any such Enfranchisement.

As to Purchase by the Lord in certain Cases.

XXV. With respect to any Land proposed by any Tenant to be enfranchised under this Act, in case the Lord shall show to the Satisfaction of the Commissioners that any Change in the Condition of such Land, which but for this Act would or might have been prevented by the Incidents or Conditions of the Tenure thereof, will prejudicially affect in Enjoyment or Value the Mansion House, Park, Gardens, or Pleasure Grounds of such Lord, and in case such Lord shall by Writing under his Hand offer to purchase the Tenant's Interest in such Land so proposed to be enfranchised, and shall give Notice to the Tenant of such Offer, then, unless the Tenant shall accept such Offer within Twenty-eight Days after receiving Notice thereof, such Land shall remain unenfranchised, unless the Commissioners shall think fit to impose such Terms and Conditions, in case of Enfranchisement, as shall in their Judgment be sufficient to protect the Interests of the Lord; and in case the Tenant shall within Twenty-eight Days as aforesaid signify in Writing to the Commissioners his Acceptance of the said Offer, such Offer by the Lord and Acceptance by the Tenant shall be binding both upon Lord and Tenant; and in Case the Lord and Tenant shall not within such Time as the Commissioners shall limit agree on the Value of the Rights and Interest of the Tenant, it shall be lawful for the Commissioners to appoint a Valuer for the Purpose of ascertaining such Value, or to refer the same to the Valuers, if any, then acting in the Enfranchisement; and all the Costs, Charges, and Expenses of such Valuation and attending such

Purchase shall be borne by the Lord; and when such Value shall have been agreed upon or ascertained as aforesaid the Commissioners shall issue a Certificate under their Hands and Seal, which shall state the Land which shall have been sold to the Lord, and the Consideration Money for the same, and shall declare that upon Payment of the Consideration Money therein mentioned within a Time to be therein limited such Land shall at the Time of such Payment be surrendered or released by the Tenant (at the Expense of the Lord) to the Lord, and thereupon such Land shall vest in such Lord accordingly: Provided always, that in case such Consideration Money shall not be paid within the Time limited by the Commissioners, or within such further Time as the Commissioners may have granted in that Behalf, and it shall appear to the Commissioners that the same shall have remained unpaid by the Default of the Lord, it shall be lawful for the Commissioners to cancel such Certificate, and such Enfranchisement may be proceeded with as if such Offer and Acceptance as aforesaid had not been made, and all Costs which the Commissioners shall certify to have been incurred by the Tenant in consequence of such Offer, Acceptance, and Default shall be paid by the Lord to the Tenant.

Power to Lord having a limited Interest to charge Purchase Money on Manor, &c.

XXVI. Provided also, That where the Lord of a Manor by whom any Purchase is hereby authorized to be made shall not be seised in Fee Simple or Fee Tail of and in or otherwise entitled to an absolute Power of Disposition over the Manor, it shall be lawful for such Lord, with the Consent of the Commissioners, to raise the Consideration for such Purchase, and the Expenses of the same, by a Charge of or upon the same Manor, or any Lands settled therewith to the same Uses, such Charge to be made in such Form, and upon such Terms, and at such Rate of Interest, as the Commissioners shall direct from Time to Time.

After 1st July 1853, when a Heriot shall be due and payable, the Lord or Tenant may require or compel Enfranchisement.

XXVII. 'And whereas in many Manors Heriots are by Custom due and payable to the Lord by 'Tenants of Freehold or Customary Freehold Lands holden of such Manors:' Be it therefore enacted, That at any Time after any such Heriot shall be due or payable with respect to any such Freehold Lands on or after the First Day of *July* One thousand eight hundred and fifty-three, it shall be lawful for the Lord or the Tenant to require and compel the Extinguishment of all such Claim to Heriots, and the Enfranchisement of the Lands subject thereto, in the same Way as if such Lands were Copyhold, and the same Proceedings shall thereupon be had as are herein mentioned with reference to the Enfranchisement of Copyhold Lands, or as near thereto as the Nature of the Case will admit.

Declaration to be taken by Valuers.

XXVIII. Before any Valuer shall enter upon the Valuation under this Act he shall in the Presence of a Justice of the Peace make and subscribe the following Declaration; (that is to say,)

'I *A.B.* do declare, That I will faithfully, to the best of my Ability, value, hear, and determine the 'Matters referred to me under the Copyhold Acts. *A.B.*

'Made and subscribed in the Presence of .'

And such Declaration shall be annexed to the Schedule of Valuation, when made; and if any Valuer, having made such Declaration, shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

As to Recovery of Interest in Enfranchisement Considerations.

XXIX. In case the Interest payable in respect of any gross Sum of Money, pursuant to any Award under this Act, or any Part of the same, shall be in arrear for Thirty Days after the same shall become due, it shall be lawful for the Person for the Time being entitled to receive such Interest to levy the same by the same Means and Remedies and in the same Manner in all respects as if the same had been Rent in arrear upon a Lease for Years.

As to Expense of Proceedings under this Act.

XXX. The Expenses of the Proceedings for effecting any Enfranchisement under this Act, and all Expenses which in the Judgment of the said Commissioners may be incidental thereto, whether for the Proof of Title, the Production of Documents, Expenses of Witnesses, or otherwise, shall be borne by the Party, whether Lord or Tenant, who shall have required the Enfranchisement, but no Costs or Expenses shall be due or recoverable from any Person until the same shall have been certified, under the Hands and Seal of the said Commissioners, or of an Assistant Commissioner, to have been reasonably and properly incurred; and in case any Dispute or Difference shall arise as to the Amount of such Expenses, the Certificate of the Commissioners or Assistant Commissioner shall be final, and any Person to whom such Certificate shall be granted shall have the same Means and Remedies for the Recovery of the Sum mentioned therein as are provided by the said recited Acts or by this Act for the Recovery of the Consideration for an Enfranchisement under this Act.

How Expenses of Enfranchisement to be borne where the Lord has but a limited Interest in a Manor, or is Trustee thereof.

XXXI. In every Case in which the Lord shall require and compel an Enfranchisement under this Act, where such Lord shall be an Ecclesiastical Corporation or a Corporation sole not having an absolute Power of Sale, or shall have only a limited Interest in the Manor or be a Trustee thereof, the Expenses of the Proceedings for effecting such Enfranchisement, and all Expenses which in the Judgment of the said Commissioners may be incidental thereto, whether for the Proof of Title, the Production of Documents, Expenses of Witnesses, or otherwise, (the Amount of such Expenses being subject to the Approval and Certificate of the said Commissioners as herein-before is mentioned,) shall be paid out of the First Monies to be received for any Enfranchisement to be effected under this Act, when the Consideration for such Enfranchisement shall be a gross Sum of Money; and in Cases where such Consideration shall not be a gross Sum of Money, then the said Expenses shall be charged, together with Interest for the same, at the Rate of not exceeding Four Pounds *per Centum per Annum*, on the said Manor or other Lands settled or held therewith, in such Manner as to the said Commissioners may seem fit and proper.

How Tenants Expenses of Enfranchisement are to be borne.

XXXII. In every Case in which the Tenant shall require and compel an Enfranchisement under this Act, where such Tenant shall have only a limited Interest in the Lands enfranchised, or be a Trustee thereof, he shall be entitled to charge the Expenses of the Proceedings for effecting such Enfranchisement,

ment, and all Expenses which in the Judgment of the said Commissioners may be incidental thereto, whether for the Proof of Title, the Production of Documents, Expenses of Witnesses, or otherwise, (the Amount of such Expenses being subject to the Approval of the said Commissioners as herein-before is mentioned,) on the Lands enfranchised, and such Expenses, and also the Consideration Money for such Enfranchisement, whenever such Consideration shall be a gross Sum of Money, may, by a simple Entry on the Court Rolls of the Manor, and for which Entry the Steward shall only charge such a Sum as the said Commissioners shall direct, be charged, together with Interest for the same at the Rate of not exceeding Four Pounds *per Centum per Annum*, on the Lands enfranchised, in such Manner as to the said Commissioners shall seem fit and proper: Provided always, that any gross Sum or Rentcharge constituting the Consideration for any such Enfranchisement shall have Priority over any Sum so charged for Expenses.

Confirmation of Award by Commissioners to be Proof of prior Proceedings being regular.

XXXIII. The Confirmation under the Hands and Seal of the Commissioners of any Award, or the Execution by the Commissioners of any Deed or Instrument whereby any Enfranchisement shall be effected under the said Acts or this Act, shall be conclusive Evidence that all the Directions in relation to the Enfranchisement intended to be effected by means of such Award, Deed, or Instrument, which ought respectively to have been obeyed or performed previously to such Confirmation or Execution respectively, have been obeyed and performed; and no such Award, Deed, or Instrument shall be impeached by reason of any Omission, Mistake, or Informality therein, or in any Proceeding relating thereunto, or on account of any Want of any Notices or Consents required by the said Acts or this Act, or on account of any Defects or Omissions in any previous Proceedings whatever in the Matter of such Enfranchisement.

After Confirmation of Apportionment, &c. in Cases of Enfranchisement, the customary Modes of Descent to cease, and the Lands to descend, &c. as Freehold Lands. Proviso. Proviso as to Gavelkind.

XXXIV. From and after the final Confirmation of any Schedule of Apportionment under the said recited Acts and from and after the final Enfranchisement of any Lands under this Act or the said recited Acts, the several Lands included in any such Enfranchisement shall thenceforth cease to be subject to the Customs of Borough *English* or Gavelkind, or to any other Customary Mode of Descent, or to any Custom relating to Dower or Freebench or Tenancy by the Curtesy of *England*, or to any other Custom whatever; and all the Laws relating to Descents or to Estates of Dower or Estates by the Curtesy of *England* which shall for the Time being affect and be applicable to Lands held in Free and Common Soccage shall thenceforth affect and be applicable to the Lands included in every such Enfranchisement: Provided always, that nothing herein contained as to Curtesy or Dower or Freebench shall extend or be applicable to the Case of any Person who shall have been married before such Enfranchisement shall have been completed: Provided always, that nothing in this Act shall affect the Custom of Gavelkind as the same now exists and prevails in the County of *Kent*.

Commissioners to have Power to suspend Proceedings.

XXXV. Notwithstanding anything herein contained, it shall be lawful for the Commissioners from Time to Time to suspend any Proceedings under this Act for the Enfranchisement of any Land where any peculiar Circumstances render it impossible, in the Opinion of the said Commissioners, to decide on the prospective Value of the Lands to be affected by such proposed Enfranchisement, or where any especial Hardship or Injustice would unavoidably result from any compulsory Proceeding: Provided always, that when the said Commissioners shall so suspend any proposed Enfranchisement they shall state the Reasons of such Suspension in their General Report, which shall be laid before Parliament as directed by the first-recited Act.

Power to Lord to sell Rentcharge.

XXXVI. In all Cases in which the Person for the Time being entitled to the Receipt of any Rentcharge under the said recited Acts or this Act shall be entitled thereto for a limited Estate or Interest only, or shall be a Corporation not authorized to make an absolute Sale of such Rentcharge otherwise than under the Provisions of this Act, it shall be lawful for such Person, with the Consent of the said Commissioners, testified under their Hands and Seal, or, in the Case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Consent of the Husband, Guardian, Committee, or Trustee of such Person so under Disability, to sell and transfer such Rentcharge, the Payment for which shall be made in manner herein-after mentioned.

Commissioners to certify the Amount of Consideration Money for Redemption.

XXXVII. In every Case in which a Rentcharge is payable under the Provisions of the recited Acts or this Act the Commissioners shall, upon the Request of the Owners of Land chargeable with such Rentcharge, or any of them, certify under the Hands and Seal of the Commissioners the Sum of Money in consideration of which such Rentcharge may be redeemed; and when it shall appear to the Commissioners that Payment or Tender of such Consideration Money has been duly made, it shall be lawful for the Commissioners to certify that such Rentcharge has been redeemed under the Provisions of this Act, and such Certificate shall be final and conclusive: Provided always, that no such Redemption shall be effected in the Case of Rentcharges created before the passing of this Act, under the Provisions of the said recited Acts, except with the Consent in Writing of the Person or Persons entitled to the Receipt of such Rentcharge.

Consideration Money for Redemption of Sale, how payable.

XXXVIII. Where the Person entitled to a Rentcharge redeemable under the Provisions of this Act shall be absolutely entitled thereto in Fee Simple in possession, or shall be enabled to dispose of the Fee Simple in possession independently of the Provisions of this Act, and shall not be a Spiritual Person entitled in respect of his Benefice or Cure, or a Corporation prevented from aliening such Rentcharge otherwise than under the Provisions of this Act, a Payment or Tender to the Person so entitled of the Sum of Money certified by the Commissioners as aforesaid after Six Months Notice to the Person entitled to such Rentcharge shall be deemed a due Payment of the Consideration Money, and in every other Case the Payment of the Sum of Money so certified according to the Provisions herein-after contained shall be deemed a due Payment of the Consideration Money.

XXXIX. In

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Consideration Money in Cases of Owners under Disability, how payable.

XXXIX. In all Cases in which the Person for the Time being entitled to any Rentcharge subject to be redeemed or sold under the Provisions of this Act, or entitled to any gross Sum payable by way of Compensation for Enfranchisement, shall be only entitled thereto for a limited Estate or Interest therein, or as Trustee for Sale or otherwise, without Power to give an effectual Discharge for the same, or shall be under any Disability, or shall be a Corporation not authorized to make an absolute Sale of such Rentcharge otherwise than under the Provisions of this Act, the Consideration Money to be paid for the Redemption or Sale of such Rentcharge, or as Compensation for such Enfranchisement, shall be applied in manner hereafter provided, (that is to say,) shall, at the Option of the Person for the Time being entitled as aforesaid, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Copyhold Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Monies paid into the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes, (that is to say,) in the Purchase or Redemption of the Land Tax, or the Discharge of any Rent or Incumbrance affecting the Rentcharge in respect of which such Money shall have been paid, or the Manorial Incidents for which the same shall have been substituted, or affecting other Hereditaments settled therewith to the same or the like Uses, Trusts, or Purposes, or in the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, Purposes, and in the same Manner, as the Rentcharge for the Redemption of which such Money shall have been paid stood settled, or in Payment to any Party becoming absolutely entitled to such Money; and such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Receipt of the Rentcharge in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities, and the Dividends, Interest, or annual Income thereof paid to the Party who would for the Time being have been entitled to the Rentcharge in case the same had not been redeemed; or otherwise such Consideration Money may be paid, at the like Option of the Person for the Time being so entitled, to Trustees acting under the Will, Conveyance, or Settlement under which such Person having such limited Interest shall be entitled to or interested in such Rentcharge, or to such One or more of such Trustees as the said Commissioners may approve of and direct, or if there are no such Trustees, then into the Hands of Trustees to be nominated under the Hands and Seal of the said Commissioners; and the Money, when so paid to such Trustees, shall be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner hereinbefore directed concerning any Money to be paid for Redemption or Sale into the Bank of *England* in the Name and with the Privity of the said Accountant General; and upon every Vacancy in the Office of any Trustee appointed by the said Commissioners some other fit Person shall be appointed by them in like Manner.

As to Consideration Money under 20*l*.

XL. When any Consideration Money so to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds for the Redemption or Sale of all the Rentcharge which shall be redeemable under this Act in any One Manor, the same shall be paid, if the said Commissioners shall so direct, to the Person for the Time being entitled to the Rentcharge, for his own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of the Person for the Time being entitled, then such Money shall be paid, for the Use of the Person so entitled, to the Husband, Guardian, Committee, or Trustee of such Person.

Power to commute or enfranchise at fixed Fines or Rentcharges.

XLI. In any Commutation or Enfranchisement to be hereafter effected under or by virtue of the said recited Acts it shall not be imperative to make the Commutation Fines or Rentcharge, or Enfranchisement Rentcharge, variable with the Prices of Grain, but the same or any of them may, at the Option of the Parties effecting such Commutation or Enfranchisement, or at the Discretion of the Commissioners, as the Case may require, be fixed in Money or be made so variable as aforesaid.

Tenants may deduct Rentcharges, &c. payable to Landlord.

XLII. Any occupying Tenant of any Lands to be enfranchised under this Act who shall pay any Rentcharge or Interest which may become payable under this Act shall be entitled to deduct the Amount thereof from the Rent payable by him to his Landlord, and shall be allowed the same in account with the said Landlord.

Surrenderee by way of Mortgage, &c. to be deemed a Tenant for certain Purposes.

XLIII. A Surrenderee by way of Mortgage under a Surrender entered on the Court Rolls in possession, or in the Receipt of the Rents and Profits of Land, shall be deemed a Tenant within the Meaning of this Act, entitled to obtain or join in obtaining and effecting Enfranchisement, and redeeming a Rentcharge, under this and the said recited Acts, by and with the Approbation of the said Commissioners; and any Money paid by any Mortgagee for or in respect of the Consideration or Costs of Enfranchisement or Redemption of Rentcharge under this and the said recited Acts shall be added to the Amount due to him as Mortgagee, and the Land shall not be redeemable without Payment of such Money, with Interest thereon.

Enfranchisement not to affect previous Leases or Demises;

XLIV. Where Land enfranchised under this or the said recited Acts was immediately before such Enfranchisement subject to any subsisting Lease or Demise at Will or for any greater Interest, the Freehold into which such Estate is so converted shall be the Reversion immediately expectant upon such Lease or Demise at Will, and the Rents and Services reserved and made payable upon such Lease or Demise shall be incident and annexed to such Reversion; and the Covenants or Agreements, whether expressed or implied, on the Part of both the Lessor and Lessee, shall run with the Land and with the Reversion respectively; and such Enfranchisement shall not prejudice or affect any Right of Distress, Entry, or Action accruing in respect of such Lease or Demise.

XLV. Nothing

XLV. Nothing herein contained shall operate to deprive any Tenant of any Commonable Right to which he may be entitled in respect of such Lands, but such Right shall continue attached thereto, notwithstanding the same shall have become Freehold. or Commonable Rights of such Lands.

XLVI. No Enfranchisement under this Act shall, except as herein is mentioned, affect the Rights or Interests of any Person in, to, or out of the Lands enfranchised under any Will, Settlement, Mortgage, or otherwise, but the Right of every such Person shall continue to attach upon the Lands enfranchised, in the same way, as nearly as may be, as if the Freehold had been comprised in and had been devised, conveyed, charged, or otherwise disposed of by the Will, Settlement, Mortgage, or other Instrument or Disposition under which any such Person shall claim. Enfranchisement not to affect Rights under any Will, Settlement, &c.

XLVII. Provided always, That if any Enfranchisement Consideration Money shall be paid to any Lord whose Title shall thereafter prove to be bad or insufficient, the rightful Owner of the Manor or his Representatives shall be entitled to recover against such Lord or his Representatives the Amount or Value of such Consideration Money as Money had and received to the Use of such rightful Owner, and Interest thereon at the Rate of Five Pounds *per Centum per Annum* from the Time of such Title so proving to be bad or insufficient; and that if any Tenant or Person claiming to be Tenant shall, after Payment by him of any Enfranchisement Consideration Money, be evicted from the Lands enfranchised, by an adverse Claimant, such Tenant or Person shall be entitled to claim the Repayment of such Consideration Money against the Lands enfranchised, and the Amount thereof shall be a Charge upon the Lands enfranchised, and shall carry Interest at the Rate of Four Pounds *per Centum per Annum* from the Time of such Eviction. Defective Titles of Lords and Tenants.

XLVIII. No Enfranchisement under this Act shall extend to or affect the Estate or Rights of any Lord or Tenant in or to any Mines, Minerals, Limestone, Lime, Clay, Stone, Gravel, Pits, or Quarries within or under the Lands enfranchised, or within or under any other Lands, or any Rights of Entry, Rights of Way and Search, or other Easements of any Lord or Tenant in, upon, through, over, or under any Lands, or any Powers which in respect of Property in the Soil might but for such Enfranchisement have been exercised, for the Purpose of enabling the said Lord or Tenant, their or his Agents, Workmen, or Assigns, more effectually to search for, win, and work any Mines, Minerals, Pits, or Quarries, or to remove and carry away any Minerals, Limestone, Lime, Stones, Clay, Gravel, or other Substances had or gotten therefrom, or the Rights, Franchises, Royalties, or Privileges of any Lord in respect of any Fairs, Markets, Rights of Chase or Warren, Piscaries, or other Rights of Hunting, Shooting, Fishing, Fowling, or otherwise taking Game, Fish, or Fowl, unless with the express Consent in Writing of such Lord or Tenant; and nothing in this Act shall be held or construed to extend to any Copyhold Lands held for a Life or Lives or for Years, where the Tenant thereof hath not a Right of Renewal. Act not to extend to Mines or Minerals, &c., nor to Copyholds for Lives where Tenants have not a Right of Renewal.

XLIX. Copies of and Extracts from every Award under this Act which shall be registered under this Act at the Office of the Commissioners, purporting to be sealed or stamped with the Seal of the Commissioners, shall respectively be received in Evidence without any further Proof thereof; and a Copy entered under this Act on the Court Rolls of every such Award shall be as available for the Purposes of Evidence as any Entry on the Court Rolls, and a Copy of or Extract from any such enrolled Copy shall be as available for the Purposes of Evidence as a Copy of an Entry on the Court Rolls. Copies registered at the Office of Commissioners to be Evidence.

L. No Agreement, Valuation, Schedule, Award, or Power of Attorney under this Act shall be chargeable with Stamp Duty. *Agreements, &c. exempt from Stamp Duty.*

LI. Any Person obstructing or hindering any Commissioner, Assistant Commissioner, Valuer, or Umpire acting under the Powers granted by the said recited Acts or by this Act, being convicted thereof before Two Justices of the Peace, shall forfeit the Sum of Five Pounds. *Penalty on Persons obstructing Commissioner, Valuer, &c.*

LII. In this Act, unless where the Context shows that the Words herein-after mentioned are used in a different or more restricted Sense, they shall be understood in manner herein-after mentioned; that is to say, the Word "Lands" shall extend to and include Messuages, Tenements, and corporeal or incorporeal Hereditaments, subject to any Manorial Rights, or any undivided Part or Share therein; the Word "Valuers" shall apply to and include a single Valuer, where authorized to act alone, or any Umpire to be appointed as herein mentioned, and also the Commissioners or the Commissioner or Assistant Commissioner proceeding upon or with any Valuation under this Act in Cases where such single Valuer, Umpire, Commissioner, or Assistant Commissioner respectively shall act in any such Valuation; the Word "Manor" shall extend to such Portion or Portions of a Manor as the said Commissioners shall by any Order in Writing under their Hands and Seal direct to be considered as a Manor for the Purpose of effecting any Enfranchisement under this Act; the Word "Lord" shall extend to and include the Lord or Lords of any Manor, whether seised for Life or in Tail or in Fee Simple, and all Ecclesiastical Lords seised in right of the Church or otherwise, and Lords Farmers holding under them, and any Body Politic, Corporate, or Collegiate, and all Lords seised of any Manor, whether they have or have not an absolute Power of selling or disposing of the same; and the Word "Steward" shall extend to and include a Deputy Steward or Clerk acting as such for the Time being. Construction of Words.

LIII. This Act shall be taken and construed as Part of the first-recited Act, and the Acts amending and explaining the same; and all the Enactments therein contained as to Enfranchisements effected under the Provisions thereof shall be deemed and taken to apply to Enfranchisements under this Act, and to the Rights of all Parties thereto, as if such Enactments were here again repeated, except so far as is herein-before otherwise provided for; and all Enfranchisements which may have taken place under such Acts or any of them, and all Matters and Things incident thereto, shall be of the same Force, Validity, and Effect as if the Provisions of this Act had been contained in the said first-recited Act. This Act to be deemed Part of first-recited Act.

LIV. In

Titles of Acts.

LIV. In citing or referring to the said recited Acts and this Act, or any of them, in other Acts or legal Instruments, it shall be sufficient to use the Expression "The Copyhold Acts," or "The Copyhold Act, 1841," "The Copyhold Act, 1843," "The Copyhold Act, 1844," or "The Copyhold Act, 1852," as the Case may be.

Not to impede Enfranchisement irrespective of this Act, or Powers in other Acts of Parliament.

LV. Provided always, That nothing herein contained shall interfere with or prevent or impede the Enfranchisement of any Lands whatsoever which may be enfranchised irrespective of this Act, where Parties competent to do so shall agree on such Enfranchisement, or the Exercise of any Powers contained in any other Acts of Parliament.

SCHEDULE.

No. 1.

FORM of DEED of ENFRANCHISEMENT.

This Indenture, made the Day of in the Year between *A.B.*, Lord of the Manor of of the One Part, and *C.D.* of in the County of a Tenant of the said Manor, of the other Part: Whereas on or about the Day of the said [*Tenant*] was admitted Tenant to the Lands Parcel of the said Manor described in the Schedule hereto, upon an absolute Surrender passed to his Use by [*or* by virtue of a Bargain and Sale from *or* by virtue of the Will of *or* as Customary Heir of *as the Case may be*]: Now this Indenture witnesseth, That in consideration of the Sum of Pounds Sterling by the said [*Tenant*] to the said [*Lord*] now paid, the Receipt of which the said [*Lord*] hereby acknowledges [*or* in consideration of the Rentcharge to be reserved, *as the Case may be,*] he the said [*Lord*], in exercise of any Power given him by the said Copyhold Acts, or any other Power whatsoever, and with the Consent of the Copyhold Commissioners, hereby enfranchises and releases unto the said [*Tenant*], his Heirs and Assigns, all the Lands to which the said [*Tenant*] was so admitted Tenant as herein-before recited, and which are described in the Schedule hereto, together with their Appurtenances, To hold the said Lands (subject to the [*here state the gross Sum of Money or Rentcharge*] secured to the said by the Certificate of the Copyhold Commissioners, *as the Case may require,*) unto the said [*Tenant*], his Heirs and Assigns [*here state any Uses which may be required,*] as Freehold, henceforth and for ever, discharged by these Presents from all Fines, Heriots, Reliefs, Quitrents, and all other Incidents whatsoever of Copyhold or Customary Tenure: Provided always, that nothing in this Deed contained shall prejudice or affect the Rights or Remedies of the said [*Lord*] in respect of any Lands held of the said Manor, other than those comprised in the Schedule hereto, nor any of the Rights reserved by the Copyhold Act, 1852, Section Forty-eight. In witness, *&c.*

THE SCHEDULE.

No. 2.

CERTIFICATE of CHARGE affecting LANDS comprised in an Enfranchisement in the Manor of 's Enfranchisement.

We, the Copyhold Commissioners, do hereby certify, That the [*here state the gross Sum of Money, or the annual Rentcharge, which is the Consideration for the Enfranchisement, as the Case may be*] has been awarded on account of the Enfranchisement of the Lands described in the Schedule hereto, and we hereby charge the same Lands with the Payment of the [*here state the gross Sum of Money, or annual Rentcharge, as the Case may be; and, if a gross Sum of Money, add,* with Interest thereon at the Rate of Pounds per Centum per Annum] [*here insert the Terms of Payment of the Principal and Interest (if any), and the Place (if any) agreed on for Payment thereof*]; and we certify, that the whole Principal Money charged on the said Lands under Certificates of Charge amounts to the Sum of Pounds, and that the said Lands were enfranchised subject to [*mention any gross Sums or annual Rentcharges (other than Tithe Rentcharges) subject to which the Lands were enfranchised*]. In witness whereof we the said and have hereunto set our Hands and the Seal of the said Commissioners, this Day of in the Year of our Lord 185 .

THE SCHEDULE.

E. F.
G. H.
[*Seal of the said Commissioners.*]

[*Here may follow Receipts for Principal and Interest respectively.*]

No. 3.

FORM of ENDORSEMENT of TRANSFER of CERTIFICATE.

I *A. B.* of hereby transfer the within-written Certificate to *C. D.* of . Dated this Day of 18 .

A. B.

CAP. LII.

An Act to enable Colonial and other Bishops to perform certain Episcopal Functions, under Commission from Bishops of *England* and *Ireland*. [30th *June* 1852.]

'WHEREAS by an Act passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act for continuing in the* East India *Company for a further Term the Possession of the* British *Territories in* India, *with certain exclusive Privileges, for establishing further Regulations for the Government of the said Territories and the better Administration of Justice within the same, and for regulating the Trade to and from the Places within the Limits of the said Company's Charter*, it was provided and enacted, that in case it shall please His Majesty, by His Royal Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to found and constitute One Bishoprick for the whole of the said *British* Territories in the *East Indies* and other Parts within the Limits of the said Company's Charter, and from Time to Time to nominate and appoint a Bishop to such Bishoprick, that such Bishop shall not have or use any Jurisdiction or exercise any Episcopal Functions whatsoever, either in the *East Indies* or elsewhere, but only such Jurisdiction and Functions as shall or may from Time to Time be limited to him by His Majesty, by Letters Patent under the Great Seal of the said United Kingdom: And whereas by an Act passed in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act for effecting an Arrangement with the* East India *Company, and for the better Government of His Majesty's* Indian *Territories, till the Thirtieth Day of* April *One thousand eight hundred and fifty-four*, it was provided and enacted, that in case it shall please His Majesty to erect, found, and constitute Two Bishopricks, One to be styled the Bishoprick of *Madras*, and the other the Bishoprick of *Bombay*, and from Time to Time to nominate and appoint Bishops to such Bishopricks, under the Style and Title of Bishop of *Madras* and *Bombay* respectively, that such Bishops shall not have or use any Jurisdiction or exercise any Episcopal Functions whatsoever, either in the said Territories or elsewhere, but only such Jurisdiction and Functions as shall and may from Time to Time be limited to them respectively by His Majesty by His Royal Letters Patent under the Great Seal of the said United Kingdom:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

53 G. 3. c. 155.

3 & 4 W. 4. c. 85.

East Indian Bishops, under Commission from Bishops in England and Ireland, to perform all Episcopal Functions.

I. Notwithstanding anything in the said Acts or in any Letters Patent as aforesaid contained, it shall be lawful for any Bishop who by virtue of such Royal Letters Patent under the Great Seal of the said United Kingdom shall exercise or have exercised in the *British* Territories aforesaid the Office of Bishop of *Calcutta*, or *Madras*, or *Bombay* respectively, upon the Request and by the Commission in Writing under the Hand and Seal of the Bishop of any Diocese in *England* or *Ireland*, and with the Consent and Licence in Writing of the Archbishop of the Province within which such Diocese shall be situated, to ordain any Persons, provided such Persons shall be presented to him under the Direction and Authority of the Bishop of such Diocese, and to perform all other Functions peculiar and appropriate to the Order of Bishops within the Limits of such Diocese.

Repeal of certain Provisions in 59 G. 3. c. 60. and 3 & 4 Vict. c. 33., so far as they relate to Persons admitted into Holy Orders specially for the Colonies, or ordained by Colonial Bishops.

II. 'And whereas by an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to permit the Archbishops of* Canterbury *and* York *and the Bishop of* London *for the Time being to admit Persons into Holy Orders specially for the Colonies*, it was enacted, "that from "and after the passing of this Act no Person who shall have been admitted into Holy Orders by the "Bishops of *Quebec*, *Nova Scotia*, or *Calcutta*, or by any other Bishop or Archbishop than those of "*England* and *Ireland*, shall be capable of officiating in any Church or Chapel of *England* or *Ireland*, "without special Permission from the Archbishop of the Province in which he proposes to officiate, or "of having, holding, or enjoying or of being admitted to any Parsonage or other Ecclesiastical Preferment in *England* or *Ireland*, or of acting as Curate therein, without the Consent and Approbation of "the Archbishop of the Province and also of the Bishop of the Diocese in which any such Parsonage "or Ecclesiastical Preferment or Curacy may be situated," and it was provided, "that no Person "who after the passing of this Act shall have been ordained a Deacon or Priest by a Colonial Bishop, "who at the Time of such Ordination did not actually possess an Episcopal Jurisdiction over some "Diocese, District, or Place, or was not actually residing within such Diocese, District, or Place, shall "be capable in any way or on any Pretence whatever, of at any Time holding any Parsonage or other "Ecclesiastical Preferment within His Majesty's Dominions, or of being a stipendiary Curate or Chaplain, or of officiating at any Place or in any Manner as a Minister of the Established Church of "*England* and *Ireland*:" And whereas by an Act passed in the Third and Fourth Years of the Reign of the Queen's most Excellent Majesty, intituled *An Act to make certain Provisions and Regulations in respect to the Exercise, within* England *and* Ireland, *by the Bishops and Clergy of the Protestant Episcopal Church in* Scotland, *and also to extend such Provisions and Regulations to the Bishops and Clergy of the Protestant Episcopal Church in the United States of* America, *and also to make further Regulations in respect to Bishops and Clergy other than those of the United Church of* England *and Ireland*, it was enacted, "that no Person who has been or shall be ordained a Deacon by any "Protestant Bishop, other than an Archbishop or Bishop of the United Church of *England* and "*Ireland*, and who shall after the passing of this Act be ordained a Priest by any Archbishop or "Bishop of the United Church of *England* and *Ireland*, shall be thereby enabled, save as in this Act "is

'"is provided, to exercise his Office within *England* or *Ireland*:"' Be it enacted, and it is hereby enacted, That nothing in the said recited Acts contained shall extend or be held to extend to any Person who, in pursuance of such Request and Commission as aforesaid from the Bishop of any Diocese in *England* or *Ireland*, shall have been or may hereafter be ordained a Deacon or Priest within the Limits of such Diocese by any Bishop who by virtue of Her Majesty's Royal Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, shall exercise or have exercised the Office of Bishop within the *British* Territories in *India*, or in any of Her Majesty's Colonies or Foreign Possessions, and that all Admissions, Institutions, and Inductions to Benefices in the United Church of *England* and *Ireland*, and all Appointments to act as Curates and Chaplains therein, of Persons so admitted into Holy Orders by any such Bishop, shall, notwithstanding anything in the said recited Acts contained, be to all Intents and Purposes good and valid in Law.

Colonial Bishops subject to Laws of the Realm, &c. as to Titles, &c. of Persons ordained.

III. Provided always, That all and every of such Bishops, who, in accordance with the Provisions of this Act, shall officiate in behalf of the Bishop of any Diocese in *England* or *Ireland*, in conferring Holy Orders, shall be subject to the several Provisions and Limitations established by the Laws of this Realm, or Canons Ecclesiastical, as to the Titles of the Persons to be ordained, and as to the Oaths and Subscriptions to be by such Persons taken and made.

Letters of Orders to be signed by Colonial Bishop as Commissary of Bishop for whom he officiates.

IV. Provided also, That all Letters of Orders of Persons ordained by any such Bishop, in accordance with the Provisions of this Act, shall be issued in the Name and be subscribed with the Signature of such Bishop, as Commissary of the Bishop of the Diocese at whose Request and by whose Commission he shall officiate in conferring such Orders, and shall be sealed with the Seal of the Bishop of such Diocese; and all such Acts of Ordination by any such Bishop shall be recorded and registered in like Manner as if they had been performed by the Bishop of such Diocese.

Colonial Bishop not to have Jurisdiction in U. K.

V. Provided always, That nothing in this Act contained shall be construed to authorize any such Bishop to use or exercise any Jurisdiction whatsoever within the United Kingdom of *Great Britain* and *Ireland*.

CAP. LIII.

An Act to provide for the Exercise of certain Powers vested in the Bishop of *Quebec* in respect of Districts severed from his Diocese. [30th *June* 1852.]

6 G. 4. c. 59.

'WHEREAS by an Act passed in the Sixth Year of King *George* the Fourth, intituled *An Act to provide for the Extinction of Feudal and Seignioral Rights and Burthens on Lands held* à Titre de Fief *and* à Titre de Cens *in the Province of* Lower Canada, *and for the gradual Conversion of those Tenures into the Tenure of Free and Common Soccage, and for other Purposes relating to the said Province*, it was amongst other things enacted, that whenever and so often as it should appear to the Governor, Lieutenant Governor, or other Person administering the Government of the said Province, that the Surrender and Cession of any Part of the Lands so appropriated as therein mentioned for the Benefit of a Protestant Clergy in the said Province was necessary for quieting the Titles of any of His Majesty's Subjects to Land held or claimed by them, by Occupancy, lawful Prescription, Transfer, or by doubtful Titles, as therein mentioned, or was necessary or would be convenient for the carrying on of any public Buildings or Works, or for the more effectual Settlement of any District or Tract of Land within the said Province or otherwise for His Majesty's Service, or for the Benefit of the said Province, or of His Majesty's Subjects therein resident, then and in any or either of the Cases aforesaid it should and might be lawful for the Bishop of *Quebec* for the Time being, on behalf of the said Protestant Clergy, in compliance with any Requisition in Writing to him for that Purpose made by such Governor, Lieutenant Governor, or other Person administering the Government of the said Province, and he was thereby required, by a Deed under his Hand and Seal, duly attested by Two or more credible Witnesses, to surrender, yield up, and convey to His Majesty, His Heirs and Successors, the Lands comprised and described in any such Requisition as aforesaid, in exchange for other Lands situate in the said Province of equal Extent and Value, to be by His Majesty appropriated and set apart for the Support and Maintenance of Protestant Clergy therein, and which Deed so executed by the said Bishop of *Quebec* for the Time being should be valid and effectual in Law to vest in His Majesty, His Heirs and Successors, all the Lands therein included and comprised, and such Lands should and might, by His Majesty, His Heirs and Successors, be re-granted and re-conveyed to any other Person or Persons, for quieting their Possession and Titles, or otherwise as might from Time to Time be expedient or necessary, without any further Appropriation of Land being thereupon made for the Benefit of a Protestant Clergy: And whereas Her Majesty did, by Letters Patent of the Eighteenth Day of *July* One thousand eight hundred and fifty, erect certain Portions of the ancient Diocese of *Quebec* therein described to be a Bishop's See or Diocese, and did declare and ordain that the same should be styled the Bishopric of *Montreal*: And whereas it is expedient to provide for the Exercise of the said Powers so vested in the Bishop of *Quebec*, so far as the same may affect the Bishopric of *Montreal*, or any Districts which may be severed from the said Bishopric of *Quebec*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of Bishop of Quebec in respect of the District comprised in the

I. All Duties, Powers, and Authority conferred upon the Bishop of *Quebec* for the Time being by the said recited Act, so far as the same have reference to Lands situated within the Bishopric of *Montreal*, and all Duties, Powers, and Authority relating to Matters within the said Bishopric of *Montreal* conferred upon

upon the Bishop of *Quebec* by any other Act or Acts of Parliament, shall devolve upon and be exercised by the Bishop of *Montreal* for the Time being, and any Act heretofore done by the Bishop of *Montreal* within his Bishopric in Execution or assumed Execution of any of the Duties, Powers, and Authorities aforesaid shall be of equal Force and Validity as if the same had been done by the Bishop of *Quebec*.

Diocese of Montreal to be exercised by the Bishop of Montreal.

II. If Her Majesty at any Time hereafter, in pursuance of the Authority to Her appertaining in this Behalf, shall annex to the Diocese of *Montreal* any further Portion of the Districts comprised within the said Diocese of *Quebec*, or shall otherwise alter the Limits of the said respective Dioceses, or shall erect any new Diocese out of the Districts now comprised in the Dioceses of *Quebec* and *Montreal* or in either of them, or shall annex to any other existing Diocese, or to any new Diocese to be by Her Majesty erected, any Portion of the said Districts, all the Duties, Powers, and Authorities aforesaid shall in every such Case, in respect of each Portion of the said Districts affected thereby, devolve upon and be exercised by the Bishop of the Diocese within which, after such Alteration of Limits, or such Erection of a new Diocese, or such Annexation as aforesaid, such respective Portion of the said Districts shall for the Time being be comprised.

Provision for future Changes in Limits of Dioceses.

CAP. LIV.

An Act further to facilitate and arrange Proceedings in the County Courts. [30th *June* 1852.]

'WHEREAS it is expedient further to facilitate and arrange Proceedings in the County Courts:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That it shall be lawful for the Lord Chancellor from Time to Time to appoint Five of the Judges of the Courts holden under an Act of the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, from Time to Time to frame a Scale of Costs and Charges to be paid to Attornies in the County Courts, to be allowed as between Attorney and Client and as between Party and Party; and such Scale of Costs and Charges as shall be certified to the Lord Chancellor under the Hands of the Judges so appointed or authorized, or any Three of them, shall be submitted by the Lord Chancellor to Three or more of the Judges of the Superior Courts of Common Law at *Westminster*, of whom the Chief Justice of the Court of Queen's Bench or Common Pleas, or the Chief Baron of the Court of Exchequer, shall be One, and such Judges of the Superior Courts may approve or disallow or alter or amend such Scale of Costs and Charges, and the Scale of Costs and Charges so approved, altered, or amended shall, from and after a Day to be named by such last-mentioned Judges, be in force in every County Court; and all Costs between Party and Party and Attorney and Client shall be taxed by the Clerk of the Court; but his Taxation may be reviewed by the Judge upon the Application of either Party; and in no Case, upon the Taxation of the Costs between Attorney and Client, shall any Charges be allowed, not sanctioned by the aforesaid Scale, unless the Clerk is satisfied by Writing under the Hand of the Client that he has agreed to pay such further Charges, and no Attorney shall have a Right to recover at Law from his Client any Costs or Charges not so allowed on Taxation; and the Judges of the County Courts so appointed shall possess the same Powers of making Rules for regulating the Practice of the Courts, and of settling Doubts on the Construction of any Acts relating to County Courts, as were conferred on the Judges to be appointed by the Lord Chancellor for that Purpose by the Twelfth Section of the Twelfth and Thirteenth *Victoria*, Chapter One hundred and one, unless otherwise specially provided.

Lord Chancellor to appoint Five Judges of Courts held under 9 & 10 Vict. c. 95. to frame a Scale of Fees, to be submitted to Judges of Superior Courts for Approval.

Costs to be taxed by Clerk of Court, subject to Review.

II. So much of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, Section Fourteen, as limits the Court of Appeal to the Puisne Judges of the Superior Courts of Common Law at *Westminster*, and the Sitting of the said Court of Appeal to a Time out of Term, is hereby repealed; and all Appeals now depending or hereafter to be brought before the said Superior Courts shall be heard and determined in Term by the Judges thereof, as Part of the ordinary Business of such Courts, or out of Term by any Two or more of the Judges of the said Superior Courts sitting as a Court of Appeal for that Purpose.

So much of 13 & 14 Vict. c. 61. s. 14. as limits the Sitting of Court of Appeal, &c. repealed.

Appeals to be heard in Term as well as out.

III. The Judges of the said Superior Courts, or any Five of them, of whom a Chief of One of the said Superior Courts shall be One, may from Time to Time make General Orders for regulating the Proceedings on Appeals, which Orders shall be as valid as if included in this Act, but shall not be in force until the End of the Session of Parliament next after the Promulgation thereof.

Power to Judges of Superior Courts to make Orders regulating Appeals.

IV. The Thirteenth Section of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, is hereby repealed; and in any Action in which the Plaintiff shall not be entitled to recover his Costs by reason of the Provisions of the Eleventh Section of such Act, whether there be a Verdict in such Action or not, if the Plaintiff shall make it appear to the Satisfaction of the Court in which such Action was brought, or to the Satisfaction of a Judge at Chambers, upon Summons, that such Action was brought for a Cause in which concurrent Jurisdiction is given to the Superior Courts by the One hundred and twenty-eighth Section of the Ninth and Tenth *Victoria*, Chapter Ninety-five, or for which no Plaint could have been entered in any such County Courts, or that such Action was removed from a County Court by Certiorari, or that there was sufficient Reason for bringing such Action in the Court in which such Action was brought, then and in any of such Cases the Court in which such Action is brought, or the said Judge at Chambers, shall thereupon, by Rule or Order, direct that the Plaintiff shall recover his Costs, and thereupon the Plaintiff shall have the same Judgment to recover his Costs that he would have had if the

Power to the Court or a Judge at Chambers to make an Order entitling the Plaintiff to recover his Costs.

before-mentioned Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, had not been passed.

Re-issuing Warrants of Distraint.

V. That in all Cases where a Warrant of Execution shall have been issued against the Goods and Chattels of any Person, or an Order for his Commitment been made, and such Person or his Goods and Chattels shall be out of the Jurisdiction of the Court, and such Warrant or Order shall have been sealed and stamped by the Clerk of another County Court, pursuant to the One hundred and fourth Section of the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, it shall be lawful for the said Clerk of such other Court to re-issue the said Warrant or Order to the High Bailiff of such other Court, and thereupon such High Bailiff shall be authorized and required to act in all respects in the Execution of the said Warrant or Order within the Jurisdiction of the Court to which the same shall have been so sent in the same Manner, with the same Powers, and subject to the same Rules as if the District to which the Warrant or Order shall have been sent were within the Limits of the Court which originally issued the Warrant or Order.

Protection to Officers.

VI. If any Action or Suit shall be brought against any Person for anything done in pursuance of this Act, or of any other Act relating to County Courts, such Person may plead the General Issue, and give the special Matter in Evidence; and the Warrant under the Seal of the County Court, being produced in any such Action or Suit, shall be deemed sufficient Proof of the Authority of the said County Court previous to the issuing of such Warrant; and in case the Plaintiff in such Action shall have a Verdict pass against him, be nonsuit, or discontinue the Action or Suit, the Defendant shall in any of the said Cases be allowed full Costs as between Attorney and Client.

On Petition to Her Majesty, the Jurisdiction of Court of local Jurisdiction may be excluded from that of the County Court in concurrent Causes.

VII. If the Council of any City or Borough, or a Majority of the Ratepayers of any Parish, within the Limits of which a Court of local Jurisdiction other than a County Court is established, under the said Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, or into the Limits of which the Jurisdiction of such Court of local Jurisdiction shall extend, shall petition the Queen in Council that the Jurisdiction of such Court of local Jurisdiction may be excluded in any Causes whereof the County Court hath Cognizance, and if Notice of such Petition shall be given Two Months before it is presented, by public Advertisement in such City, Borough, or Parish, and in some Newspaper therein circulated, Her Majesty, by Order in Council, may declare such Exclusion of the Jurisdiction of such Court of local Jurisdiction throughout the whole or any Part of the District assigned or which may hereafter be assigned to such County Court, if no Petition against declaring such Exclusion be presented, and no Caveat be entered at the Council Office; and if any counter Petition be presented, or any Caveat be entered, then Her Majesty may refer such Petition and counter Petition to the Judicial Committee of the Privy Council, upon whose Report Her Majesty may make such Order in Council as She shall be advised touching the Matter of the said Petitions, in respect of excluding the Jurisdiction of such Court of local Jurisdiction, and may award Compensation to any Person or Persons entitled to the Franchise of appointing Officers of such Court, or to any Officers thereof appointed before the passing of this Act, to be given by the Commissioners of Her Majesty's Treasury, who are hereby empowered to pay the same.

As to Audit of Clerk's Account.

VIII. The Treasurer of the County Court in which any Insolvent's Estate shall be administered, at the Audits of the Account of the Clerk of such Court, shall also audit and examine the Books and Accounts of the Clerk in all Matters relating to such Estate, and shall make a Report to the Judge of the Court, stating whether a Dividend should be made, and the general Result of such Audit; and the Judge shall examine the said Clerk on Oath as to the Correctness of such Accounts, and may make such Order as he may deem requisite respecting a Dividend or other Matter relating to such Estate and Accounts; and the Treasurer shall thereafter at his future Audit require and examine the Receipts of the several Creditors for any Dividend; and the Commissioners of Her Majesty's Treasury shall have Power to make Rules to be observed by the Treasurers of County Courts respecting the Audit of the Clerk's Accounts of Insolvent Estates, and shall have the same Power of making Rules for securing the Balances and other Sums of Money in the Hands of any Officer of the County Courts under the last-mentioned Act, and for the due accounting and Application of such Balances and other Sums, that they have with respect to Balances and other Sums in the same Hands under the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five.

Account of Fees to be delivered.

IX. The Clerk and the High Bailiff of every County Court shall deliver quarterly to the Treasurer, in such Form as the Treasurer, by Direction of the said Commissioners, shall require, a full Account in Writing of the Fees from Time to Time received by them respectively under the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five.

Provision of 9 & 10 Vict. c. 95. as to Persons qualified to practise before County Courts not to extend to this Act.

X. ' And whereas by the said Act passed in the Ninth and Tenth Years of Her present Majesty it ' was enacted, that no Person should be entitled to appear for any other Party to any Proceeding in any ' of the said Courts " unless he be an Attorney of One Her Majesty's Superior Courts of Record, or a ' " Barrister-at-Law, instructed by such Attorney on behalf of the Party, or, by Leave of the Judge, ' " any other Person allowed by the Judge to appear instead of such Party, but that no Barrister, ' " Attorney, or other Person, except by Leave of the Judge, should be entitled to be heard to argue ' " any Question as Counsel for any other Person in any Proceeding in any Court holden under that ' " Act: " ' Be it enacted, That the said last-recited Enactment be repealed; and that it shall be lawful for the Party to the Suit or other Proceeding, or for an Attorney of One of Her Majesty's Superior Courts of Record, being an Attorney acting generally in the Action for such Party, but not an Attorney retained as an Advocate by such first-mentioned Attorney, or for a Barrister retained by or on behalf of the Party, on either Side, but without any Right of exclusive or pre-Audience, or by Leave of the Judge,

Judge, for any other Person allowed by the Judge to appear instead of the Party, to address the Court, but subject to such Regulations as the Judge may from Time to Time prescribe for the orderly Transaction of the Business of the Court.

Hundred Courts of Offlow and Hemlingford abolished.

XI. From and after the passing of this Act no Action or Suit shall be commenced in the Hundred Court of *Offlow* in the County of *Stafford*, or in the Hundred Court of *Hemlingford* in the County of *Warwick*, and the Authority and Jurisdiction of the said Courts shall cease, and all Actions or Suits depending in the said Courts shall be transferred, with all the Proceedings thereon, to the County Court for the District in which the respective Defendants shall then reside; and such Actions and Suits shall be dealt with and decided, as to the Costs of the same, as well as in other respects, according to the Practice of the County Court or of the said Hundred Courts, according to the Discretion of the Judge of the County Court, which Court shall for the Purposes of such Actions or Suits be deemed to have all the Power and Jurisdiction possessed by the said Hundred Courts before the passing of this Act.

Compensation to Officers of Hundred Courts.

XII. Every Person who is legally entitled to any Franchise or Office in or in respect of the said Hundred Courts shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Months after the passing of this Act, and the said Commissioners in such Manner as they shall think fit, may inquire what was the Nature of the Franchise or Office, and what was the Tenure thereof, and what were the lawful Fees and Emoluments in respect of which such Compensation should be allowed; and the said Commissioners in each Case shall award such gross or yearly Sum, and for such Time, as they shall think just to be awarded, upon Consideration of the Special Circumstances of each Case: Provided always, that if any Person holding any Office in the said Hundred Courts shall be appointed to any public Office or Employment, the Payment of the Compensation awarded to him under this Act, so long as he shall continue to receive the Salary or Emoluments of such Office or Employment, shall be suspended, if the Amount of such Salary or Emoluments be greater than the Amount of the Compensation, or, if not, shall be diminished by the Amount of such Salary or Emoluments.

Compensations to be paid out of Consolidated Fund.

XIII. The several Compensations herein-before granted shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of Her Majesty's Treasury of the said United Kingdom are hereby empowered to pay the same accordingly.

Limiting Salaries of Judges and Clerks.

XIV. After the passing of this Act the greatest Salaries to be received in any Case by the Judges and Clerks of the County Courts respectively shall be One thousand five hundred Pounds by a Judge, and Seven hundred Pounds by a Clerk, but in no Case shall any Judge be paid a less Salary than Twelve hundred Pounds: Provided always, that the Salary of any Judge or Clerk acting in the same Capacity before the passing of the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, in any Court mentioned in Schedule (A.) to that Act, shall not be limited to any Sum less than the average Amount of the Fees and Emoluments of his Office during the Seven Years next before the passing of the said last-mentioned Act.

Lord Chancellor may order *Retiring Pension to be paid* to County Court Judges.

XV. That it shall be lawful for the Lord Chancellor, from Time to Time, on a Petition presented to him for that Purpose, to recommend to the Commissioners of Her Majesty's Treasury that there shall be paid quarterly out of the said Consolidated Fund to such of the Judges of the County Courts as shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and who shall be desirous of resigning the same, an Annuity or clear yearly Sum of Money for the Term of his Life, not exceeding Two Thirds of the yearly Salary which such Judge shall be entitled to as a Judge of County Court at the Time of presenting his Petition; and such Annuity or Sum shall be paid out of the said Consolidated Fund quarterly or otherwise, as the said Commissioners may direct.

Judges of County Courts not to practise at the Bar, &c.

XVI. After Three Months from the passing of this Act no Judge of the said County Courts shall practise at the Bar, or as a Special Pleader or Equity Draftsman, or be directly or indirectly concerned as a Conveyancer, Notary Public, Solicitor, Attorney, or Proctor.

No Clerk to be appointed for more than One District, except in certain Cases.

XVII. No Clerk of a County Court shall henceforth be appointed for more than One District in which a Court is holden, unless from there being no Attorney resident within the District of the Court in which the Office of Clerk is vacant, or from any other Reason, the Lord Chancellor, or, where the whole of the District is within the Duchy of *Lancaster*, the Chancellor of the Duchy, shall deem it expedient to order otherwise.

A Registry of County Courts Judgments to be established.

XVIII. That a Registry of every Judgment entered in the County Courts for the Sum of Ten Pounds and upwards shall be formed in such Manner, in such Place, and under such Regulations as the Commissioners of Her Majesty's Treasury shall appoint, and that for the Inspection of the said Register when formed such Fees shall be charged to Persons desirous of inspecting the same as shall be appointed by the said Commissioners, and the Proceeds of such Fees shall be applied in such Manner as the said Commissioners shall appoint, in paying the Expenses incurred in establishing and maintaining the said Register, and the Surplus of such Fees, after providing for the Payment of such Expenses, shall be paid over to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

No other Persons to be appointed Clerks of the Bristol Court until all the present Clerks shall die, resign, or be removed.

XIX. Upon the Death, Removal, or Resignation of any of the Persons now in possession of the Office of Clerk of the County Court of *Gloucestershire* holden at *Bristol*, the remaining Person or Persons holding such Office at the Time of such Death, Removal, or Resignation shall be the sole Clerk or Clerks of such Court, and no other Person shall be appointed to such Office of Clerk jointly or otherwise until all the Persons holding such Office at the Time of the passing of this Act shall have died, resigned, or been removed.

CAP. LV.

An Act to extend the Provisions of "The Trustee Act, 1850." [30th *June* 1852.]

'WHEREAS it is expedient to extend the Provisions of the Trustee Act, 1850:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Court of Chancery may make an Order for vesting the Estate, in lieu of Conveyance by a Party to the Suit after a Decree or Order for Sale.

I. That when any Decree or Order shall have been made by any Court of Equity directing the Sale of any Lands for any Purpose whatever, every Person seised or possessed of such Land, or entitled to a contingent Right therein, being a Party to the Suit or Proceeding in which such Decree or Order shall have been made, and bound thereby, or being otherwise bound by such Decree or Order, shall be deemed to be so seised or possessed or entitled (as the Case may be) upon a Trust within the Meaning of the Trustee Act, 1850; and in every such Case it shall be lawful for the Court of Chancery, if the said Court shall think it expedient for the Purpose of carrying such Sale into effect, to make an Order vesting such Lands or any Part thereof, for such Estate as the Court shall think fit, either in any Purchaser or in such other Person as the Court shall direct; and every such Order shall have the same Effect as if such Person so seised or possessed or entitled had been free from all Disability, and had duly executed all proper Conveyances and Assignments of such Lands for such Estate.

Power to make an Order for vesting the Estate, on Refusal or Neglect of a Trustee to convey or release.

II. That Sections numbered Seventeen and Eighteen in the Queen's Printer's Copy of the Trustee Act, 1850, be repealed; and in every Case where any Person is or shall be jointly or solely seised or possessed of any Lands or entitled to a contingent Right therein upon any Trust, and a Demand shall have been made upon such Trustee by a Person entitled to require a Conveyance or Assignment of such Lands, or a duly authorized Agent of such last-mentioned Person, requiring such Trustee to convey or assign the same, or to release such contingent Right, it shall be lawful for the Court of Chancery, if the said Court shall be satisfied that such Trustee has wilfully refused or neglected to convey or assign the said Lands for the Space of Twenty-eight Days after such Demand, to make an Order vesting such Lands in such Person, in such Manner and for such Estate as the Court shall direct, or releasing such contingent Right in such Manner as the Court shall direct; and the said Order shall have the same Effect as if the Trustee had duly executed a Conveyance or Assignment of the Lands, or a Release of such Right, in the same Manner and for the same Estate.

Power to make an Order for the Transfer or Receipt of Dividends of Stock in Name of an infant Trustee.

III. That when any Infant shall be solely entitled to any Stock upon any Trust, it shall be lawful for the Court of Chancery to make an Order vesting in any Person or Persons the Right to transfer such Stock, or to receive the Dividends or Income thereof; and when any Infant shall be entitled jointly with any other Person or Persons to any Stock upon any Trust, it shall be lawful for the said Court to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, either in the Person or Persons jointly entitled with the Infant, or in him or them together with any other Person or Persons the said Court may appoint.

On Neglect to transfer Stock for 28 Days, Order may be made vesting Right to transfer in such Person as the Court shall appoint.

IV. That where any Person shall neglect or refuse to transfer any Stock, or to receive the Dividends or Income thereof, or to sue for or recover any Chose in Action, or any Interest in respect thereof, for the Space of Twenty-eight Days next after an Order of the Court of Chancery for that Purpose shall have been served upon him, it shall be lawful for the Court of Chancery to make an Order vesting all the Right of such Person to transfer such Stock, or to receive the Dividends or Income thereof, or to sue for and recover such Chose in Action, or any Interest in respect thereof, in such Person or Persons as the said Court may appoint.

On like Neglect by Executor, similar Order may be made.

V. When any Stock shall be standing in the sole Name of a deceased Person, and his personal Representative shall refuse or neglect to transfer such Stock or receive the Dividends or Income thereof for the Space of Twenty-eight Days next after an Order of the Court of Chancery for that Purpose shall have been served upon him, it shall be lawful for the Court of Chancery to make an Order vesting the Right to transfer such Stock, or to receive the Dividends or Income thereof, in any Person or Persons whom the said Court may appoint.

Bank of England and Companies to comply with such Orders.

VI. When any Order being or purporting to be under this Act, or under the Trustee Act, 1850, shall be made by the Lord Chancellor intrusted as aforesaid, or by the Court of Chancery, vesting the Right to any Stock, or vesting the Right to transfer any Stock, or vesting the Right to call for the Transfer of any Stock, in any Person or Persons, in every such Case the legal Right to transfer such Stock shall vest accordingly; and the Person or Persons so appointed shall be authorized and empowered to execute all Deeds and Powers of Attorney, and to perform all Acts relating to the Transfer of such Stock into his or their own Name or Names, or otherwise, to the Extent and in conformity with the Terms of the Order; and the Bank of *England*, and all Companies and Associations whatever, and all Persons, shall be equally bound and compellable to comply with the Requisitions of such Person or Persons so appointed as aforesaid, to the Extent and in conformity with the Terms of such Order, as the said Bank of *England*, or such Companies, Associations, or Persons would have been bound and compellable to comply with the Requisitions of the Person in whose Place such Appointment shall have been made.

Indemnity to Bank and Companies so obeying.

VII. That every Order made or to be made, being or purporting to be made under this or the Trustee Act, 1850, by the Lord Chancellor intrusted as aforesaid, or by the Court of Chancery, and duly passed and entered, shall be a complete Indemnity to the Bank of *England*, and all Companies and Associations whatsoever, and all Persons, for any Act done pursuant thereto; and it shall not be necessary for the

Bank

Bank of *England*, or such Company or Association, or Person, to inquire concerning the Propriety of such Order, or whether the Lord Chancellor intrusted as aforesaid, or the Court of Chancery, had Jurisdiction to make the same.

Power to appoint new Trustees in lieu of Persons convictedof Felony.

VIII. That when any Person is or shall be jointly or solely seised or possessed of any Lands or entitled to any Stock upon any Trust, and such Person has been or shall be convicted of Felony, it shall be lawful for the Court of Chancery, upon Proof of such Conviction, to appoint any Person to be a Trustee in the Place of such Convict, and to make an Order for vesting such Lands, or the Right to transfer such Stock, and to receive the Dividends or Income thereof, in such Person to be so appointed Trustee; and such Order shall have the same Effect as to Lands as if the Convict Trustee had been free from any Disability, and had duly executed a Conveyance or Assignment of his Estate and Interest in the same.

Power to Court to appoint new Trustees where none existing.

IX. That in all Cases where it shall be expedient to appoint a new Trustee, and it shall be found inexpedient, difficult, or impracticable so to do without the Assistance of the Court of Chancery, it shall be lawful for the said Court to make an Order appointing a new Trustee or new Trustees, whether there be any existing Trustee or not at the Time of making such Order.

Chancellor may make Orders for Appointment of Trustees without it being in Chancery, &c.

X. In every Case in which the Lord Chancellor intrusted as aforesaid has Jurisdiction under this Act, or the Trustee Act, 1850, to order a Conveyance or Transfer of Land or Stock, or to make a Vesting Order, it shall be lawful for him also to make an Order appointing a new Trustee or new Trustees, in like Manner as the Court of Chancery may do in like Cases, without its being necessary that the Order should be made in Chancery as well as in Lunacy, or be passed and entered by the Registrar of the Court of Chancery.

Persons intrusted with the Care of Lunatics.

XI. That all the Jurisdiction conferred by this Act on the Lord Chancellor, intrusted by virtue of the Queen's Sign Manual with the Care of the Persons and Estates of Lunatics, shall and may be had, exercised, and performed by the Person or Persons for the Time being intrusted as aforesaid.

Act to be construed as Part of Trustee Act, 1850.

XII. That this Act shall be read and construed according to the Definitions and Interpretations contained in the Second Section of the Trustee Act, 1850, and the Provisions of the said last-mentioned Act (except so far as the same are altered by or inconsistent with this Act) shall extend and apply to the Cases provided for by this Act, in the same Way as if this Act had been incorporated with and had formed Part of the said Trustee Act, 1850.

All Orders made under Trustee Act, 1850, or this Act to be chargeable with the same Stamp Duty as Deeds of Conveyance.

XIII. That every Order to be made under the Trustee Act, 1850, or this Act, which shall have the Effect of a Conveyance or Assignment of any Lands, or a Transfer of any such Stock as can only be transferred by stamped Deed, shall be chargeable with the like Amount of Stamp Duty as it would have been chargeable with if it had been a Deed executed by the Person or Persons seised or possessed of such Lands, or entitled to such Stock; and every such Order shall be duly stamped for denoting the Payment of the said Duty.

CAP. LVI.

An Act for regulating the Qualifications of Pharmaceutical Chemists. [30th *June* 1852.]

'WHEREAS it is expedient for the Safety of the Public that Persons exercising the Business or Calling of Pharmaceutical Chemists in *Great Britain* should possess a competent practical Knowledge of Pharmaceutical and General Chemistry and other Branches of useful Knowledge: And whereas certain Persons desirous of advancing Chemistry and Pharmacy, and of promoting an uniform System of educating those who should practise the same, formed themselves into a Society, called "The Pharmaceutical Society of *Great Britain*," which said Society was on the Eighteenth Day of *February* One thousand eight hundred and forty-three incorporated by Royal Charter, whereby it was provided that the said Society should consist of Members who should be Chemists and Druggists who were or had been established on their own Account at the Date of the said Charter, or who should have been examined in such Manner as the Council of the said Society should deem proper, or who should have been certified to be duly qualified for Admission, or who should be Persons elected as Superintendents by the Council of the said Society: And whereas it is expedient to prevent ignorant and incompetent Persons from assuming the Title of or pretending to be Pharmaceutical Chemists or Pharmaceutists in *Great Britain*, or Members of the said Pharmaceutical Society, and to that end it is desirable that all Persons before assuming such Title should be duly examined as to their Skill and Knowledge by competent Persons, and that a Register should be kept by some legally authorized Officer of all such Persons: And whereas for the Purposes aforesaid, and for extending the Benefits which have already resulted from the said Charter of Incorporation, it is desirable that additional Powers should be granted for regulating the Qualifications of Persons who may carry on the Business of Pharmaceutical Chemists:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Charter, dated 18th Feb. 1843, confirmed, save as altered.

I. That the said Charter of Incorporation granted to the said Society on the Eighteenth Day of *February* One thousand eight hundred and forty-three, save and except such Part or Parts thereof as are hereby altered, varied, or repealed, shall be and the same is hereby confirmed and declared to be in full force and virtue, and shall be as good and effectual to all Intents and Purposes as if this Act had not been passed.

II. The

Power to Council to alter Byelaws, provided they are approved by a General Meeting of Society and the Secretary of State.

II. The Council of the said Pharmaceutical Society shall be and the same are hereby authorized and empowered to alter and amend the Byelaws of the said Society made and established under or in pursuance of the said Charter of Incorporation, and to make and establish such new or additional Byelaws as they shall deem proper and necessary for the Purposes contemplated by the said Charter or by this Act: Provided always, that all such original Byelaws, and all altered, amended, or additional Byelaws, shall be confirmed and approved by a Special General Meeting of the Members of the said Pharmaceutical Society, and by One of Her Majesty's Principal Secretaries of State: Provided also, that the existing Byelaws of the said Society shall continue in force until the next Annual Meeting of the said Society to be held in the Month of *May* One thousand eight hundred and fifty-three.

Manner of voting.

III. At all Meetings of the said Society at which Votes shall be given for the Election of Officers, all Members entitled to vote may give their Votes either personally, or, in Cases of Residence exceeding Five Miles from the General Post Office, *Saint Martin's le Grand, London*, by Voting Papers authorized by Writing, in a Form to be defined in the Byelaws of the said Society, or in a Form to the like Effect, such Voting Papers being transmitted under Cover to the Secretary not less than Five clear Days prior to the Day on which the Election is to take place.

Council to appoint Registrar, &c.

IV. The Council of the said Pharmaceutical Society shall, within Three Calendar Months after the passing of this Act, appoint a fit and proper Person as a Registrar under this Act, and the Council of the said Society shall have the Power to remove the said Registrar, or any future Registrar to be appointed under this Act, from the said Office, and from Time to Time to appoint a new Registrar in the Room of any Registrar who may die, or retire, or be removed from Office as aforesaid, and also to appoint and remove from Time to Time a Deputy Registrar, and such Clerks and other subordinate Officers as may be requisite for carrying out the Purposes of this Act, and also to pay suitable Salaries to the said Registrar, Deputy Registrar, Clerks, and Officers.

Registrar to make Registers of Members of Society, &c., and to keep an Index, &c.

V. The Registrar to be appointed under or by virtue of this Act shall from Time to Time make out and maintain a complete Register of all Persons being Members of the said Society, and also of all Persons being Associates and Apprentices or Students respectively, according to the Terms of the Charter of Incorporation, and shall keep a proper Index of the Register, and all such other Registers and Books as may be required by the Council of the said Society, and may be necessary for giving Effect to the Byelaws of the said Society and to the Provisions of this Act.

All Members, &c. of the Society at passing of Act entitled to be registered.

VI. All such Persons as shall at the Time of the passing of this Act be Members, Associates, Apprentices, or Students of the said Pharmaceutical Society of *Great Britain*, according to the Terms of the said Charter of Incorporation, shall be registered as Pharmaceutical Chemists, Assistants, and Apprentices or Students respectively.

Registrar bound to certify, &c., and his Certificate good Evidence in absence of the contrary.

VII. The Registrar to be appointed under or by virtue of this Act shall be bound, on the Application of any Person paying One Shilling, to certify under his Hand whether or no any Person whose Name and Address shall be furnished to him appears in the said Register or is a Member of the Pharmaceutical Society of *Great Britain* or not; and the Certificate of such Registrar, signed by the said Registrar, and countersigned by the President or Two Members of the Council of the said Society, shall, in the Absence of Evidence to the contrary, be sufficient Evidence of the Facts therein stated up to the Date of the said Certificate.

Persons appointed under Charter or Byelaws, or this Act, to conduct Examinations.

VIII. All such Persons as shall from Time to Time be appointed under or in pursuance of the said Charter of Incorporation or the Byelaws thereof, or under this Act, shall be and the same are hereby declared to be fit and proper Persons to conduct all such Examinations as are provided for or contemplated by this Act, and shall respectively have full Power and Authority and are hereby authorized and empowered to examine all Persons who shall present themselves for Examination under the Provisions of this Act in their Knowledge of the Latin Language, in Botany, in Materia Medica, and in Pharmaceutical and General Chemistry, and such other Subjects as may from Time to Time be determined by any Byelaw; provided always, that such Examinations shall not include the Theory and Practice of Medicine, Surgery, or Midwifery; and the said Examiners are hereby empowered to grant or refuse to such Persons, as in their Discretion may seem fit, Certificates of competent Skill and Knowledge and Qualification to exercise the Business or Calling of Pharmaceutical Chemists, or as the Case may require, to be engaged or employed as Students, Apprentices, or Assistants respectively.

Power to Examiners to grant Certificates.

Examiners to be appointed for Scotland.

IX. And to enable the said Society to provide for the Examination in *Scotland* of such Students, Apprentices, or Assistants in *Scotland* as may desire to be examined there, it shall be lawful for the Council of the Society, and they are hereby required, to appoint such fit and proper Persons in *Scotland*, to meet in *Edinburgh* or *Glasgow*, or such other Place or Places as the Council may think desirable, and to conduct there all such Examinations as are provided for and contemplated by this Act, with such and the like Powers and Authorities in respect thereof as are herein conferred, and to grant to the Persons to be so examined such and the like Certificates as are herein-before specified and referred to, or to refuse the same; and all the Provisions of this Act shall be equally applicable to the Examiners, Examinations, and Parties examined in *Scotland* as to the Examiners, Examinations, and Parties examined in *England*.

Certificated Persons entitled to be registered; Pharmaceutical Chemists eligible to be Members;

X. Every such Person who shall have been examined by the Persons appointed as aforesaid, and shall have obtained a Certificate of Qualification from them, shall be entitled to be registered by the Registrar according to the Provisions of this Act, upon Payment of such Fee or Fees as shall be fixed by the Byelaws; and every such Person duly registered as a Pharmaceutical Chemist shall be eligible to be elected as a Member of the said Society; and every such Person duly registered as an Assistant shall be eligible for

for Admission as an Associate of the said Society; and every such Person duly registered as a Student or Apprentice to a Pharmaceutical Chemist shall be eligible for Admission into the said Society; according to the Byelaws thereof. Eligibility of Persons registered as Assistants, &c.

XI. That no Person who is a Member of the Medical Profession, or who is practising under Right of a Degree of any University, or under a Diploma or Licence of a Medical or Surgical Corporate Body, shall be entitled to be registered under this Act; and if any registered Pharmaceutical Chemist shall obtain such Diploma or Licence, his Name shall not be retained on the said Register during the Time that he is engaged in Practice as aforesaid. Exceptions.

XII. From and after the passing of this Act, it shall not be lawful for any Person, not being duly registered as a Pharmaceutical Chemist according to the Provisions of this Act, to assume or use the Title of Pharmaceutical Chemist or Pharmaceutist in any Part of *Great Britain*, or to assume, use, or exhibit any Name, Title, or Sign implying that he is registered under this Act, or that he is a Member of the said Society; and if any Person, not being duly registered under this Act, shall assume or use the Title of Pharmaceutical Chemist or Pharmaceutist, or shall use, assume, or exhibit any Name, Title, or Sign implying that he is a Person registered under this Act, or that he is a Member of the said Society, every such Person shall be liable to a Penalty of Five Pounds; and such Penalty may be recovered by the Registrar to be appointed under this Act, in the Name and by the Authority of the Council of the said Society, in manner following; (that is to say,) Persons not duly registered shall not assume or use Name or Title of Pharmaceutical Chemist, or any Name, Title, or Sign implying the same. Penalty on Persons offending.

In *England* or *Wales*, by Plaint under the Provisions of any Act in force for the more easy Recovery of Small Debts and Demands: Penalties, how recoverable in England and Wales;

In *Scotland*, by Action before the Court of Session in ordinary Form, or by summary Action before the Sheriff of the County, or in the Royal Burghs before the Magistrates of the Burghs where the Offence may be committed or the Offender resides, who, upon Proof of the Offence or Offences either by Confession of the Party offending or by the Oath or Affirmation of One or more credible Witnesses, shall convict the Offender, and find him liable in the Penalty or Penalties aforesaid, as also in Expenses; and it shall be lawful for the Sheriff or Magistrate, in pronouncing such Judgment for the Penalty or Penalties and Costs, to insert in such Judgment a Warrant, in the event of such Penalty or Penalties and Costs not being paid, to levy and recover the Amount of the same by Poinding: In Scotland.

Provided always, that it shall be lawful to the Sheriff or Magistrate, in the event of his dismissing the Action and assoilzieing the Defender, to find the Complainer liable in Expenses; and any Judgment so to be pronounced by the Sheriff or Magistrate in such summary Application shall be final and conclusive, and not subject to Review, by Advocation, Suspension, Reduction, or otherwise.

XIII. Provided always, That no Action or other Proceeding for any Offence under this Act shall be brought after the Expiration of Six Months from the Commission of such Offence; and in every such Action or Proceeding the Party who shall prevail shall recover his full Costs of Suit or of such other Proceedings. Limitation for Recovery of Penalties, &c.

XIV. All and every Sums and Sum of Money which shall arise from any Conviction and Recovery of Penalties for Offences incurred under this Act shall be paid as the Commissioners of Her Majesty's Treasury shall direct. Application of Penalties.

XV. If any Registrar under this Act shall wilfully make or cause to be made any Falsification in any Matters relating to any Register or Certificate aforesaid, every such Offender shall be deemed guilty of a Misdemeanor. Registrar falsifying Register, &c. guilty of a Misdemeanor.

XVI. If any Person shall wilfully procure by any false or fraudulent Means a Certificate purporting to be a Certificate of Registration under this Act, or shall fraudulently exhibit a Certificate purporting to be a Certificate of Membership of the Pharmaceutical Society, every such Person so offending shall be adjudged guilty of a Misdemeanor. Any Person wilfully procuring false Certificate guilty of a Misdemeanor.

CAP. LVII.

An Act to provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament. [30th *June* 1852.]

'WHEREAS it is expedient to make more effectual Provision for inquiring into the Existence of 'corrupt Practices at Elections of Members to serve in Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Where by a joint Address of both Houses of Parliament it shall be represented to Her Majesty that a Committee of the House of Commons appointed to try an Election Petition, or a Committee of that House appointed to inquire into the Existence of corrupt Practices in any Election or Elections of a Member or Members to serve in Parliament, have reported to the House that corrupt Practices have, or that there is Reason to believe that corrupt Practices have, extensively prevailed in any County, Division of a County, City, Borough, University, or Place in the United Kingdom electing or sharing in the Election of a Member or Members to serve in Parliament, at any Election or Elections of such Members or Member, and the said Houses shall thereupon pray Her Majesty to cause Inquiry to be made under this Act, by Persons named in such Address, such Persons being (where the Inquiry to be made relates to a Place in *England* or *Ireland*) Barristers-at-Law of not less than Seven Years Standing, Upon Address of Houses of Parliament, Her Majesty may appoint Commissioners to make Inquiry into corrupt Practices at Elections.

or (where such Inquiry relates to a Place in *Scotland*) Advocates, of not less than Seven Years Standing, and not being Members of Parliament, or holding any Office or Place of Profit under the Crown, other than that of a Recorder of any City or Borough, it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, to appoint the said Persons to be Commissioners for the Purpose of making Inquiry into the Existence of such corrupt Practices; and in case any of the Commissioners so appointed die, resign, or become incapable to act, it shall be lawful for the surviving or continuing Commissioners or Commissioner to act in such Inquiry as if they or he had been solely appointed to be Commissioners or a sole Commissioner for the Purposes of such Inquiry, and (as to such sole Commissioner) as if this Act had authorized the Appointment of a sole Commissioner; and all the Provisions of this Act concerning the Commissioners appointed to make any such Inquiry shall be taken to apply to such surviving or continuing Commissioner or Commissioners.

Commissioners to be sworn.

II. Every Commissioner appointed in pursuance of this Act shall, before beginning to act in the Execution of this Act, take the following Oath; (that is to say,)

'I *A.B.* do swear, That I will truly and faithfully execute the Powers and Trusts vested in me by an Act intituled [*here insert the Title of the Act*], according to the best of my Knowledge and Judgment. So help me GOD.'

And every such Commissioner appointed in *England* or *Ireland* shall take such Oath before a Justice of the Court of Queen's Bench or Common Pleas, or a Baron of the Court of Exchequer, in *England* or *Ireland* respectively; and every such Commissioner appointed in *Scotland* shall take such Oath before a Judge of the Court of Session in *Scotland*.

Secretary and Clerks to be appointed.

III. It shall be lawful for any Commissioners appointed under this Act to appoint, and at their Pleasure to dismiss, a Secretary, and so many Clerks, Messengers, and Officers as shall be thought necessary by One of Her Majesty's Principal Secretaries of State, for the Purpose of conducting the Inquiry to be made by them, and to pay to such Secretary, Clerks, Messengers, and Officers such Salaries and Allowances as shall be thought reasonable by the Commissioners of Her Majesty's Treasury.

Place of Meeting.

IV. The Commissioners appointed under this Act to make Inquiry as aforesaid in relation to any County, Division of a County, City, Borough, University, or Place shall, upon their Appointment, or within a reasonable Time afterwards, go to such County, Division of a County, City, Borough, University, or Place, and shall from Time to Time hold Meetings for the Purposes of such Inquiry at some convenient Place within the same, or within Ten Miles thereof, and shall have Power to adjourn such Meetings from Time to Time, and from any One Place to any other Place within such County, Division of a County, City, Borough, University, or Place, or within Ten Miles thereof, as to them may seem expedient; and such Commissioners shall give Notice of their Appointment, and of the Time and Place of holding their First Meeting, by publishing the same in some Newspaper in general Circulation in such County, Division of a County, City, Borough, University, or Place, or the Neighbourhood thereof: Provided always, that such Commissioners shall not adjourn the Inquiry for any Period exceeding One Week, without the Consent and Approbation of One of Her Majesty's Principal Secretaries of State.

Commissioners may hold Meetings in London or Westminster.

V. Provided also, That it shall be lawful for the said Commissioners, with such Consent and Approbation as aforesaid, to hold Meetings of the said Commissioners in the Cities of *London* or *Westminster*, and to adjourn the same from Time to Time, as they may deem fit.

Inquiry by the Commissioners.

VI. Such Commissioners shall, by all such lawful Means as to them appear best, with a view to the Discovery of the Truth, inquire into the Manner in which the Election in relation to which such Committee as aforesaid may have reported to the House of Commons, or where the Report of such Committee has referred to Two or more Elections, the latest of such Elections, has been conducted, and whether any corrupt Practices have been committed at such Election, and if so, whether by way of the Gift or Loan or the Promise of the Gift or Loan of any Sum of Money or other valuable Consideration to any Voter or Voters, or to any other Person or Persons on his or their Behalf, for the Promise or the giving of his or their Vote or Votes, or for his or their refraining or promising to refrain from giving his or their Vote or Votes, at such Election, or for his or their procuring or undertaking to procure the Votes of other Electors at such Election, or whether by the Payment of any Sum of Money or Loan or other valuable Consideration whatsoever to any Voter, or to any other Person on his Behalf, before, during, or after the Termination of such Election, by way of Head Money, or in compliance with any Usage or Custom in the County, Division of a County, City, Borough, University, or Place to which the Inquiry relates, or how otherwise, or whether any Sum of Money or other valuable Consideration whatsoever has been paid to any Voter, or to any other Person on his Behalf, after the Termination of such Election, as a Reward for giving or for having refrained from giving his Vote at such Election; and in case such Commissioners find that corrupt Practices have been committed at the Election into which they are herein-before authorized to inquire, it shall be lawful for them to make the like Inquiries concerning the latest previous Election for the same County, Division of a County, City, Borough, University, or Place; and upon their finding corrupt Practices to have been committed at that Election it shall be lawful for them to make the like Inquiries concerning the Election immediately previous thereto for such County, Division of a County, City, Borough, University, or Place, and so in like Manner from Election to Election, as far back as they may think fit; but where upon Inquiry as aforesaid concerning any Election such Commissioners do not find that corrupt Practices have been committed thereat, they shall not inquire concerning any previous Election; and such Commissioners shall from Time to Time report to Her Majesty the Evidence taken by them, and what they find concerning the Premises, and especially such

Commissioners

Commissioners shall report with respect to each Election the Names of all Persons whom they find to have been guilty of corrupt Practice at such Election, and as well of those who have given Bribes for the Purchase or for the Purpose of purchasing the Votes of others as of those who have themselves received Money or any other valuable Consideration for having given or having refrained from giving, or for the Purpose of inducing them to give or to refrain from giving their Votes at such Election, and also the Names of all Persons whom they find to have given to others, or to have received themselves, Payments by way of Head Money, or as a Reward for giving or refraining from giving their Votes at such Election, and all other Things whereby in the Opinion of the said Commissioners the Truth may be better known touching the Premises.

Reports to be laid before Parliament.

VII. Every Report which such Commissioners make to Her Majesty in pursuance of this Act shall be laid before Parliament within One Calendar Month next after such Report is made, if Parliament be then sitting, or if Parliament be not then sitting, then within One Calendar Month next after the then next Meeting of Parliament.

Power to send for Persons and Papers.

VIII. It shall be lawful for such Commissioners, by a Summons under their Hands and Seals, or under the Hand and Seal of any One of them, to require the Attendance before them, at a Place and Time to be mentioned in the Summons, which Time shall be a reasonable Time from the Date of such Summons, of any Persons whomsoever whose Evidence, in the Judgment of such Commissioners or Commissioner, may be material to the Subject Matter of the Inquiry to be made by such Commissioners, and to require all Persons to bring before them such Books, Papers, Deeds, and Writings as to such Commissioners or Commissioner appear necessary for arriving at the Truth of the Things to be inquired into by them under this Act; all which Persons shall attend such Commissioners, and shall answer all Questions put to them by such Commissioners touching the Matters to be inquired into by them, and shall produce all Books, Papers, Deeds, and Writings required of them, and in their Custody or under their Control, according to the Tenor of the Summons: Provided always, that no Statement made by any Person in answer to any Question put by such Commissioner shall, except in Cases of Indictment for Perjury committed in such Answers, be admissible in Evidence in any Proceeding, civil or criminal.

Persons implicated in corrupt Practices who may be examined, and shall make a faithful Discovery, indemnified.

IX. For the more effectually prosecuting any Inquiry under this Act, every Person who has been engaged in any corrupt Practice at or connected with any Election of Members or a Member to serve in Parliament for any County, Division of a County, City, Borough, University, or Place to which any Inquiry under this Act relates, and who is examined as a Witness, and gives Evidence touching such corrupt Practice before the Commissioners appointed under this Act to make such Inquiry, and who upon such Examination makes a true Discovery to the best of his Knowledge touching all Things to which he is so examined, shall be freed from all Penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions to which he may have been or may become liable or subject at the Suit of Her Majesty, Her Heirs or Successors, or any other Person, for anything done by such Person or Persons in respect of such corrupt Practice; and no Person shall be excused from answering any Question put to him by such Commissioners on the Ground of any Privilege, or on the Ground that the Answer to such Question will tend to criminate such Person.

Witnesses examined not to be indemnified unless they shall have a Certificate from the Commissioners.

X. Where any Witness is so examined as aforesaid, such Witness shall not be indemnified under this Act unless he receive from such Commissioners a Certificate in Writing under their Hands, stating that such Witness has, upon his Examination, made a true Disclosure touching all Things to which he has been so examined; and if any Action, Information, or Indictment be at any Time pending in any Court against any Person so examined as a Witness in manner above mentioned, for any corrupt Practice at any Election to which the Inquiry made by such Commissioners had reference, such Court shall, on the Production and Proof of such Certificate, stay the Proceedings in any such Action, Information, or Indictment, and may, in its Discretion, award to such Person such Costs as he may have been put to by such Action, Information, or Indictment.

Commissioners to examine on Oath, &c.

XI. It shall be lawful for any such Commissioners, or One of them, to administer an Oath, or an Affirmation where an Affirmation would be admitted in a Court of Justice on the Ground of Religious Scruples, to all Persons who are examined before them touching the Things to be inquired into by them under this Act.

Penalty for Non-attendance, or refusing to give Evidence.

XII. If any Person on whom any Summons shall have been served, by the Delivery thereof to him or by the leaving thereof at his usual Place of Abode, fail to appear before the said Commissioners at the Time and Place specified in such Summons, it shall be lawful for the said Commissioners to certify such Default under their Hands and Seals, or under the Hand and Seal of any One of them, to any of Her Majesty's Superior Courts in *England* or *Ireland* or to the Court of Session in *Scotland*, or to the Lord Ordinary on the Bills in the said Court, as the Case may be; and thereupon such Court or Judge shall proceed against the Person so failing to attend, in the same Manner as if the said Person had failed to obey any Writ of Subpœna, or any Process issuing out of the said Court; and if any Person so summoned to attend as aforesaid, and having appeared before the said Commissioners, shall refuse to be sworn, or to make Answer to such Questions as are put to him touching the Matters in question by the said Commissioners, or to produce and show to the said Commissioners any Papers, Books, Deeds, or Writings being in his Possession or under his Control, which the Commissioners may deem necessary to be produced; or if any Person shall be guilty of any Contempt of the said Commissioners or their Office, the said Commissioners shall have such and the same Powers to be exercised in the same way as any Judge of any of Her Majesty's Superior Courts of *England* or *Ireland*, or of the Court of Session in *Scotland*, sitting under any Commission, may now by Law exercise in that Behalf; and all Headboroughs, Gaolers,

Constables, and Bailiffs shall and they are required to give their Aid and Assistance to the said Commissioners in the Execution of their Office.

Penalty for false swearing, &c.

XIII. Every Person who, upon Examination upon Oath or Affirmation before any Commissioners to be appointed under this Act wilfully gives false Evidence, shall be liable to the Pains and Penalties of Perjury.

Expenses of Witnesses.

XIV. The said Commissioners shall have Power, if they deem fit, to award to any Witness summoned to appear before them a reasonable Sum for his or her travelling Expenses, and for his or her Maintenance according to a Scale to be determined and approved of by the Commissioners of Her Majesty's Treasury, and the said Commissioners shall certify to the said Commissioners of Her Majesty's Treasury the Names of the said Witnesses, together with the Sums allowed to each, and the said Commissioners shall pay to the said Witnesses the said Sums so allowed as aforesaid, out of any Money which may be provided by Parliament for the Purposes of the said Commission.

Expenses of the Inquiry.

XV. It shall be lawful for the Commissioners of Her Majesty's Treasury to make an Order for the Payment of the necessary Expenses of any Inquiry under this Act; and every Commissioner to be appointed under this Act shall be paid, at the Conclusion of the Inquiry, over and above his travelling and other Expenses, such Sum as the Commissioners of Her Majesty's Treasury think fit; and any Commissioners so appointed shall, after the Termination of their last Sitting, and after they have made their Report to Her Majesty, as herein-before directed, lay or cause to be laid before the Commissioners of Her Majesty's Treasury a Statement of the Number of Days they have been actually employed in the Inquiry made by them, together with an Account of the travelling and other Expenses of each of such Commissioners; and the Commissioners of Her Majesty's Treasury shall make an Order for the Payment to each Commissioner of the Sum which the Commissioners of Her Majesty's Treasury so think fit to be paid to him, and in respect of his travelling and other Expenses, which said Payments shall be made out of any Money which may be provided by Parliament for that Purpose.

Protection of Commissioners.

XVI. That the Commissioners shall have such and the like Protection and Privileges, in case of any Action brought against them for any Act done or omitted to be done in the Execution of their Duty, as is now by Law given by any Act or Acts now or hereafter to be in force to Justices acting in execution of their Office.

Limitation of Actions.

XVII. No Action shall be brought against any Commissioners appointed under this Act, or any other Person whomsoever, for any Thing done in the Execution of this Act, unless such Action be brought within Six Calendar Months next after the doing of such Thing.

CAP. LVIII.

An Act to continue certain Turnpike Acts in *Great Britain*. [30th *June* 1852.]

WHEREAS it is expedient to continue for limited Times the Acts herein-after specified: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1853, &c., with the following Exceptions:

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain*, which will expire on or before the End of the next Session of Parliament, shall be continued until the First Day of *October* in the Year One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament; except an Act of the Fifty-third Year of King *George* the Third, Chapter Two hundred and eight, "for amending the Roads from *Hodges* to *Beadles Hill* and *Cuckfield*, "and from *Beadles Hill* to *Lindfield*, and from the *Cuckfield* and *Crawley* Road to *Horsham*, and from "*Swingate* to *Shover Green*, all in the County of *Sussex*;" an Act of the Fifty-sixth Year of King *George* the Third, Chapter Forty-seven, "for enlarging the Term and Powers of Two Acts of His "present Majesty, for repairing and widening the Road from *Aldermaston* to *Basingstoke*, and several "other Roads therein mentioned, in the Counties of *Berks* and *Southampton*," as far as the same relates to the Second District of Roads; an Act of the Fifty-ninth Year of King *George* the Third, Chapter Fifty, "to continue the Term and alter and enlarge the Powers of an Act of His present Majesty, for "repairing the Road from *Atcham* to *Condover* and *Dorrington*, and other Roads in the said Act men- "tioned, in the County of *Salop*;" an Act of the same Year, Chapter Eighty-five, "for making and "maintaining a Turnpike Road from *Runcorn* to *Northwich* in the County Palatine of *Chester*;" an Act of the Session holden in the First and Second Years of King *George* the Fourth, Chapter Thirty-three, "to continue the Term and alter and enlarge the Powers of an Act passed for making and maintaining "a Road from the *Romford* and *Whitechapel* Road to or near *Tilbury Fort* in the County of *Essex*;" an Act of the Third Year of King *George* the Fourth, Chapter Two, "for repairing and maintaining certain "Roads leading to and from *Chepstow*, and other Places in the Counties of *Monmouth* and *Gloucester*, "called the District of *Chepstow* and the New Passage District," as far as the same relates to the Second or New Passage District of Roads; an Act of the Fifth Year of King *George* the Fourth, Chapter One hundred and forty-three, "for making and maintaining a Turnpike Road from the Road leading from "*Manchester* to *Bolton* to communicate with the Road from *Bury* to *Bolton* in the County Palatine of "*Lancaster*;" and an Act of the Sixth Year of King *George* the Fourth, Chapter Forty-two, "for "making and maintaining a Turnpike Road from *Eccleshill* to *Bradford* in the County of *York*;" and except as herein-after mentioned.

53 G. 3. c. ccviii.
56 G. 3. c. xlvii.
59 G. 3. c. l.
59 G. 3. c. lxxxv.
1 & 2 G. 4. c. xxxiii.
3 G. 4. c. ii.
5 G. 4. c. cxliii.
6 G. 4. c. xlii.

II. The

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* in the Year One thousand eight hundred and fifty-three, and no longer, unless Parliament shall in the meantime continue the same respectively. Acts in Schedule to this Act continued till 1st Nov. 1853.

III. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1852." Short Title.

IV. This Act shall not apply to *Ireland*. Extent of Act.

SCHEDULE.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Burford in the County of Oxford to Leachlade in the County of Gloucester, and also the Road from thence through Highworth to the Cricklade and Swindon Turnpike Road in the County of Wilts.	53 G. 3. c. xlii.
An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads from West Harptry to the Bath and Wells Turnpike Roads, and other Roads therein mentioned, in the County of Somerset; and for repairing certain other Roads to communicate therewith.	54 G. 3. c. xxviii.
An Act for making and maintaining a Road from a Place called Lees in the Parish of Bingley, to commence and branch off from the Road leading from Cross Roads Inn to Haworth at the North-east Corner of a certain Close of Land called The Highfield, to Hebden Bridge in the Parish of Halifax, all in the West Riding of the County of York.	54 G. 3. c. lxii.
An Act for making and maintaining certain Roads from the Town of Stroud and several other Places therein mentioned, all in the County of Gloucester.	54 G. 3. c. lxxx.
An Act for repairing the Road from Saint Lloyd's in the Town of Bedford in the County of Bedford to the Turnpike Road leading from Olney to Newport Pagnell in the County of Buckingham.	54 G. 3. c. cxxi.
An Act for more effectually repairing and improving the Road between Warrington and Lower Irlam in the County Palatine of Lancaster.	58 G. 3. c. xlii.
An Act to enlarge the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from the City of Gloucester to the Town of Stroud in the County of Gloucester.	59 G. 3. c. xlii.
An Act for enlarging the Term and Powers of several Acts of King George the Second and of His late Majesty King George the Third, for repairing the High Road from the Borough of Ripon, by Ingram Bank, to the Town of Pateley Bridge in the County of York.	1 & 2 G. 4. c. xi.
An Act for more effectually repairing the Road leading from the Turnpike Road near the West End of the Town of Chesterfield to Matlock Bridge, and also the Road leading out of the said Road over Darley Bridge to Cross Green, and also the Road leading out of the last-mentioned Road to the Turnpike Road near Rowesley Bridge, all in the County of Derby.	4 G. 4. c. xxviii.
An Act for making and maintaining a Turnpike Road from Horsham in the County of Sussex, by Bewbush, to the Town of Crawley in the said County.	4 G. 4. c. xlii.
An Act for repairing and improving divers Roads in the Counties of Stafford and Salop comprised in Three Districts called the Eccleshall, Newport, and Watling Street District, the Newcastle and Eccleshall District, and the Hilton and Honnington District.	4 G. 4. c. xlvii.
An Act for amending and keeping in repair the Roads from Dover to Barham Downs, and from Dover to the Town of Folkestone, and from thence through the Parish of Folkestone to Sandgate, in the County of Kent.	4 G. 4. c. lxxxi.
An Act for more effectually amending the Roads from Whitchurch in the County of Salop to that Part of the Road leading from Nantwich in the County of Chester to Newcastle-under-Lyne in the County of Stafford which passes through the Township of Madeley in the said County of Stafford, and also from Hinstock in the said County of Salop to Nantwich aforesaid.	5 G. 4. c. xxxii.
An Act for repairing the Road from Burtryford in the County of Durham, through Alston in the County of Cumberland, to Burnstones in the County of Northumberland, and from Summerrod's Bar near Hexham to Alston aforesaid, and several other Roads in the said Counties, and in the North Riding of the County of York, and for erecting Bridges over the River Tyne.	5 G. 4. c. xxxiv.
An Act for making and maintaining a Turnpike Road from Cainscross through Stroud, over Rodborough and Minchinhampton Commons, to the Town of Minchinhampton, with several Branches therefrom, all in the County of Gloucester.	6 G. 4. c. xxiii.
An Act for making and maintaining a Turnpike Road from the present Turnpike Road between Maidstone and Wrotham in the County of Kent to Strood in the said County.	6 G. 4. c. xxv.
An Act for making and maintaining a Turnpike Road from the Town of Gravesend to Wrotham in the County of Kent, and from thence to Borough Green on the Turnpike Road leading from Wrotham Heath to Ightham in the said County.	6 G. 4. c. l.
An Act for making and maintaining a new Road from Leeds to Whitehall near Halifax, and several Branch Roads therefrom, all in the West Riding of the County of York.	6 G. 4. c. xcvii.
An Act for making and maintaining a Turnpike Road from Wimpole in the County of Cambridge to Wrestlingworth in the County of Bedford, and from Wrestlingworth to Potton, both in the said County of Bedford.	7 G. 4. c. xxix.
An Act for more effectually repairing and improving the Roads leading from Pick's Hill near the Town of Langport Eastover in the County of Somerset, through High Ham, Ashcott, and other Places, to Meare in the said County.	7 G. 4. c. xxxix.

An

7 G. 4. c. lxxiv. An Act for making and maintaining a Turnpike Road leading out of the Alstone Turnpike Road at Branch End in the County of Northumberland, through Catton, Allendale Town, and Allenheads, to Cows Hill in the County of Durham, with several Branches therefrom.

7 G. 4. c. lxxvii. An Act for more effectually repairing so much of the Road from Henley Bridge to Maidenhead Thicket as lies between the said Bridge and the Thirtieth Milestone from London in the Parish of Bisham in the County of Berks.

7 G. 4. c. lxxxi. An Act for making and maintaining a Road from the Top of Hunt's Bank in the Town of Manchester in the County of Lancaster to join the present Manchester and Bury Turnpike Road in Pilkington in the said County.

7 G. 4. c. cxxix. An Act for making a Turnpike Road from Shipley to Bramley, together with certain Branches therefrom, in the West Riding of the County of York.

7 & 8 G. 4. c. lxxi. An Act for making and maintaining a Road from the Town of Northampton in the County of Northampton to Cold Brayfield in the County of Buckingham.

And the Acts continued by any of the Acts in this Schedule mentioned.

CAP. LIX.

An Act to continue the Poor Law Board. [30th *June* 1852.]

'WHEREAS by the Act of the Eleventh Year of Her Majesty, Chapter One hundred and nine, 'Provisions were made for the Constitution and Appointment of Commissioners for administering 'the Laws for the Relief of the Poor in *England*, Secretaries, Inspectors, and other Officers, which 'Provisions will expire at the End of the Session of Parliament held next after the Twenty-third Day 'of *July* in the present Year, and it is expedient that such Provisions should be continued for a limited 'Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioner appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said Act, together with every Person by the said Act constituted by virtue of his Office such Commissioner, and every Secretary, Inspector, and other Officer and Person appointed or to be appointed by the Commissioners under the Provisions of the recited Act, shall be empowered, unless he shall previously resign or be removed, to hold his Office and exercise the Powers thereof until the Twenty-third Day of *July* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament; and until the Expiration of the said Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed by Her Majesty, Her Heirs and Successors, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said Act is described, some other fit Person to the said Office.

Poor Law Board further continued.

CAP. LX.

An Act to continue an Act of the Twelfth Year of Her present Majesty for amending the Laws relating to Savings Banks in *Ireland*. [30th *June* 1852.]

[11 & 12 *Vict. c.* 133. *continued until* 1st *January* 1854, *and until the End of the then next ensuing Session of Parliament.*]

CAP. LXI.

An Act to amend the Laws relating to Summary Proceedings for Penalties and Forfeitures under the Acts relating to the Excise. [30th *June* 1852.]

'WHEREAS under and by virtue of an Act passed in the Session of Parliament holden in the 'Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-three, and 'of other Acts in that Behalf, an Information for the Recovery of any Penalty imposed by any Act of 'Parliament relating to the Revenue of Excise, and incurred for or by reason of any Offence committed 'against any such Act, or for the Condemnation of any Goods, Commodities, or Chattels seized as 'forfeited under or by virtue of any such Act, may be exhibited before, and be heard, adjudged, and 'determined by any Three or more of the Commissioners of Inland Revenue where the Offence shall 'have been committed, or the Person or Persons committing the same shall be found, or where the 'Goods, Commodities, or Chattels shall have been seized as aforesaid within the Limits of the Chief 'Office of Inland Revenue in *London*, and where the Offence shall have been committed, or the Person 'or Persons committing the same shall be found, or the Goods, Commodities, or Chattels shall have been 'seized as aforesaid in any Part of the United Kingdom out of the said Limits, such Information may 'be exhibited before any One or more, and heard, adjudged, and determined by any Two or more of Her 'Majesty's Justices of the Peace for the County, Shire, Division, City, Town, or Place wherein the 'Offence shall have been committed, or the Person or Persons committing the same shall be found, or 'the Goods, Commodities, or Chattels shall have been seized as aforesaid: And whereas it is expedient

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'that Her Majesty's Justices of the Peace should have and exercise concurrent Jurisdiction with the 'Commissioners of Inland Revenue in relation to any such Offence, Person, Matter, or Thing as afore-'said respectively committed, found, or seized within the Limits of the Chief Office of Inland Revenue:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Informations for Penalties or Forfeitures under the Excise Laws within the Limits of the Chief Office may be heard and determined either by Commissioners of Inland Revenue or Justices of the Peace.

I. For the Recovery of any Penalty imposed by any Act or Acts relating to the Revenue of Excise, and incurred for or by reason of any Offence committed against any such Act or Acts, or for the Condemnation of any Goods, Commodities, or Chattels seized as forfeited under or by virtue of any such Act or Acts, where the Offence shall have been committed, or the Person or Persons committing the same shall be found, or where the Goods, Commodities, or Chattels shall have been seized as aforesaid within the Limits of the Chief Office of Inland Revenue in *London*, an Information thereupon may be exhibited, heard, adjudged, and determined either before any Three or more of the said Commissioners of Inland Revenue, or before any Metropolitan Police Magistrate sitting at any Metropolitan Police Court; and such Commissioners and Magistrate respectively shall and they are hereby required, upon any such Information having been so exhibited as aforesaid, to proceed to hear and determine the same, and give Judgment thereon, and to award and grant a Warrant or Warrants for the due Execution and carrying into effect of such Judgment, in like Manner as Commissioners of Inland Revenue and Justices of the Peace respectively are now by Law required, directed, or authorized to do on any Information exhibited before or heard or determined by them respectively under or by virtue of any Act or Acts in force relating to the Revenue of Excise.

Commissioners may hear, &c. Informations at Chief Office, &c.

II. It shall be lawful for the said Commissioners of Inland Revenue to hear and determine any such Information as aforesaid either at the Chief Office of Inland Revenue, or at any other Place within the Limits of the said Chief Office, as the said Commissioners may in that Behalf appoint.

Officers of Inland Revenue, or Persons employed by the Commissioners or Solicitor, may conduct Proceedings before Justices.

III. It shall be lawful and competent to and for any Officer of Inland Revenue, or any Person employed or authorized by the Commissioners of Inland Revenue or the Solicitor of Inland Revenue in that Behalf, to prosecute, conduct, or defend any Complaint, Information, or other Proceeding to be heard or determined by or before any Justice or Justices of the Peace in any Part of the United Kingdom relating to any Duty, Matter, or Thing under the Care or Management of the said Commissioners, whether such Officer or Person shall be admitted and enrolled as an Attorney, Solicitor, Advocate, or Writer to the Signet in any Court of Law or Equity or not, anything in any Act to the contrary thereof notwithstanding.

CAP. LXII.

An Act to alter and amend certain Acts relating to the Woods, Forests, and Land Revenues of the Crown. [30th *June* 1852.]

'WHEREAS by an Order under the Hands of Two of the Commissioners of Her Majesty's Treasury, 'bearing Date on or about the Twenty-ninth Day of *January* One thousand eight hundred and 'fifty-two, the said Commissioners, by virtue of the Powers vested in them for that Purpose by the Act 'passed in the last Session of Parliament, Chapter Forty-two, did assign to the Right Honourable '*Thomas Francis Kennedy*, One of the Commissioners of Woods, Forests, and Land Revenues, the 'Management and Direction of or in relation to (among other Woods, Forests, and Land Revenues,) *Dean* '*Forest* and *High Meadow Woods*, and the Office of Gaveller of *Dean Forest*, and they did by the said 'Order assign to the said *Thomas Francis Kennedy* the whole Duties and Powers whatsoever which but 'for their said Order might be exercised by the said Commissioners jointly relative to the Premises the 'Management and Direction whereof was so thereby assigned to the said *Thomas Francis Kennedy*; 'and the said Commissioners of Her Majesty's Treasury did by the said Order assign to the Honourable '*Charles Alexander Gore*, the other of the said Commissioners of Her Majesty's Woods, Forests, and 'Land Revenues, the Management and Direction of or in relation to the Woods, Forests, and Land 'Revenues therein particularly mentioned, and also the Office of Conservator of the River *Mersey*, and, 'subject to the specific Assignment of Duties and Powers to the said *Thomas Francis Kennedy*, they 'did by the said Order assign to the said *Charles Alexander Gore* the whole of the Duties and Powers 'whatsoever which but for that Order might have been exercised by the said Commissioners jointly 'relative to the Woods, Forests, and Land Revenues, and the Office the Management and Direction 'whereof were so thereby assigned to the said *Charles Alexander Gore*: And whereas Doubts have been 'entertained as to whether such Order of the Commissioners of Her Majesty's Treasury as aforesaid is 'effectual for vesting the aforesaid Offices and other Offices and Duties in the said Commissioners of 'Her Majesty's Woods, Forests, and Land Revenues respectively for all Purposes, and it is expedient 'that such Doubts be removed: And whereas it is expedient that the Provisions contained in the Eighth 'Section of the Act passed in the Session of Parliament held in the Eighth and Ninth Years of Her 'present Majesty, Chapter Ninety-nine, should be extended, and that such further Provisions relating to 'the Management of the Woods, Forests, and Land Revenues of the Crown should be made as are 'herein-after contained:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That

Regulation as to Appointment of Offices of Gaveller of Dean Forest and Conservator of the River Mersey.

I. That by virtue of the said Order the said *Thomas Francis Kennedy* and *Charles Alexander Gore* were respectively to all Intents and Purposes constituted Gaveller of the Forest of *Dean* and a Conservator of the River *Mersey*, and shall respectively hold and discharge the Duties of the said respective Offices so long as the said Order shall continue in force; and all Assignments or Appointments of or to the said Offices or either of them, or to any other Office whatsoever, which shall at any Time hereafter be made by the Commissioners of Her Majesty's Treasury in pursuance of the Power aforesaid, shall have the Effect of constituting the Person to whom such Assignment or Appointment shall be made the Holder of such Office during the Continuance of such Order, with Authority to exercise all the Powers thereof or belonging thereunto, and for all Intents and Purposes whatsoever.

Commissioners of Woods, &c., with Consent of Treasury, may release Breaches of Covenant in Lease.

II. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, at their Discretion, with the Consent of the Commissioners of Her Majesty's Treasury, to release, by Licence or Waiver in Writing, any Tenant or Lessee or Assignee of any Lease of any Lands or Hereditaments, and whether Part of the Land Revenues of the Crown or not, but which Lands or Hereditaments shall or may be subject to the Management of the last-mentioned Commissioners, from any Covenant, Condition, or Agreement contained in any Lease, Agreement for a Lease, or Agreement for a yearly or other Tenancy, either already made or granted, or hereafter to be made or granted, and whether any Breach of such Covenant or Agreement shall have been committed or not, and either absolutely, or conditionally on such Tenant, Lessee, or Assignee doing such Act or Acts, or entering into such other Covenant or Covenants, or Agreement or Agreements, or otherwise, as they the said Commissioners shall think fit; and any Covenant or Covenants, Condition or Conditions, or Agreement or Agreements, which shall be made or entered into by any such Tenant, Lessee, or Assignee as aforesaid, in consideration of any such Release as aforesaid, shall, so far as regards all Rights, Powers, and Remedies of Her Majesty, Her Heirs and Successors, or of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, for enforcing the Performance thereof, or for Re-entry for Nonperformance or Nonobservance thereof, be construed and taken as if the same were contained in the original Lease or Agreement for a Lease, or other Agreement, or otherwise, as shall be agreed on; and all other Covenants or Agreements, and Rights of Re-entry, in any such Lease or Agreement, not released, shall in all respects continue and remain in force as if there had been no such Release or Waiver, and as may be agreed on; and the Provision herein contained shall apply to all Leases or Agreements already granted by any Person or Persons whomsoever, whether being Part of the Land Revenues of the Crown or otherwise, so as the same shall at the Time of any such Licence, Release, or Waiver be under the Management and Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and the aforesaid Power may be exercised by the Commissioner for the Time being having, under the Order for the Time being of the said Commissioners of Her Majesty's Treasury, the Management of the Hereditaments comprised in any such Lease or Agreement; and the Provisions of the Fifth Section of the last-mentioned Act shall apply (except as far as the same are hereby altered) to any Licence or Waiver granted under the Authority of this Act.

Power for the Commissioners of Woods, &c. to apportion Rents and other Payments.

III. In all Cases where the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall be satisfied that the Owners or Persons reputed to be Owners of any Lands or Hereditaments in *England* or *Wales* charged with any Fee Farm or other Rent, or annual, periodical, or other certain Payment to Her Majesty, Her Heirs and Successors, either by express Grant, Prescription, or otherwise, have at any Time heretofore mutually agreed or shall hereafter mutually agree to apportion such Rent or other Payment upon specific Parts of the Lands or Hereditaments charged therewith, it shall be lawful for the said Commissioners, if they shall think fit, by any Writing, to make, confirm, and agree to such Apportionment, and thereupon and thenceforth every apportioned Part of such Rent or Payment shall become and be to all Intents and Purposes a Rent or Payment issuing out of the Lands or Hereditaments on or in respect of which the same is apportioned only, in like Manner in all respects as the entire Rent or Payment was theretofore issuing out of the Entirety of the Lands or Hereditaments charged therewith; and every such apportioned Part shall be in all respects saleable as Fee-farm Rents or annual Payments are now saleable; and any Person entitled in possession to the Rents and Profits of any Lands or Hereditaments charged with any such Rent or Payment, either at Law or in Equity, either in Fee, or Tail for Life, or for any Interest other than under a Lease at Rackrent, and notwithstanding any Mortgage or Charge on such Hereditaments, shall be taken and reckoned the Owner for the Purpose of joining in agreeing to any such Apportionment of any such Rent or Payment as aforesaid, or in the Confirmation of any Apportionment made or agreed on; and thereupon such Apportionment, when reduced into Writing, to be signed by the Persons agreeing thereunto, and confirmed or agreed to by the said Commissioners as aforesaid, shall, after the Enrolment in the Office of Land Revenue Records and Enrolments of any such Writing as aforesaid, be valid and binding as against Her Majesty, Her Heirs and Successors, and all other Persons, and the said Enrolment shall be conclusive Evidence that the Provisions of this Act have been complied with; and the Powers relating to the Apportionment of such Rents or Payments hereby given to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues may be exercised by the Commissioners or Commissioner for the Time being having, under the Order of the Commissioners of Her Majesty's Treasury, the Management of that Part of the Land Revenues of the Crown which may include any Rent or Payment to be so apportioned.

If Difficulties exist in making any such Ap-

IV. Provided always, That in case there shall be any Doubt as to the Amount of the different Parts of the Rent or Payment which may have been agreed to be apportioned, or as to the specific Lands or Hereditaments to be charged therewith, or as to the Extent, Identity, or Boundaries of the Lands or Here-

Hereditaments charged with the entire or original Rent or Payment, or any Part thereof, or if there shall be no Person whom the said Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues as aforesaid shall agree to treat as Owner under the aforesaid Authority in that Behalf, or in case any other Difficulty shall arise in making any Apportionment of any such Rent or Payment as aforesaid which the Commissioners or Commissioner of Her Majesty's Woods, Forests, and Land Revenues for the Time being as aforesaid may desire to apportion on specific Parts of the Lands or Hereditaments charged therewith, then and in any of such Cases the Commissioners or Commissioner aforesaid may, if they or he shall think fit, with the Consent of the Commissioners of Her Majesty's Treasury, to be signified by some Warrant of such last-mentioned Commissioners, from Time to Time, refer it to the Inclosure Commissioners for *England* and *Wales* to make such Apportionment, and thereupon it shall be lawful for the said Inclosure Commissioners to make Inquiry into the Premises, and to make the Apportionment accordingly; and any such Reference, Inquiry, or Apportionment may be made as to any particular Rent or Payment as aforesaid, or to any Number of such Rents or Payments; and their Award under their Seal relating thereto, when confirmed by some Writing under the Hands or Hand of the said Commissioners or Commissioner of Her Majesty's Woods, Forests, and Land Revenues, and enrolled in the Office of Land Revenue Records and Enrolments, shall be binding on all Persons whomsoever, and have the same Effect in all other respects as if the same had been made, agreed, confirmed, and enrolled under the Provisions of the last Section of this Act, and the Enrolment of any such Award shall be conclusive Evidence that the Provisions of this Act have been complied with: Provided always, that if in any Case so as aforesaid referred to the aforesaid Inclosure Commissioners to make any such Apportionment as aforesaid there shall in the Opinion of the said Commissioners be any Doubt as to the Extent, Identity, or Boundaries of the Lands and Hereditaments charged with any such Rent or Payment, then the said last-mentioned Commissioners may appoint any Assistant Commissioner, or any other Officer acting under the Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Fifty-three, or under the Commissioners appointed by virtue of that Act, for the Purpose of inquiring into and ascertaining such Extent, Identity, or Boundaries, in all respects as the said Commissioners are by the Eighth Section of the Act passed in the Session held in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Seventy, authorized to appoint an Assistant Commissioner; and the Report of such Assistant Commissioner or other Officer, if approved of by the said Inclosure Commissioners, shall be embodied in their Award so to be made as aforesaid, and form Part thereof.

portionment the same may be made by the Inclosure Commissioners.

V. On any Sale, Exchange, Enfranchisement, or other Conveyance of Her Majesty's Woods, Forests, Lands, or Hereditaments made by the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, in exercise of any Power given to them in that Behalf, the Conveyance may be made subject to such Provisoes for making the same void, or other Conditions or Provisions, as may be deemed expedient by the said Commissioners or either of them.

Conveyances by the Commissioners of Woods, &c. may be subject to certain Conditions.

VI. It shall be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues at any Time or Times, with the Consent of the Commissioners of Her Majesty's Treasury, to abandon or discontinue, either permanently or for any limited Time, the Collection of any Tolls or Profits of any Markets or Fairs belonging to Her Majesty, Her Heirs or Successors, which it may be considered inexpedient to collect, and also, with such Consent as aforesaid, by any Deed or Deeds, absolutely to relinquish and extinguish all or any such Tolls or Profits, and such Power may be exercised by the Commissioner for the Time being having the Management of the Tolls or Profits of any such Market or Fair by virtue of any such Order of the Commissioners of Her Majesty's Treasury.

The Commissioners of Woods, &c. may, with Consent of Treasury, suspend the Collection of or merge Tolls of Markets and Fairs.

VII. All Deeds and Instruments relating to any Manors, Lordships, Messuages, Lands, Tenements, or Hereditaments in *England* or *Wales*, to which the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, are or is Parties or a Party, or expressed to be Parties or a Party, and which under and by virtue of the Provisions of the Act passed in the Session of Parliament held in the Tenth Year of the Reign of King *George* the Fourth, Chapter Fifty, or of any other Act, or any Law, Custom, or Usage, ought to be enrolled in the Office of the Auditor of the Land Revenues of the Crown, or in the Office of Land Revenue Records and Enrolments, shall and may, if the said Commissioners or Commissioner who are or is, or are or is expressed to be, Parties or a Party thereto, shall think fit so to direct, be deemed to be fully and sufficiently enrolled by the Deposit of a Duplicate thereof in the Office of Land Revenue Records and Enrolments, and the filing or making of an Entry of such Deposit by the Keeper of the said Records and Enrolments; and a Certificate under the Hand or purporting to be under the Hand of the Keeper of the Land Revenue Records and Enrolments for the Time being, endorsed or written on any such Deed or Instrument, shall be sufficient Evidence that such Duplicate has been deposited and the Entry made or filed as aforesaid, and that the said Commissioners or Commissioner of Her Majesty's Woods, Forests, and Land Revenues had directed that such Deposit and Entry should be sufficient Enrolment as aforesaid, notwithstanding the Provisions of the Act passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Forty-two, or any other Act, Law, Custom, or Usage; and it shall not be necessary to give Evidence of the Handwriting of the Person signing any such Certificate as aforesaid, or of the Fact that such Person is the Keeper of Land Revenue Records and Enrolments: Provided also, that it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to regulate and to make such Order as they may think fit concerning the Fees to be paid for or in respect of any Enrolment, or to direct that any such Enrolment shall be made without Payment of any Fee.

A Deposit of a Duplicate of any Deed to which either of the Commissioners of Woods, &c. is a Party, deemed to be sufficient Enrolment in certain Cases.

Certified Copies of Documents in Office of Land Revenue Records to be admissible in Evidence in Cases where the Originals would have been admissible.

VIII. Any Copy of or Extract from any Deed, Instrument, Document, or Writing, Map or Plan, which now is or at any Time hereafter shall be deposited in the Office of Land Revenue Records and Enrolments, shall at all Times hereafter be admissible in Evidence in any Court of Justice, or before any Person now or hereafter having by Law or by Consent of Parties Authority to hear, receive, or examine Evidence, in every Case in which the Original of or from which any such Copy or Extract shall purport to have been made would have been admissible in Evidence, provided such Copy or Extract be signed and certified, or purport to be signed and certified, by the Keeper of Land Revenue Records and Enrolments for the Time being, as a true Copy or Extract; and it shall not be necessary to give Evidence of the Handwriting of any such Signature or Certificate, or of the Fact that the Person whose Name is affixed thereto is the Keeper of the Land Revenue Records and Enrolments; provided that if any Officer shall wilfully certify any Document as being a true Copy or Extract, knowing that the same is not a true Copy or Extract, as the Case may be, he shall be guilty of a Misdemeanor, and be liable, upon Conviction, to Imprisonment for any Term not exceeding Eighteen Months.

For removing Doubts regarding the Delivery of Objections to Claims under 14 & 15 Vict. c. 76.

IX. 'And whereas by the Act of the Fourteenth and Fifteenth *Victoria*, Chapter Seventy-six, 'intituled *An Act to extinguish the Right of the Crown to Deer in the* New Forest, *and to give Compensation in lieu thereof, and for other Purposes relating to the said Forest*, it is provided by Section 'Twenty-one, that every Person who shall object to a Claim shall deliver his Objection in Writing to 'the Verderers at their Meeting to receive Objections to Claims, or some Adjournment thereof, and 'shall deliver a Duplicate of the said Objection at the Place of Abode of the Claimant or his Agent 'Seven Days at least before the First Meeting of the said Verderers to receive such Objections: And 'whereas Doubts have been suggested whether such Duplicates, if delivered to the Claimants Seven 'Days before any Adjournment of the Meeting to receive Objections, will be well delivered;' and to remove which Doubts be it declared and enacted, That any Duplicate of Objection to a Claim, if delivered at the Place of Abode of the Claimant or his Agent Seven Days before the Day of Delivery of such Objections to the Verderers, shall be and be held to be as valid and effectual to all Intents and Purposes as if such Duplicate had been delivered at the Place of Abode of the Claimant or his Agent Seven Days at least before the First Meeting of the said Verderers to receive Objections to Claims.

Power to effect Exchange of Advowsons of Yoxall and Hunningham for Advowson of Stoneleigh, provided for by Act 11 & 12 Vict. c. 57.

X. 'And whereas the Exchange of Advowsons intended to be authorized by the Act passed in the 'Session holden in the Eleventh and Twelfth Years of Her present Majesty, Chapter Fifty-seven, has 'not been completed, and cannot now be completed by reason of the Death of the Person whose Assent 'thereto was necessary: And whereas it is expedient that such Exchange should be effected according 'to the Provisions of the said Act:' Be it therefore enacted, That from and immediately after the passing of this Act all the Powers and Authorities expressed to be given by the said Act to the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with reference to the Trustees or Trustee for the Time being of the Indenture of Settlement of the Fifth Day of *November* One thousand eight hundred and twelve, in the said Act mentioned, shall be exerciseable by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, with or without Reference to the Trustees or Trustee in whom the Power of Exchange contained in an Indenture of Settlement dated the Twenty-first Day of *August* One thousand eight hundred and forty-eight, made on the Marriage of *William Henry* now Lord *Leigh*, shall for the Time being be vested, and all the Powers and Authorities by the said recited Act expressed to be given to the Trustees or Trustee for the Time being of the said Indenture of the Fifth Day of *November* One thousand eight hundred and twelve be transferred by virtue of this Act to and vested in the Trustees or Trustee in whom the Power of Exchange contained in the said Indenture of the Twenty-first Day of *August* One thousand eight hundred and forty-eight shall for the Time being be vested; and, so far as may be necessary or expedient for the Purposes of this Act, the said recited Act shall be read and shall take effect and be construed as if all Mention of and Reference to the said Indenture of Settlement of the Fifth Day of *November* One thousand eight hundred and twelve were struck out therefrom, and the said Indenture of Settlement of the Twenty-first Day of *August* One thousand eight hundred and forty-eight were mentioned or referred to in every Part of the same Act wherein any Mention of or Reference to the said first-mentioned Indenture now occurs; and when the Exchange intended to be hereby authorized shall have been effected the Advowson of the Vicarage of *Stoneleigh* shall be in all respects subject to such Rights, Estates, and Interests of all Persons whomsoever as if it had been expressly comprised in and well and effectually assured and settled by the said Indenture of the Twenty-first Day of *August* One thousand eight hundred and forty-eight.

Registry of Documents in Chancery in Scotland not necessary.

XI. That, notwithstanding the Provisions of the Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-nine, it shall not be necessary, after the passing of this Act, to register or record in the Books kept in the Office of Chancery in *Scotland* any of the Documents by the Seventh Section of the said Act directed to be registered or recorded, but a Minute or Memorandum of every such Conveyance, Deed, or other Document describing the same shall be entered in the Minute Book of the Office of Chancery in *Scotland*, and the same shall be taken to be a sufficient Compliance with the Provisions of the said Seventh Section of the last-mentioned Act.

CAP. LXIII.

An Act to amend the Laws relating to the Valuation of rateable Property in *Ireland*.

[30th *June* 1852.]

'WHEREAS it is expedient to make One uniform Valuation of Lands and Tenements in *Ireland*, 'which may be used for all public and local Assessments and other Rating, and for this Purpose 'it is necessary to amend the Laws now in force for the Valuation of Lands and Tenements in *Ireland*: 'And whereas an Act was passed in the Session of Parliament holden in the Ninth and Tenth Years of 'Her present Majesty's Reign, Chapter One hundred and ten, intituled *An Act to amend the Law* 'relating to the Valuation of rateable Property in Ireland: And whereas, under the Provisions of the 'said Act, the Tenement Valuations of certain Counties have been made and completed for Poor Law 'Purposes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 9 & 10 Vict. c. 110.

Where Valuation under recited Act has been completed, the same shall be used for all public and local Assessments.

I. That the Tenement Valuation for Poor Law Purposes so made and completed in or for any County or Barony, County of a City or County of a Town, under the Provisions of the said Act, shall, anything in the said Act to the contrary notwithstanding, be in force and be used, as well for the Purposes of all County Assessments or Grand Jury Rates, or City, Town, or Parish Rates, as for the Purposes of Poor Law Assessments or Rates, but subject nevertheless to such Correction and Revision as by this Act is herein-after provided.

Where Valuation is only partially made, such Valuation to be completed under that Act, and used for all public and local Assessments.

II. 'And whereas in certain Baronies and Poor Law Unions such Valuation under the Provisions of 'the said recited Act has been only partially made, and the primary Tenement Valuation thereof has 'been only so far carried on before the passing of this Act as to be printed or ready for printing:' Be it enacted, That the Commissioner of Valuation shall carry on and complete, under and pursuant to the Provisions of the said recited Act, the Tenement Valuation of all Baronies or Poor Law Unions the primary Tenement Valuation of which shall have been, under the Provisions of the said Act, printed, or completed so as to be ready for printing, previous to the passing of this Act: Provided always, that such Commissioner shall not make any separate Valuation in Townlands for the Purpose of County Assessments, as by the said recited Act was directed: And provided also, that such Tenement Valuations, when completed, shall, subject to such Correction and Revision as by this Act is herein-after provided, be used and be in force, as well for all County Assessments or Grand Jury Rates, or City, Town, or Parish Rates, as for Poor Law Assessments and Rates, anything in the said recited Act to the contrary notwithstanding.

Such Valuations shall be used, &c. for County Purposes.

Save as to the Completion of Valuations, 9 & 10 Vict. c. 110. repealed; but Valuations under that Act, or 6 & 7 W. 4. c. 84., shall remain in force until altered under this Act.

III. And, save and except so far as relates to such Valuations so wholly or partially completed as aforesaid, and to the Provisions of the said Act applicable or necessary for the final Completion of such of the said Valuations as shall have been only so partially completed as aforesaid, and the several Matters and Things relating to such Completion, and save and except as to any Matter or Thing heretofore done, the said recited Act of the Ninth and Tenth Years of the Reign of Her present Majesty shall be and is hereby repealed: Provided always, that any Valuation made under the said recited Act, or under the Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter Eighty-four, relating to the uniform Valuation of *Ireland*, shall respectively remain in full Force and Effect, in manner aforesaid, until altered or revised under the Provisions of this Act, notwithstanding any Omission or Error in Matter of Form which may have occurred in relation thereto.

Where Valuation completed, Commissioner may alter it so as to bring the whole to a uniform Scale, based on Prices in this Act.

IV. In any of the Counties, Portions of Counties, Counties of Cities, or Counties of Towns, wherein a Valuation in Tenements rateable to the Relief of the Poor has been completed as aforesaid, or shall be carried on or completed as herein-before provided, according to the Provisions of the said recited Act of the Ninth and Tenth Years of the Reign of Her present Majesty, it shall be lawful for the Commissioner of Valuation to make such Reductions and Alterations in the Valuation of the several Baronies, Parishes, Townlands, and Tenements which have been so valued as may be necessary to bring the whole to a uniform Scale of Value, based upon the Table of Prices of agricultural Produce contained in this Act, all local Circumstances in each Case being taken into consideration, and subject to the same Rules and Regulations in respect to Appeals as herein-after specified.

Persons acting under recited Acts to discharge Duties till otherwise directed.

V. The Commissioner of Valuation and other Persons heretofore appointed or acting under the said recited Acts or any of them, in any County, shall and he and they are hereby authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several Duties and Offices, for the Purpose of carrying this Act into execution, without any further or other Appointment thereto, until the Lord Lieutenant of *Ireland* shall otherwise direct.

Lord Lieutenant may appoint a Commissioner to value the several Counties.

VI. Upon the Death, Resignation, or Removal of such Commissioner of Valuation, or any other Commissioner of Valuation hereafter to be appointed under this Act, it shall and may be lawful for the Lord Lieutenant from Time to Time to nominate and appoint One fit and proper Person to be Commissioner for the several Counties in *Ireland*, to be called the Commissioner of Valuation, who shall hold such Office during the Will and Pleasure of the Lord Lieutenant, and who shall make or cause to be made a Valuation of the Tenements and Hereditaments within every Barony, Parish, or other Division in any County, when directed so to do, and shall proceed in such Valuation at such Times, and in such Manner, and under such Regulations, as such Lord Lieutenant shall order, direct, and appoint.

Commissioner of Valuation shall appoint Valuators, Surveyors, Writing Clerks, &c.

VII. It shall be lawful for any Commissioner of Valuation who shall be continued or appointed under this Act to nominate and appoint from Time to Time any Number of Writing Clerks and Surveyors, or any Number of Persons conversant and professionally employed in surveying and valuing Land and Houses, or, in Cases of Towns, in valuing of Houses only, to be Valuators, and to remove all or any such Persons from Time to Time, and to nominate any other Person or Persons to act in the Place and Stead of the Person so removed.

Lord Lieutenant may give Orders as to Conduct of Commissioners, &c.

VIII. It shall be lawful for the Lord Lieutenant to give such Orders, Instructions, and Directions for the Conduct of the said Commissioner or Sub-Commissioners, Valuators, and Surveyors respectively, and for such Clerks or other Persons, in the Discharge of their several Duties under this Act, as to such Lord Lieutenant shall from Time to Time seem fitting and expedient for the due Execution of this Act.

Counties, &c. to be valued, and previous Valuations to be revised under this Act.

IX. It shall be lawful for the Lord Lieutenant to direct the said Commissioner of Valuation to cause a Valuation in Townlands and Tenements to be made under this Act of every County, Part of a County, County of a City or County of a Town, the Tenement Valuation of which shall not have been then commenced, or not so far completed under the said recited Act as that the primary Tenement Valuation thereof shall have been printed, or ready for printing, before the passing of this Act.

Commissioner and Valuators may enter any Land, Houses, Gardens, &c. in execution of this Act.

X. It shall and may be lawful for any Commissioner of Valuation to be appointed or continued under this Act, and for any Valuators, Surveyors, or other Persons continued or appointed under this Act, from Time to Time to enter into and upon any Tenements or Hereditaments, for the Purpose of making or carrying on any Valuation or Revision authorized by this Act: Provided always, that in every Case in which it shall be necessary for any such Commissioner, Valuator, Surveyor, or other Person to enter any House, or any walled Garden, or Orchard or Pleasure Ground, and when the Owner or Occupier thereof shall oppose or refuse to allow such Entry, such Commissioner, Valuator, Surveyor, or other Person shall give Three Days Notice to the Owner or Occupier of such House, Garden, Orchard, or Pleasure Ground, requiring to be permitted to enter the same; and at any reasonable Time after the Delivery of such Notice it shall be lawful to make such Entry, such Commissioner, Valuators, Surveyors, or other Persons doing as little Damage as may be in the Execution of the Powers to them granted by this Act, and making reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Tenements or Hereditaments, Gardens, Orchards, or Pleasure Grounds, which shall or may be in any way hurt or damnified in or by the Execution of any of the Powers of this Act; and this Act shall be sufficient to indemnify such Commissioner, Valuators, Surveyors, or other Persons, and all Persons acting in aid or under the Orders of any of them, in the Execution of this Act.

Tenements to be valued separately upon an Estimate of the net annual Value with reference to the Prices of agricultural Produce as herein contained.

XI. In every Valuation hereafter to be made, or to be carried on or completed under the Provisions of this Act, the Commissioner of Valuation shall cause every Tenement or rateable Hereditament hereinafter specified to be separately valued, and such Valuation in regard to the Land shall be made upon an Estimate of the net annual Value thereof with reference to the average Prices of the several Articles of agricultural Produce herein-after specified, all peculiar local Circumstances in each Case being taken into consideration, and all Rates, Taxes, and public Charges, if any, (except Tithe Rentcharge,) being paid by the Tenant; (that is to say,)

Wheat at the general average Price of Seven Shillings and Sixpence *per* Hundredweight of One hundred and Twelve Pounds:

Oats at the general average Price of Four Shillings and Tenpence *per* Hundredweight of One hundred and twelve Pounds:

Barley at the general average Price of Five Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

Flax at the general average Price of Forty-nine Shillings *per* Hundredweight of One hundred and twelve Pounds:

Butter at the general average Price of Sixty-five Shillings and Fourpence *per* Hundredweight of One hundred and twelve Pounds:

Beef at the general average Price of Thirty-five Shillings and Sixpence *per* Hundredweight of One hundred and twelve Pounds:

Mutton at the general average Price of Forty-one Shillings *per* Hundredweight of One hundred and twelve Pounds:

Pork at the general average Price of Thirty-two Shillings *per* Hundredweight of One hundred and twelve Pounds:

Such Valuation in regard to Houses, &c. to be made upon an Estimate of the net annual Value.

And such Valuation in regard to Houses and Buildings shall be made upon an Estimate of the net annual Value thereof; that is to say, the Rent for which, One Year with another, the same might in its actual State be reasonably expected to let from Year to Year, the probable average annual Cost of Repairs, Insurance, and other Expenses (if any) necessary to maintain the Hereditament in its actual State, and all Rates, Taxes, and public Charges, if any, (except Tithe Rentcharge,) being paid by the Tenant.

What Hereditaments are rateable.

XII. For the Purposes of this Act the following Hereditaments shall be deemed to be the rateable Hereditaments; *viz.*, all Lands, Buildings, and opened Mines; all Commons and Rights of Common, and all other Profits to be had or received or taken out of any Land; and in the Case of Land or Buildings used exclusively for public, scientific, or charitable Purposes, as herein-after specified, Half the annual Rent derived by the Owner or other Person interested in the same, so far as the same can or may be ascertained by the said Commissioner of Valuation; and all Rights of Fishery; all Canals, Navigations, and Rights of Navigation; all Railways and Tramroads; all Rights of Way and other Rights or Easements over Land, and the Tolls levied in respect of such Rights and Easements, and all other Tolls:

Provided

Provided always, that no Turf Bog or Turf Bank used for the exclusive Purpose of cutting or saving Turf, or for making Turf Mould therefrom, for Fuel or Manure, shall be deemed rateable under this Act, unless a Rent or other valuable Consideration shall be payable for the same: And provided also, that no Mines which have not been opened Seven Years before the passing of this Act shall be deemed rateable until the Term of Seven Years from the Time of opening thereof shall have expired; and no Mines hereafter to be opened shall be deemed rateable until Seven Years after the same shall have been opened; and Mines *bonâ fide* re-opened after the same shall have been *bonâ fide* abandoned shall be deemed an Opening of Mines within the Meaning of this Act.

All Flour Mills, &c. with their effective Water Power, to be valued.

XIII. For the Purposes of such Valuation all Mills and Buildings erected for manufacturing or other Purposes, together with the Water Power thereof, shall be included in such Valuation, provided that the Water Power of any Mill or Manufactory be only valued so far as it may be actually used, and that such Valuation shall not extend to or include the Value of any Machinery contained within such Mill or Manufactory.

Valuation not to be increased on account of Drainage or Reclamation as herein.

XIV. No Hereditament or Tenement shall be liable to be rated in respect of any Increase in the Value thereof arising from any Drainage, Reclamation, or Embankment from the Sea or any Lake or River, or any Erection of Farm, Outhouse, or Office Buildings, or any permanent agricultural Improvement as specified under the Provisions of an Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter Thirty-two, Section Four, made or executed thereon within Seven Years next before the making of such Valuation or Revision.

Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for charitable Purposes, which shall be exempted from Assessment.

Half of the Rent derived by Owner, &c. to be entered in Valuation Lists.

XV. In making out the Lists or Tables of Valuation herein-after mentioned, the Commissioner of Valuation shall distinguish all Hereditaments and Tenements, or Portions of the same, of a public Nature, or used for charitable Purposes, or for the Purposes of Science, Literature, and Fine Arts, as specified in an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Thirty-six, and the Value of the same shall be deducted from the gross Amount of the Valuation of the Hereditaments and Tenements comprised in each such List or Table; and all such Hereditaments or Tenements, or Portions of the same, so distinguished and deducted, shall for the Purposes of this Act be deemed exempt from all Assessment whatsoever so long as they shall continue to be of a public Nature, or used for the Purposes aforesaid; and the Lists, Tables, or Valuations, subject to such Deduction, shall be deemed to be the Lists, Tables, or Valuations whereby all public or local Assessments shall be levied as herein-after provided: Provided always, that Half the annual Rent derived by the Owner or other Person interested in any Tenements or Hereditaments so exempted shall be included in such Lists or Tables, so far as the same can or may be ascertained by the said Commissioner of Valuation.

No Houses, &c. to be exempt unless altogether of a public Nature, or used exclusively for charitable Purposes.

XVI. For the Purposes of such Valuation, no Hereditaments or Tenements, or Portions of the same, shall be deemed to be of a public Nature, or used for such charitable, scientific, or other Purposes as herein-before specified, within the Meaning of this Act, unless such Hereditaments or Tenements, or Portions of the same respectively, shall be altogether of a public Nature, or used exclusively for such charitable, scientific, or other Purposes aforesaid; and the Valuations or Exemptions in such Cases shall be subject to such and the like Appeals against the same as are herein-after provided as to Valuations in other Cases.

Lists of Valuation, &c. when complete to be sent to the Treasurer of Counties, Clerks of Boards of Guardians, and Town Councils interested.

XVII. When and so soon as the Valuation or Revision of Valuation of all the Hereditaments and Tenements within any County, Barony, or Poor Law Union, County of a City, County of a Town, shall be completed, the Commissioner of Valuation shall prepare and make out a List or Table of the several Hereditaments and Tenements contained in each Townland or other Denomination therein, and of their respective Valuations, signed by him the Commissioner of Valuation; and the said Commissioner of Valuation shall transmit a sufficient Number of printed or written Copies of such Lists, so signed by him, in the Form set forth in the Schedule annexed to this Act, to the Treasurer of the County, and to the Clerk of the Board of Guardians of each Union in which the Hereditaments and Tenements contained in such Schedule are situate, and to the Town Council of any City, Borough, or Town interested therein.

Clerk of Guardians shall post Notices thereof on Church Doors, &c. within Three Days.

Lists may be inspected.

If no Clerk, Poor Law Commissioners to appoint a Person to act.

XVIII. Every Clerk of any Board of Guardians to whom Copies of any such Lists shall be transmitted as aforesaid shall, within Three Days after the Receipt of such Lists, cause to be affixed a Notice on the principal outer Door or Gate Pier of the Church, and of any One Roman Catholic Chapel, and of any One Presbyterian Meeting House, if any, within every Parish or Part of a Parish (included in the Union) in which any Hereditaments or Tenements contained in such List are situate, stating the Time at which said Lists were so transmitted, and the Time and Place at which said Lists may be inspected, and shall, at all reasonable Hours on every Day, from and after the Receipt of said Lists, for Twenty-one Days then next ensuing, leave open for public Inspection at the Workhouse of the Union, and at the Station of each Party of Constabulary, if any, situate within any such Parish, Copies of the said Lists, and shall permit Extracts to be taken therefrom at all reasonable Times as aforesaid: Provided always, that in all Cases in which no Clerk shall have been appointed to the Board of Guardians of any Union, it shall be lawful for the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* to appoint a Person to act in his Stead.

Any Person appealing against Valuation shall send a Notice of such Appeal to the Clerk of the Guardians;

XIX. Within Twenty-eight Days from and after the Receipt of the said Lists by the Clerk of any Union as aforesaid any Person aggrieved by reason of the Valuation of any Tenement or rateable Hereditament, or by reason of any inaccurate Statement of Area or inaccurate Description of any Tenement or rateable Hereditament, contained in such Lists, or any other Cause whatsoever, shall send by Post or deliver to the Clerk of the Board of Guardians of the Union in which such Hereditament or Tenement is situate a Notice in Writing, duly signed by him the said Person aggrieved, or by his known Agent, setting

who shall forward it to Commissioner of Valuation.

setting forth the Grounds of such Grievance; and the said Clerk of the Board of Guardians shall forthwith forward said Notice to the Commissioner of Valuation at the Office in *Dublin* of the General Valuation of *Ireland*.

Commissioner of Valuation may inquire into such Appeals, and alter or amend original Valuation;

XX. The said Commissioner of Valuation shall, on receipt of every such Notice as aforesaid, inquire into the Subject Matter thereof, and, if necessary, direct a Valuator or Surveyor, as the Case may require, who shall not have been previously employed in making the original Valuation contained in the Lists as aforesaid, to view such Hereditament or Tenement, and investigate the Complaint stated in such Notice, and report thereon to the said Commissioner of Valuation, and should it appear to him the said Commissioner of Valuation from such Report that the Valuation or Statement of the Area of the Tenement or rateable Hereditament referred to in any of such Notices requires Amendment, the Commissioner of Valuation shall have Power to alter and amend the Valuation or Statement of the Area of the Tenement or rateable Hereditament so appealed against, and also to alter and amend the Valuation or Statement of the Area of any other Tenement or Hereditament against which there shall have been no Appeal, but which may appear to him to be similarly circumstanced with those respecting which Appeals have been made, in order to render the Valuation of every Tenement or Hereditament comprised in such List proportionate and uniform.

and also may alter the Valuation of any Tenement, though not appealed against.

Commissioner of Valuation to prepare Statement of Cases where original Valuation altered or refused.

XXI. The Commissioner of Valuation shall make out and sign, in the Form in the Schedule annexed to this Act, a Statement of all Cases in every Townland or other Denomination in which he shall have so altered or refused to alter the Valuation or Statement of the Area of any Tenement or Hereditament, or otherwise amended the same as aforesaid, and shall transmit such List, so signed, to the Clerk of the Board of Guardians of the Union in which such Tenements are situate, who shall, within Three Days after the Receipt of said Lists, make the same public, by Notices, in the same Manner as herein-before provided as to the Publication of the primary Valuation of Tenements.

Publication by Clerk of Union.

Appeal to Quarter Sessions from the Valuation.

Notice and Proceedings.

XXII. At any Time within Twenty-one Days after the Receipt of the said last-mentioned Lists in the Form as aforesaid by the Clerk of the Board of Guardians, any Person aggrieved by the Valuation of any Tenement or Tenements contained in said List, and desiring to appeal therefrom, shall send or deliver to the Clerk of the Board of Guardians a Notice in Writing, duly signed by him the said Person aggrieved, or by his known Agent, of his Intention to appeal to the next General or Quarter Sessions of the Peace for the Division of the County, or for the County of a City or County of a Town, in which said Tenement or rateable Hereditament may be situate, stating the Ground of such Appeal; but in case the next General or Quarter Sessions as aforesaid shall commence within Forty Days after the Receipt of the said last-mentioned Lists as aforesaid by the Clerk of the Board of Guardians, such Appeals shall be made to the succeeding General or Quarter Sessions as aforesaid; and the said Clerk of the Board of Guardians of the Union in which such Property is situate shall forthwith forward the said Notice to the Commissioner of Valuation, who shall be the Respondent in the said Appeal; and the Clerk of the Board of Guardians shall cause a List of all such Notices of Appeal, with the Names of the Appellants and of the Lands which are the Subject of Appeal, to remain open for Inspection at the Workhouse of the Union; and if the Cause of Appeal shall be such as to require Alteration to be made in the Valuation of any Tenement for which any other Person or Persons is or are liable to be rated, the Appellant shall give like Notice to such other Person or Persons, who shall, if he or they so desire, be heard upon such Appeal; and within Five Days after Notice given of any such Appeal the Person appealing shall enter into a Recognizance in the Sum of Five Pounds before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the General or Quarter Sessions of the Peace for which such Notice shall have been given, and to abide the Order of and to pay such Costs as shall be awarded by the Court at such Sessions; and within Three Days after such Recognizance shall have been entered into, the Magistrate before whom such Recognizance shall have been entered, or Clerk of the Petty Sessions, shall send the same by Post, or shall forward the same to the Office of the Clerk of the Peace for the respective County or Place, there to remain of Record, and open for public Inspection, without Payment of any Fees.

If Appeal affects the Valuation of other Tenements, Notice to be given to Persons interested.

Persons appealing shall enter into Recognizances.

Decision of Court of Quarter Sessions to be final.

XXIII. The Court before which any such Appeal shall be brought as aforesaid is hereby empowered and required to hear and determine the Matter of such Appeal as stated in such Notice of Appeal, but not any other Cause or Matter of Appeal, and to hear all Parties who may be, directly or indirectly, interested in the Cause of such Appeal, and to make such Order therein as to such Court shall seem fit, and to award such Costs to the Party appealing or appealed against, or to any other Party who shall be brought before the said Court on the Hearing of such Appeal, whether the Appellant shall prosecute such Appeal or not, or shall appear at the Hearing or not, as the said Court shall think proper; and upon the Hearing of any such Appeal the said last-mentioned Lists of Valuation, signed by the Commissioner of Valuation, shall be deemed to be *primâ facie* Evidence of the Correctness of the Valuations contained therein, till the contrary be shown to the Court; and the Determination of the said Court in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever: Provided always, that if the Costs of such Appeal shall be awarded against the Commissioner of Valuation, such Costs, when paid by such Commissioner, together with the necessary Costs incurred by such Commissioner in defending such Appeal, shall be deemed to be and charged as Part of the Expenses of the Valuation.

Proviso as to Costs awarded against Commissioner.

Guardians to pay necessary Expenses of Clerk, &c. incurred.

XXIV. The Guardians of the Poor of the Union shall, out of any Funds under their Control, pay to the Clerk of the Guardians, or other Person appointed in his Stead, the reasonable Expenses which he shall have incurred in the Execution of this Act.

XXV. As

Commissioner of Valuation *shall* cause a final List to be printed, and send Copies to Clerks of Guardians, Town Councils, and Treasurers of Counties, where interested.

XXV. As soon as the Valuation of any Poor Law Union, or of any County, or Barony of any County, shall have been finally completed as herein-before provided, and, if appealed against, such Appeal shall have been determined as aforesaid, the Commissioner of Valuation *shall* cause a *final* List to be made in the Form set forth in the Schedule annexed to this Act of all the Tenements or rateable Hereditaments comprised within the several Townlands and Parishes within such County, Barony, or Poor Law Union, and Copies of the same to be transmitted to the Clerk of the Board of Guardians of such Union, and to the Town Council of any City, Town, or Borough, affected by such Valuation, and to the Treasurer of the County in which such Barony may be situate, signed by the said Commissioner of Valuation; and on the Receipt by the Treasurer of any County of such final Lists of any Barony, or of the whole Number of Baronies in such County, such Treasurer shall strike out from the Columns in such final Lists relating to Buildings the Valuations of each and every House in each Tenement and Townland, the net annual Value of which House, as therein stated, shall not exceed Five Pounds, and shall deduct the Sum of such Valuations of Houses valued under Five Pounds, and so struck out, from the total Amount of the Valuation of such respective Tenement and Townland; and the Valuation of each Tenement and Townland, after such Deduction, shall be deemed to be the Value thereof for the Purposes of County Assessments.

The County Rates to be levied according to such final Lists of Valuation.

XXVI. From and after the Commencement of the Summer Assizes next ensuing the Day on which such final Lists of the Valuation of any County shall be received by the Treasurer of such County, all County or Grand Jury Rates and Assessments then and thereafter made, presented, or ordered in or for such County, or any Townland therein, shall be levied within the respective Townlands or Townland, as the Case may be, and on such Tenements and Hereditaments therein, according to the Valuations contained in such final Lists, and upon no other, until the same shall be revised in the Manner herein-after mentioned: Provided always, that the Adoption of such Valuation for Grand Jury Assessment in any Barony shall not alter or affect the Proportion of County Cess or Charges which by any Law or Usage may have been borne by any such Barony, as compared with any other Barony or Baronies within the same County, until the Valuation of the entire County shall have been completed: Provided also, that nothing herein contained shall be construed to prevent the Treasurer of any County from altering the Name of any Occupier in such Valuation in case of any Change of Abode or Possession, or of any Error or Omission of or in the Name of such Occupier.

Rates made after 30 Days from the Time Guardians receive the Valuation, and by Town Council, shall be made according to such final Lists of Valuation.

Proviso.

XXVII. Every Rate for the Relief of the destitute Poor in every Union which shall be made after Thirty Days from the Time when the Board of Guardians of such Union shall have received such final Lists of the Valuation of all the Townlands comprised in such Union, and every Rate made by any Town Council within such Union, shall be made upon the Hereditaments and Tenements liable thereto according to the Valuation of each Hereditament or Tenement comprised in such Lists so signed and transmitted as aforesaid by the Commissioner of Valuation, until the same shall be revised in the Manner herein-after mentioned: Provided always, that nothing herein contained shall be construed to prevent the Board of Guardians, or the Town Council, or the Court at any General or Quarter Sessions on Appeal, from altering the Name of any Occupier or immediate Lessor in such Valuation, in case of any Change of Abode or Possession or of any Error or Omission of the Name of such Lessor or Occupier.

So much of Acts 1 & 2 Vict. c. 56. &c. as authorizes Justices, &c. to quash Rate not to apply if Rate made in conformity to this Act.

XXVIII. So much of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her Majesty Queen *Victoria*, Chapter Fifty-six, or of any Act or Acts amending the same, as may authorize the Court, on Appeal being made thereto, at any General or Quarter Sessions, to amend, alter, or quash any Rate, on the Ground of the net annual Value assigned therein to any Tenement or rateable Hereditament, shall not extend to or apply to any Rate for the Relief of the destitute Poor made and assessed on such Tenement or rateable Hereditament, in conformity with the Valuation thereof, signed by the Commissioner of Valuation as aforesaid.

Revision of Valuation to take place every Year as to certain Property altered or variable in its Nature.

XXIX. And for the Purpose of providing for the necessary Alteration and Revision of the said Tenement Valuation from Time to Time, in the Cases of those Tenements or Hereditaments the Limits whereof shall become altered, or whereof the Value shall be changed by any Building being erected thereon or thrown down or destroyed, as the Case may be, or in all Cases of Property the annual Value of which is liable to frequent Alteration, such as Fisheries, Railways, Canals, Tolls of Roads and Bridges, and Mines, be it enacted, That within Ten Days after the First Day of *February* in each Year after any such Valuation or revised Valuation shall have been completed and in operation, every Collector of Poor Rates within each Poor Law Union within which such Valuation shall be completed and in operation shall make out, and lay before the Board of Guardians of the Union for which he is a Collector, a List of all the Tenements or Hereditaments situate within every Townland in the said Union, and within his District, the Valuation of which Tenements shall require Revision for any of the Reasons aforesaid, or in respect of any Property the annual Value of which is liable to frequent Alteration as aforesaid; and if any such Collector shall fail or neglect to make out, according to the best of his Ability, and lay before the respective Board of Guardians, such last-mentioned List of Tenements and Properties, as hereby required, he shall for every such Neglect or Default be liable to a Penalty not exceeding Five Pounds; and the Clerk of the Union shall prepare from the said Lists a full and complete List of all such last-mentioned Tenements and Property, and shall for Twenty Days after receiving the said Lists leave Copies thereof open for Inspection at the Workhouse of the Union, and permit Extracts to be taken from the same; and in case of such Default as aforesaid by a Poor Law Collector, any Ratepayer within the Union may lay before the Board of Guardians a List of any Tenements the Valuation of which shall in his Opinion require Revision, which List shall be dealt with as if returned by the Poor Law Collector, and

Penalty on Collector for not returning List for Revision.

and shall transmit such List, within Twenty Days from such First Day of *February*, to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations, together with the Name of a Person whom the said Board of Guardians may recommend as a fit and proper Person to revise the same.

Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit a List to the Guardians of the Union and to the Treasurer of the County, &c.

XXX. Within One Month after the Receipt of any of the said last-mentioned Lists the said Commissioner of Valuation shall, if he shall think fit, appoint such Person so recommended, or authorize the Board of Guardians to appoint some other fit and proper Person, to revise the Valuation of the Tenements so requiring Revision, or the said Commissioner of Valuation shall himself cause a Revision to be made of the Valuation of the Tenements in the several Townlands and Parishes of the said Poor Law Union or City or Town the Limits or Value whereof shall have been altered as aforesaid, whether such Tenements or Hereditaments so altered in Limits or Value shall have been included in the said Lists or not, and also in regard to any Property the annual Value whereof is liable to frequent Alteration as aforesaid, and the Person making such Revision shall have regard to the total Valuation of the Lands, independently of Buildings, within each respective Townland or other Denomination, as finally decided on by the Commissioner of Valuation, or by the Court at any General or Quarter Sessions of the Peace as aforesaid, and shall not increase or lessen such total Valuation; and as soon as the said Revision shall have been completed the Commissioner of Valuation shall make out and prepare a List of the Tenements so revised as aforesaid, and shall sign the same, and transmit a List of such Tenements to the Guardians of the said Union, and to the Town Council of the Borough, and likewise to the Treasurer of the County, in the Form to this Act annexed; and the Clerk of such Union as aforesaid shall forthwith make the said Lists public by all and every the same Ways and Means by which the Lists of Tenements in the Form to this Act annexed are herein-before required to be made public.

Persons may appeal against such Revision, in manner herein-before provided.

XXXI. The Owners or Occupiers of all Tenements the Area or Valuation of which shall have been altered as last aforesaid in the List signed by the Commissioner of Valuation shall have the same Powers of Appeal to the Commissioner of Valuation and to the Quarter Sessions, subject to the same Conditions and Provisions, and exercised in the same Manner and to the same Extent, as herein-before provided in regard to Appeal: Provided always, that such total Valuation of Lands as last aforesaid of any Townland shall not be increased or lessened at the Hearing of any such Appeal as aforesaid: Provided also, that when all the Appeals, if any, so taken, shall have been heard and finally determined or disposed of in manner herein-before provided, the Commissioner of Valuation shall make out and transmit Lists in the Form as aforesaid of the Tenements and Properties so finally revised to the Guardians of the Poor of the Union, and to the Town Council of the Borough, and to the Treasurer of the County, in which respectively such Tenements and Properties are situate.

Rates made after 30 Days from Receipt of revised Valuation, shall be made according thereto.

XXXII. In every Rate to be made after Thirty Days from the Receipt of such last-mentioned finally revised List of Tenements or Hereditaments in each Year by the Board of Guardians of any Union, or Town Council, the Tenements or Hereditaments included in the said List shall be rated according to the Value thereof as set forth in the said List, in place of that specified in any former Lists, until the same shall again be revised from Time to Time in the manner herein-before last mentioned.

After the Receipt of Valuation List by the County Treasurer, Rates to be levied accordingly.

XXXIII. And from and after the Commencement of the Summer Assizes next ensuing the Day on which such finally revised Lists of the Valuation of any County or Barony in each Year shall be received by the Treasurer of such County, all Grand Jury or County Assessments and Rates shall be levied within the several Townlands, and on such Tenements and Hereditaments therein, according to the Valuations contained in such Lists, in place of those specified in any former Lists, until the same shall again be revised from Time to Time in the Manner herein-before last mentioned.

New Valuation may be made every Fourteen Years after former Valuation, either under this Act or 9 & 10 Vict. c. 110., and so from Time to Time.

XXXIV. And for the Purpose of providing for the necessary Revision of the Valuation of the Land in consequence of Changes that may have taken place in the gross Amount of the Value of the several Townlands from Time to Time, be it enacted, That at or after the Termination of Fourteen Years from the Period of the final Completion of the first general Tenement Valuation of any Poor Law Union, County, or Barony, under the Act of the Ninth and Tenth Years of Her present Majesty, Chapter One hundred and ten, or under this Act, it shall be lawful for the Lord Lieutenant of *Ireland*, on Application by the Grand Jury of the County, if he shall think fit so to do, to direct the Commissioner of Valuation to make a general Revision of the Valuation of any such Poor Law Union, County, or Barony, and so from Time to Time at or after the Expiration of every subsequent Period of Fourteen Years from the final Completion of the preceding general Revision of the Valuation to cause a new Revision to be made, and upon each such Occasion to cause Notice to be given to the Grand Jury of such County, County of a City or County of a Town, previous to such Direction, by Letter from the Chief Secretary of the Lord Lieutenant, addressed to the Secretary of the Grand Jury of such County, County of a City or County of a Town, and also Notice to be given to the Clerks of the Boards of Guardians of the several Unions or Parts of Unions contained within such County, and the said Commissioner shall proceed therein as in the first general Valuation or general Revision of Valuation of any County which may have been made under the Provisions of this Act; and the Grand Jury of the said County, County of a City or County of a Town, and all Officers thereof, and every Public Officer or other Person duly authorized, shall perform all Acts required to be done by them or him, in the same Manner and within the same Periods as herein-before is provided for the first general Valuation or general Revision of Valuation of the said County, County of a City or County of a Town, and shall have the same Powers, Privileges, and Immunities in the Performance of their respective Duties, and the said new Valuation, when completed, shall have the same Effect and Operation, to all Intents and Purposes, as the former general Valuation or general Revision

Revision of Valuation, and shall supersede the same, and that which is hereby enacted in relation to such first general Valuation or general Revision of Valuation, and the several Proceedings relating thereto, and all Matters connected therewith, shall apply in due Course and under the same Circumstances and Conditions to such Revision of the Valuation to be made from Time to Time as aforesaid: Provided always, that at or after the Expiration of Seven Years from the passing of this Act it shall be lawful for the Lord Lieutenant, on Application by the Grand Jury of any County, to direct the Commissioner of Valuation to make a general Revision of the Valuation of any such County, either upon a Scale of the Average of the Prices of agricultural Produce in *Ireland* for the Three then preceding Years, ascertained under any Act which may then be in force in *Ireland* for ascertaining the same, or if no such Act shall have been in force in *Ireland* for such Three preceding Years, then according to the Scale of Prices of agricultural Produce contained in this Act.

For Revisions, latest Publication of Ordnance Survey to be used.

XXXV. And for the Purpose of determining the Contents of Tenements from the Detail afforded by the Ordnance Survey of *Ireland*, be it enacted, That in all Revisions of the Valuation the latest revised Publication of any of the Plans of such Ordnance Survey shall be used by the Valuators or Surveyors employed in that Behalf.

Lord Lieutenant may order a Salary, not exceeding 3*l.* 3*s.* per Day, to be paid to Commissioner.

XXXVI. From and after the passing of this Act it shall be lawful for the Lord Lieutenant of *Ireland* to order and direct that a Salary, not exceeding the Rate of Three Guineas *per* Day, shall be paid to the Commissioner of Valuation appointed under the Authority of the said first-mentioned Act or this Act during the Time he shall be so employed, together with such Allowance for travelling and other Expenses, not to exceed One Guinea *per* Day, as may be ordered and directed by the Lord Lieutenant.

Salary not exceeding 20*s.* per Day to any Sub-Commissioner while employed, with Allowance for Expenses.

XXXVII. It shall be lawful for the said Lord Lieutenant to order and direct that a Salary shall be paid to each and every Sub-Commissioner who may be employed under this Act, not exceeding the Rate of One Pound *per* Day for every Day that such Sub-Commissioner shall be employed on the hearing and determining of Appeals as aforesaid, with an Allowance of Ten Shillings *per* Day to cover Hotel Expenses, together with a further Allowance of the actual travelling Expenses incurred by him while he shall be so employed as aforesaid.

Valuator, &c. to be paid a Sum fixed by Commissioner, not exceeding 20*s.* a Day, and other Allowances.

XXXVIII. Every Valuator, Surveyor, Measurer, Draftsman, Writing Clerk, or other Person or Persons shall be entitled to receive for his Salary any Sum to be fixed by the Commissioner of Valuation, provided that such Sum shall in no Case exceed the Rate of Twenty Shillings *per* Day for every Day during which such Person shall be employed under the Orders of the Commissioner of Valuation, together with such Allowances to cover Hotel and travelling Expenses as may appear to such Commissioner to be fair and reasonable in each Case.

Treasury may advance Money for paying Salaries, &c. of Commissioner of Valuation, &c.

Advances to be made to such Persons and under such Rules as Lord Lieutenant shall direct.

XXXIX. It shall be lawful for the Commissioners of Her Majesty's Treasury to order and direct that any such Sum or Sums of Money as they shall think proper shall be advanced quarterly from the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* for the defraying the Salaries of the said Commissioner of Valuation, and the Allowances which shall be from Time to Time payable to the Persons employed in carrying this Act into execution; and all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations as shall from Time to Time be ordered and directed by such Lord Lieutenant, and as shall be signified in the usual Manner by the said Commissioners of Her Majesty's Treasury; and it shall be lawful for the Chief Secretary or Under Secretary to the Lord Lieutenant to certify to the Grand Jury of any and every County within which any such Persons shall be employed the Amount of Money which shall have been paid to the Commissioner of Valuation, and to the several Persons employed within such County in the Execution of this Act, out of the Advance authorized by this Act; and thereupon, for the Repayment of such Advances, it shall and may be lawful for the Grand Jury of any and every such County respectively, and they are hereby authorized and required, from Time to Time, to make Presentment of the Amount of such Expenses as stated in such Certificate to be raised off the County at large, or the several Baronies therein, or off any Part of a Poor Law Union therein, in such Manner and in such Proportions as the Lord Lieutenant shall direct; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same to such Bank or Person as the Commissioners of Her Majesty's Treasury shall think fit to direct.

Amount of such Expenses to be repaid by Grand Jury Presentment.

Commissioner of Valuation to transmit Statements of Progress of Valuation and Expenses.

XL. Ten Days previously to the Commencement of each Assizes, the Commissioner of Valuation shall transmit to the Secretary of any Grand Jury of any County which shall be in the Course of Valuation or Revision as aforesaid a Statement of the Progress made in such Valuation or Revision, together with a Statement in detail of the Expenditure on the same up to the Period when such Return shall be made; and such Statement shall contain the Name of each Person above the Class of a daily Labourer to whom any Portion of the said Expenditure shall have been paid, the Amount paid to him, and the Salary or Purpose for which the same shall have been paid, and the Rate and Amount of daily Hire of any daily Labourers employed in attending the Surveyors and Valuators.

Penalty on Persons neglecting their Duty in the Execution of this Act, or obstructing others in Prosecution of theirs.

XLI. If any Clerk to any Board of Guardians, Clerk of the Peace, Secretary of a Grand Jury, Treasurer of a County, Town Clerk, or any Valuator appointed by the Commissioner of Valuation, or other Person or Persons, shall omit or neglect or refuse to do any Matter or Thing which any such Person is by this Act required and directed to do in the Execution of this Act, or if any Person shall wilfully obstruct, hinder, or prevent any Person acting in the Execution of this Act, every Person so offending shall forfeit a Sum not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Penalties may be recovered before Justices of the Peace.

XLII. All Penalties and Forfeitures inflicted or imposed by this Act may be sued for and recovered in a summary Way by the Order and Adjudication of any Justice or Justices of the Peace at Petty Sessions, under and subject to the several Provisions and Regulations relating to summary Jurisdiction contained in "The Petty Sessions (*Ireland*) Act, 1851," and shall be applied in the Manner by the said Act directed.

Proceedings not to be quashed for Want of Form.

XLIII. No Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed for Want of Form, nor be removed nor removable by Certiorari, or any other Writ or Process whatsoever, into any of Her Majesty's Courts of Record at *Dublin;* and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made, by or on behalf of the Party distraining, before such Action commenced.

Limitation of Actions, &c.

Notice.

Tender of Amends.

Venue.

General Issue.

General Avowry in Replevin.

XLIV. No Action, Suit, or Proceeding shall be commenced or prosecuted against any Justice of the Peace, or any Commissioner of Valuation, or against any Valuator, or against any other Person or Persons, for anything done in pursuance of this Act, until Thirty Days Notice thereof shall be given to such Justice, or Commissioner, or Valuator, or other Person or Persons, nor after sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall be laid or brought in the County, County of a City or County of a Town, where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit, or Prosecution shall and may, at his or their Election, plead specially, or the General Issue Not Guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods, or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons who shall be Defendant or Defendants or Avowant or Avowants in any such Replevin to avow, plead, or make Cognizance generally that he or they took the same Cattle, Goods, or Chattels as a Distress by Force of the Statute in that Case made and provided, without more particularly setting forth this Act, or the Cause of making and detaining the said Distress or Distresses, or making any other special Plea, Avowry, or Cognizance, anything herein contained to the contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made, in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City or County of a Town, than as aforesaid, then the Jury shall find for the Defendant or Defendants or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action, Suit, or Prosecution after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants or Avowant or Avowants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

Costs.

Construction of Terms.

XLV. In the Construction of this Act, unless there be anything in the Subject or Context repugnant to such Construction, the Words "Lord Lieutenant" shall be deemed to mean Lord Lieutenant or other Chief Governor or Governors of *Ireland;* the Word "Inhabitant" shall include every one rated to the Grand Jury Cess; the Words "Town Council" and "Council" shall include "Town Commissioners," under an Act of the Ninth Year of His late Majesty King *George* the Fourth, Chapter Eighty-two, or any Trustees or other Body empowered by Law to make local Assessments; "Clerk of the Guardians" and "Clerk" shall be understood to mean and include Clerk of the Board of Guardians of the Poor of the Union, or other Person appointed to act or acting in his Stead; and the "Court of Quarter Sessions" shall be understood to mean the Court of General or Quarter Sessions of the Peace; and the Word "Assizes" shall include "Presenting Term;" and the Word "Treasurer" shall include "Finance Committee;" and that all Provisions and Directions in this Act contained relating to Counties shall extend to all Counties, Counties of Cities, Counties of Towns, and Towns Corporate in *Ireland;* and that all the Acts and Duties by this Act required to be performed by the several Grand Juries at the Assizes for any County shall and may, in the County of *Dublin*, be performed at the Presenting Terms by the Grand Jury of the said County duly met and impannelled, and in the County of the City of *Dublin* by the Council of the Borough of *Dublin;* and that all Provisions and Directions relating to Baronies shall extend to Half Baronies, and to all other Divisions of Counties being greater than Parishes, and in reference to any County of a City or County of a Town shall be deemed to mean and refer to such County of a City or County of a Town; and that all Provisions and Directions relating to Parishes shall extend to all Chapelries or Divisions of Parishes or extra-parochial Divisions; and that all Provisions and Directions relating to Townlands shall extend to all Divisions

and

and Sub-denominations of Lands less than and being comprised within any Parish; and the Word "Tenements" shall include rateable Hereditaments; and the Word "Houses" shall include Buildings; and the Word "Towns" shall include Cities; and where any Parish or Union shall be situate in more than One County or Barony, or partly in a County and partly in a County of a City, County of a Town, or Town Corporate, the several Parts of such Parish shall be valued as a distinct Parish in the several Baronies or Counties, or Counties of Cities or Counties of Towns, or Towns Corporate, to which they shall contribute to the Payment of any County Cess Charges or Grand Jury Rate.

Till Completion of Valuation, Grand Jury may direct County Assessments to be made under Poor Law Valuation.

XLVI. And for the Purposes of Assessment for Grand Jury Rates in any County where neither the Townland Valuation nor the Tenement Valuation of any such County shall have been completed, under the Provisions of the Acts for the uniform Valuation of Lands and Tenements in *Ireland*, or of this Act, it shall be lawful for the Grand Jury of such County, at any Assizes, if they shall so think fit, to order and direct that all Grand Jury Rates in any Barony of such County shall be made and levied upon all Lands and Tenements therein and liable thereto according to the Valuation on which the last preceding Rate for the Relief of the Poor had been made, until the Valuation of such County or Barony shall have been completed, under the Provisions of this Act, when all such Assessments or County Rates shall be made on such Valuation as by this Act directed; and where the Townland Valuation of any County shall have been completed under the Provisions of the Acts for the uniform Valuation of Lands in *Ireland*, it shall be lawful for the Grand Jury of such County, at any Assizes, if they shall so think fit, to order and direct that all Grand Jury Rates to be raised off any Townland or Townlands by the Warrant of the Treasurer of such County shall be subdivided and levied upon all Lands and Tenements within any such Townland or Townlands and liable thereto, according to the Valuation of such Lands and Tenements on which the last preceding Rate for the Relief of the Poor had been made, until the Valuation of such County or Barony shall have been completed under the Provisions of this Act, when all such Assessments or County Rates shall be made on such Valuation as by this Act directed; and when any such Order and Direction shall have been given as aforesaid, the Valuation on which the last preceding Rate in the respective Place, from Time to Time, for the Relief of the Poor, shall have been made, shall stand in the Place and Stead and shall have like Force and Validity of any such Applotment of Grand Jury Cess as is directed by the Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and sixteen, and shall be used by the respective Collector of Grand Jury Cess for applotting and assessing the same upon the several Lands and Tenements in his District of Collection, subject to like Provisions, and with like Powers with respect to levying the same, and with like Immunities relating to the same, as if the same had been duly applotted under the said Act; and the Officer or Person having the Custody of such last preceding Rate, if required and applied to by such Collector for such Purpose, shall at all convenient Times allow him or his Deputy to inspect or take a Copy of or Extracts from such Parts of the same as relate to his Collection, or in case of refusing or neglecting so to do shall be liable to a Penalty not exceeding Five Pounds for each such Neglect or Refusal.

In the County of Dublin all County, Baronial, or Parochial Charges imposed by Grand Jury Presentments to be provided for by a Poundage Rate.

XLVII. 'And whereas by an Act passed in the Seventh and Eighth Years of Her Majesty, intituled '*An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the* '*County of* Dublin, it was enacted, that from and after the First Day of the Presenting Term next fol- 'lowing the Publication of the Survey and Valuation of the County of *Dublin* under the Act of the 'Sixth and Seventh of *William* the Fourth, intituled *An Act to consolidate and amend the several Acts* '*for the uniform Valuation of Lands and Tenements in* Ireland, all County Charges by Grand Jury 'Presentments in the said County of *Dublin* should be assessed and levied according to the Proportions 'specified in the said Act:' Be it enacted, That in the said County of *Dublin*, from and after the First Day of the Presenting Term next following the Day on which the printed List of the Valuation of the said County under this Act shall be received by the Secretary of the Grand Jury, it shall be lawful for the Finance Committee of the said County of *Dublin*, in making their Apportionment of all Charges under the said Act of the Seventh and Eighth Years of Her Majesty's Reign, to apportion, declare, and strike all County, Baronial, or Parochial Charges imposed by Grand Jury Presentments by a Poundage Rate upon each Barony, Parish, or Denomination in the said County of *Dublin*, according to the Valuation thereof contained in such printed List, and that all Applotments to be made under and in pursuance of any Warrants issued by the Finance Committee of said County shall be made by a Poundage Rate upon the several Tenements and Hereditaments in such Barony, Parish, or Denomination, according to the Valuation thereof contained in such printed List: Provided always, and be it enacted, that in making the Poundage Rate it shall not be necessary for the Finance Committee to adopt or take into account any smaller Fraction than One Fourth Part of a Penny in the Pound, neither shall any Rate so made be vitiated or impugned by reason of its exceeding the Sum authorized by Presentments to be raised, if the Excess shall have been created by such Fractions of not more than One Fourth of a Penny in the Pound.

Nothing to repeal certain Provisions of 10 & 11 Vict. c. 34.

XLVIII. Nothing in this Act contained shall repeal the Provisions in the "Towns Improvement Clauses Act, 1847," or in any Act incorporating the same, relative to the Management of Streets, or the Liability to Grand Jury Cess, or other Payment in respect of making or repairing Roads.

FORM,

VALUATION OF TENEMENTS.—(No. 1.)

County of — Union
City of — Barony
or Town of — Parish
or Borough of

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature)
A——— *B*——— Commissioner of Valuation.

FORM.

VALUATION OF TENEMENTS AS ALTERED AND AMENDED.—(No. 2.)

County of — Union
City of — Barony
or Town of — Parish
or Borough of

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature)
A——— *B*——— Commissioner of Valuation.

FORM.

FORM.

FINALLY REVISED VALUATION OF TENEMENTS.—(No. 3.)

County of — Union
City of — Barony
or Town of — Parish
or Borough of

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature)
A——— *B*——— Commissioner of Valuation.

FORM.

ANNUAL REVISION OF THE VALUATION OF TENEMENTS.

County of — Union
City of — Barony
or Town of — Parish
or Borough of

Reference to Map.	Names.		Description of Tenement.	Area.	Rateable Annual Valuation.		Total Annual Valuation of Rateable Property.
	Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.	
				A. R. P.	£ s. d.	£ s. d.	£ s. d.

(Signature)
A——— *B*——— Commissioner of Valuation.

CAP. LXIV.

An Act to continue and amend the Metropolitan Sewers Act. [30th *June* 1852.]

11 & 12 Vict. c. 112. 12 & 13 Vict. c. 93. 14 & 15 Vict. c. 75.

'WHEREAS an Act was passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, "to consolidate, and continue in force for Two Years and to the End of the then next "Session of Parliament, the Metropolitan Commissions of Sewers," and the said Act was limited to continue in force for Two Years next after the passing thereof, and thence to the End of the then next Session of Parliament, and such Act has been amended by an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-three, and has been further amended and has been continued by an Act of the last Session of Parliament, Chapter Seventy-five: And whereas it is expedient to continue the said Acts for such Period as herein mentioned, and to amend the same as herein provided:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Land to be rated to District Sewers Rate on One Fourth of its annual Value.

I. Notwithstanding the Provisions of the said firstly-mentioned Act, the Occupiers of any Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Orchard, Market Garden, Hop, Herb, Flower, Fruit, or Nursery Ground, which may be rateable to any District Sewers Rate under the said firstly-mentioned Act, or any Act amending or continuing the same, shall, in and for any such District Sewers Rate made after the passing of this Act, be assessed and charged in respect of such Land in the Proportion of One Fourth Part only of the net annual Value thereof (the net annual Value to be ascertained as provided by the said first-recited Act).

Limiting Amount of Sewers Rate.

II. So much of the said thirdly-mentioned Act as provides that no Rate or Rates amounting to more than Threepence in the Pound shall be made by the said Commissioners shall be and the same is hereby repealed; and in lieu thereof it shall be and is hereby provided, that, notwithstanding anything contained to the contrary in the said Acts or either of them, the District Sewers Rate shall not exceed in any One Year the Sum of Sixpence in the Pound of the net annual Value of the Property rateable thereto.

Metropolitan Sewers Acts continued till 7th August 1853.

III. The said firstly-mentioned Act, as amended by the other Acts herein-before mentioned and by this Act, shall continue in force until the Seventh Day of *August* One thousand eight hundred and fifty-three, in like Manner as if the Time so limited had been the Time originally limited by the said firstly-mentioned Act for the Continuance thereof.

Certain Provisions of 12 & 13 Vict. c. 93. continued.

IV. Nothing herein contained shall be taken to determine or affect the Continuance after the said Seventh Day of *August* One thousand eight hundred and fifty-three of so much of the said Act of the Twelfth and Thirteenth Years of Her Majesty as, if this Act had not been passed, would have continued in force after the Expiration of the said firstly-mentioned Act.

CAP. LXV.

An Act to continue and amend an Act passed in the Fourteenth Year of the Reign of Her present Majesty, to consolidate and amend the Laws relating to Friendly Societies. [30th *June* 1852.]

13 & 14 Vict. c. 115.

'WHEREAS the Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, will expire at the End of the present Session of Parliament, and it is expedient that the same should be amended and further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts relating to Friendly Societies passed previously to 10 G. 4. c. 56. to continue in force as to such Societies.

I. All and every the Act and Acts of Parliament passed previous to the passing of the Act of the Tenth Year of the Reign of King *George* the Fourth, Chapter Fifty-six, relating to Friendly Societies, shall, notwithstanding anything contained in the Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, be deemed and taken to continue and be in force and to have continued and been in force from the Time of the passing of the said last-mentioned Act, as regards each and every Society established under any of the said previous Acts, or to which the same may be applicable, to such and the same Extent and in the like Manner as before and at the Time of the passing of the said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, except so far as any of the Provisions of the said Act respectively affect or are applicable to such Societies; but each and every Society established under any Act or Acts of Parliament relating to Friendly Societies passed previous to the passing of the said Act of the Fourteenth Year of Her present Majesty, Chapter One hundred and fifteen, may come under the Provisions of that Act, by having their Rules certified in conformity thereto, and thereupon the Provisions of the Act or Acts under which such Society has been established shall cease as to such Society, except as to any Offences committed, or Penalties or Liabilities incurred, or Bond or Security given, or Proceedings taken, under such Acts.

Payment of Salaries and Expenses of Registrars.

II. The Commissioners of Her Majesty's Treasury may allow the Registrars of Friendly Societies in *England*, *Scotland*, and *Ireland* respectively to retain out of the Fees to be received by them respectively under the said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, such Sum as will defray the Salary due to them respectively, and also such Sum as will defray the Expenses from Time to Time allowed by the said Commissioners for Office Rent, Salaries of Clerks,

Clerks, Stationery, Computation of Tables, and for such other Expenses as may be incurred by them respectively by the Authority of the said Commissioners, and the Balance, if any, shall be paid over to the Account of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and the said Commissioners shall from Time to Time regulate the Manner in which such Fees are to be received, kept, and accounted for; and if such Fees shall not in any Year be sufficient to defray such Salary and Expenses, the Balance shall be paid out of the said Consolidated Fund; and the Deficiency of the Fees to defray the Salaries and Expenses of the Office of Registrar of Friendly Societies in *England* since the passing of the said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, shall be paid out of the said Consolidated Fund.

Trustees of Friendly Societies to furnish Accounts to the Commissioners of the National Debt.

III. The Trustees of every Friendly Society established under any Act or Acts of Parliament relating to Friendly Societies which shall have deposited or which shall deposit any Portion of its Funds with the Commissioners for the Reduction of the National Debt shall furnish such Accounts and Returns relating thereto as shall from Time to Time be required by the said Commissioners; and it shall not be lawful for the said Trustees to pay any Portion of its Funds to the said Commissioners until they shall have satisfied the said Commissioners, in such Manner and by such Returns and Accounts as the said Commissioners shall require, that they are duly authorized by Law to make such Payment to the said Commissioners.

Recited Act further continued.

IV. The said Act of the Fourteenth Year of the Reign of Her present Majesty, Chapter One hundred and fifteen, shall be further continued to the First Day of *October* in the Year One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament.

CAP. LXVI.

An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland.* [30th *June* 1852.]

[11 & 12 *Vict. c.* 2. *and* 13 & 14 *Vict. c.* 106. *recited, and the former continued until* 31*st Aug.* 1853.]

CAP. LXVII.

An Act to continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in *Ireland.* [30th *June* 1852.]

12 & 13 Vict. c. 77.

'WHEREAS by an Act passed in the Session of Parliament holden in the Twelfth and Thirteenth 'Years of the Reign of Her present Majesty, Chapter Seventy-seven, intituled *An Act further to 'facilitate the Sale and Transfer of Incumbered Estates in* Ireland, and by the Sixteenth Section of the 'said Act, it is enacted, that where Land in *Ireland*, or any such Lease as therein particularly men- 'tioned, shall be subject to any Incumbrance, it shall be lawful for the Owner of such Land or Lease, 'within Three Years from the passing of the said Act, to apply to the Commissioners therein mentioned 'for a Sale of such Land or Lease, under the Provisions of the said Act; and by the Seventeenth Section 'of the said Act it is enacted, that where any Land or Lease, as therein mentioned, in *Ireland*, shall be 'subject to any Incumbrance, it shall be lawful for any Incumbrancer on such Land or Lease, within 'Three Years from the passing of the said Act, to apply to the Commissioners therein mentioned for a 'Sale, under the Provisions of the said Act, of the whole or Part (as in the Judgment of the Commis- 'sioners may appear necessary) of such Land or Lease, for the Purpose of discharging the Incumbrances 'thereon: And whereas it is expedient that the said Periods of Three Years in the said Sections men- 'tioned should be respectively extended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within the Period of Four Years next after the passing of the said recited Act it shall be lawful for any Owner of any such Land or Lease as in the said Sections of the said Act mentioned, or for any Incumbrancer thereon within the Meaning of the said Act, and as therein mentioned, to apply to the said Commissioners therein mentioned for a Sale of such Land or Lease, under the Provisions and for the Purposes of the said Act; and thereupon all Orders and Proceedings by the said Act mentioned or referred to shall and may be made, had, and taken, as fully and effectually, to all Intents and Purposes, and under and subject to like Provisions, as if such Application had been made within the respective Periods of Three Years by the said Sections of the said Act limited for the making of such Application by such Owner or Incumbrancer as aforesaid.

Within the Period of Four Years from the passing of recited Act, Applications may be made for a Sale under the said Act.

CAP. LXVIII.

An Act for the Application of certain Money accrued from Fines and Forfeitures in *Ireland* in aid of certain distressed Unions and Electoral Divisions in that Country. [30th *June* 1852.]

1 & 2 Vict. c. 9.

'WHEREAS by an Act passed in the Second Year of Her Majesty, intituled *An Act for the more 'effectual levying of Fines, Penalties, Issues, Deodands, and Amerciaments, and of forfeited 'Recognizances estreated in* Ireland, *and for the Application and Distribution thereof*, the Amount to be 'received as in the said Act mentioned in respect of Fines, Penalties, Issues, Deodands, Amerciaments, 'and forfeited Recognizances was directed to be lodged in the Bank of *Ireland*, or in some Branch Bank 'thereof, to the Credit of the Paymaster of Civil Services in *Ireland*, in an Account to be entitled in the

'Matter

'Matter of that Act, and it was thereby enacted that it should be lawful for the Lord Lieutenant or 'other Chief Governor or Governors of *Ireland* in Council, so long as the Hereditary Revenues of the 'Crown should not be payable and paid to Her Majesty, Her Heirs and Successors, to direct from Time 'to Time that all or any Part of the Sums paid to the Bank of *Ireland* under the Provisions of that Act, 'and not already appropriated by any Act or Acts to any special Purpose, should be paid to and distri- 6 & 7 Vict. c. 56. 'buted as therein mentioned: And whereas by an Act of the Session holden in the Sixth and Seventh 'Years of Her Majesty, Chapter Fifty-six, the said Act of the Second Year of Her Majesty was repealed, 'save as to any Act, Matter, or Thing theretofore done by virtue thereof, and also save and except as 'to any Fines, Penalties, Deodands, Amerciaments, Recognizances, and Issues which might have been 'imposed, estreated, or levied at any Time previous to the passing of the Act now in recital: And 'whereas a Sum of Twelve thousand three hundred and seventy-four Pounds Eighteen Shillings and 'Elevenpence, the unapplied Balance of the Monies lodged in the Bank of *Ireland* under the Provisions 'of the said Act of the Second Year of Her Majesty, remains in the Bank of *Ireland* to the Credit of 'the Paymaster of Civil Services in *Ireland*, in the Account directed by that Act: And whereas it is 'expedient that the said Sum should be applied in aid of certain distressed Unions and Electoral 'Divisions in *Ireland*:' Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Unapplied Balance under 1 & 2 Vict. c. 99. to be transferred to General Rate in Aid Account under 12 & 13 Vict. c. 24.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury to order all or any Part of the said Sum standing to such Credit as aforesaid in such Account as aforesaid to be transferred from the said Account to the Credit of the said Paymaster of Civil Services in the General Rate in Aid Account opened under the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Twenty-four, and the Governor and Company of the Bank of *Ireland* shall transfer the same accordingly; and thereupon the Money so transferred shall and may be paid, applied, and disposed of, under Orders of the Commissioners of Her Majesty's Treasury, for the Purposes and in the Manner provided by such last-mentioned Act concerning Money standing to such last-mentioned Account.

CAP. LXIX.

An Act to confirm certain Provisional Orders of the General Board of Health.

[30th *June* 1852.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, 'published, and deposited, according to the Provisions of that Act, certain Provisional Orders 'mentioned in the Schedule to this Act annexed, and it is expedient that the said Orders should be 'confirmed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Confirming Provisional Orders of the General Board of Health.

I. That the Provisional Orders of the General Board of Health referred to in the Schedule annexed shall, from and after the passing of this Act, so far as the same are authorized by the said Public Health Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Woolwich Dockyard, &c. exempted from Operation of Act.

II. Nothing herein contained or referred to shall sanction or authorize any Interference with the watching, paving, and lighting, or internal Regulations for the Time being of Her Majesty's Dockyard, or of any Barracks, Fortifications, Military or other Premises, under the Control or Authority of the Officers of Her Majesty's Ordnance in or near the Parish of *Woolwich;* and, notwithstanding anything herein contained or referred to, it shall not be lawful for the Local Board of the said Parish, or any Person whomsoever, to enter into and upon any Land which is now or which may at any Time hereafter be vested in the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or in the Commissioners for executing the Office of Lord High Admiral of the said United Kingdom, or in the Master General or principal Officers of Her Majesty's Ordnance for the Time being, or to make, construct, or set up any Sewer, Drain, or any Work, Article, or Thing of any Description on, in, under, over, or through any such Land or the Foreshore in front of any such Land, or which may affect the same Land or Foreshore, without the previous Consent of the said Lord High Admiral, or of the said Commissioners, or the said Master General or principal Officers of Her Majesty's Ordnance, signified in Writing under the Hand of the Secretary of the Admiralty or of the Secretary of the Board of Ordnance, as the Case may be, and then according to such Plan, and in such Manner, and upon such Terms and Conditions, and under such Restrictions as may be signified in Writing; and if any such Sewer, Drain, Work, Article, or Thing be made, constructed, or set up, or be commenced to be made, constructed, or set up contrary hereto, it shall be lawful for the Lord High Admiral or the said Commissioners, or the said Master General or principal Officers of Her Majesty's Ordnance, as the Case may be, if he or they think fit, to fill up, remove, and abate the same, and restore the Site thereof to its former State and Condition at the Cost of the said Local Board.

First Election for Parish of Walsoken.

III. The First Election of the Six Persons to be elected for and in respect of the Parish of *Walsoken*, as Members of the Local Board of Health for the District of *Wisbech* and *Walsoken*, for the Purposes of Main Sewerage only, which comprises the said Parish of *Walsoken*, shall take place on the Eighteenth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-two.

IV. The

IV. The First Election of the Eighteen Persons to be elected to form a Part of the Local Board of Health for the District of *Woolwich*, for the Purposes of the said Public Health Act, shall take place on the Eighteenth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-two; and that the Nomination of the Three Persons to be nominated by the Superintendent of Her Majesty's Dockyard, the Commanding Royal Engineer, the Storekeeper of Her Majesty's Ordnance, and the Officer in command for the Time being of the Royal Artillery in the Parish of *Woolwich* aforesaid, to form the other Members of the Local Board of Health within and for the said District for the Purposes of the said Public Health Act, shall take place on the Eighteenth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-two. First Election and Nomination of Local Board for Woolwich.

V. Nothing in the said Public Health Act, or in the Provisional Order contained in the Schedule to this Bill applying the said Act to the District of *Leamington*, shall be taken to give Power to the Local Board of Health of the said District or to any other Parties now or at any future Periods to discharge into the River *Avon*, or into the River *Leam* contiguous thereto, any Sewage or Water containing Sewage, unless such Sewage or Water shall, before its Discharge into the said River or Rivers, be filtered so as to be free from noxious and offensive Matter, and shall be first certified to be free from such Matter by the General Board of Health, under their Hands and Official Seal, after Examination and Report thereon by One of their Superintending Inspectors; and that if the said Board of Health shall at any Time hereafter cease to exist, it shall be competent for Parties aggrieved by such Discharge to cause the same to be inspected, and the Nuisance to be abated, by the Order of any Two Justices of the Peace at Petty Sessions assembled in the Division of the County of *Warwick* in which the Town of *Leamington* is situated. Water containing Sewage, &c. not to be discharged into the Avon without being filtered.

VI. The First Election of the Fifteen Persons to be elected to form and constitute the Local Board of Health for the District of *Leamington* in the County of *Warwick*, for the Purposes of the said Public Health Act, shall take place on the Eighteenth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-two; and the First Election of the One Person to be elected for and in respect of the Main Sewerage District described in the Schedule annexed to the Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the aforesaid District of *Leamington*, and to form with the aforesaid Local Board of Health the *Leamington* Main Sewerage Local Board, for the Purposes of the above-recited Act, shall also take place on the Eighteenth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-two. First Election of Local Board for Leamington.

VII. At the First Election of the Local Board of Health for the District of *Leamington*, as constituted by the Order in the Schedule to this Act, in case *William Carpenter* Esquire, from Illness or other sufficient Cause, shall be unable to exercise or discharge the Powers or Duties vested in or imposed upon him by the Public Health Act and the said Order in respect of the said First Election, Mr. *John Bowen* of *Leamington*, Ironmonger, shall exercise and perform such of the said Duties as remain to be exercised or performed instead of *John Henry Thomas* named in the said Order; and the Notices of Qualification in the said Order mentioned shall, in default of the said *William Carpenter*, be given to the said *John Bowen* at his House in *Leamington*, instead of the said *John Henry Thomas*. Chairman at First Election for Leamington.

VIII. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act. Act incorporated with Public Health Act.

IX. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1852, (No. 2.)" Short Title of Act.

SCHEDULE to which the foregoing Act refers.

Wisbeach.	Ashby-de-la-Zouch.	Leamington.
Walsoken.	Woolwich.	Newbury.
Salisbury.	Stratford-upon-Avon.	

CAP. LXX.

An Act for authorizing the Occupation of the House of Correction recently erected by and for the City of *London* at *Holloway* in the County of *Middlesex*. [30th *June* 1852.]

'WHEREAS the House of Correction in and for the City of *London* having been found to be too small for the proper Classification and Discipline of the Prisoners confined therein, the Mayor and Commonalty and Citizens of the said City have, out of their own Funds, and upon their own Land at *Holloway* in the County of *Middlesex*, erected a suitable Prison, in conformity with Plans approved by One of Her Majesty's Principal Secretaries of State, to the end that the same may be appropriated and used as and for a House of Correction for the said City: And whereas Doubts are entertained whether, in consequence of such House of Correction having been built out of the Funds of the Corporation of *London*, and not out of the County Rate and in manner directed by Law, the Secretary of State can deem the same to have been lawfully erected in manner required by the Act of the Fourth Year of King *George* the Fourth, Chapter Sixty-four:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for Her Majesty's Secretary of State, and the Court of Mayor and Aldermen of the said City, and all other Persons Prison to be deemed to be a good and valid Prison.

Persons whatsoever, to proceed in all respects as if the said House of Correction had been erected out of the County Rates and in all respects in manner required by the said Act, and the same shall be deemed and taken to have been lawfully erected in pursuance of the said Act, and shall be a good and valid Prison and House of Correction for the said City, to all Intents and Purposes.

CAP. LXXI.

An Act to amend an Act of the Ninth and Tenth Years of Her present Majesty for the Embankment of a Portion of the River *Thames*. [30th *June* 1852.]

'WHEREAS by an Act of Parliament passed in the Session of Parliament held in the Ninth and 'Tenth Years of the Reign of Her present Majesty, Chapter Thirty-nine, after reciting (amongst 'other things) that the Commissioners appointed by Her Majesty to inquire into and consider the most 'effectual Means of improving the Metropolis, and of providing increased Facilities of Communication 'between the same, by their Second Report, dated the Seventh Day of *May* One thousand eight hundred 'and forty-five, recommended to Her Majesty's favourable Consideration the Construction of an Embank-'ment and public Road between *Battersea* and *Vauxhall* Bridges, upon the Basis of a Plan and Esti-'mates in the said Report contained or referred to; and reciting that such Recommendation was made 'by the said Commissioners on the Understanding that the whole Cost of constructing such proposed 'Embankment and Roadway was not to fall ultimately upon the Public, but that a certain Proportion 'of such Cost should be contributed (either in Money or by conveying the Land required free of 'Expense, or by constructing the same Embankment and Roadway or Parts thereof at prime Cost, or 'otherwise,) by certain of the Owners of or Parties interested in the Tenements situated on the River 'Frontage along which the said intended Embankment and Roadway were to pass, in consideration of 'the Benefit which would accrue therefrom to their said respective Tenements, and that certain of such 'Parties were willing to contribute accordingly in some of the Modes aforesaid, and that it was in-'tended that they should respectively enter into Agreements with the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings, to make such Contribution accordingly, in 'such Sums or otherwise as the Lord High Treasurer or the Commissioners for executing the Office of 'Lord High Treasurer should approve of, and should think proper and sufficient, and that no Part of 'the said intended Embankment and Roadway should be commenced until after all such Agreements as 'aforesaid, so approved of as aforesaid, should have been duly executed; and also reciting that the 'Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings had caused 'Surveys, Plans, and Designs to be made of the said intended Embankment and Roadway, in accordance 'with the Recommendations contained in the said Report, and that such Surveys, Plans, and Designs 'had been submitted to the Commissioners of Her Majesty's Treasury, and had been approved of by 'them; it was by the Act now in recital (amongst other things) enacted, that it should be lawful for 'the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or 'any Three or more of them, for the Purposes of the said Act, by Warrant under their or his Hands 'or Hand, from Time to Time to authorize the Commissioner for issuing Exchequer Bills for Public 'Works therein mentioned to advance and lend to the Commissioners for executing the Act now in 'recital any Sum or Sums of Money in Exchequer Bills, not exceeding in the whole the Sum of One 'hundred and twenty thousand Pounds, and that the Repayment of all Sums to be so from Time to 'Time lent as aforesaid, with Interest as therein mentioned, should be secured as therein mentioned, 'and that when and so soon as such Agreements for Contribution as aforesaid (including an Agreement 'with the Governors and Company of *Chelsea* Waterworks, who had offered to contribute upon Terms 'to be arranged between the said Company and the Commissioners for executing the said Act now in 'recital,) as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High 'Treasurer, for the Time being, or any Three or more of them, should approve of, and should consider 'proper and sufficient in Amount, or otherwise, should have been made and entered into, it should be 'lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, 'who were thereby incorporated for the Purpose of executing the Act now in recital, to construct and 'complete an Embankment and Roadway along the North Bank of the River *Thames* from *Battersea* 'Bridge to *Vauxhall Bridge* in manner therein specified, and according to such Surveys, Plans, and 'Designs as aforesaid: And whereas, under and by virtue of the Provisions of the Act of the last 'Session of Parliament, Chapter Forty-two, Section Twenty-two, the Commissioners of Her Majesty's 'Works and Public Buildings are now substituted for the Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, for the Purposes of the said recited Act: And whereas 'such Agreements as aforesaid have not yet been made and entered into, and the same cannot be carried 'out without considerable Delay; and it is expedient, for the Convenience and Accommodation of the 'Public, that the Eastern Division of the said intended Embankment and Roadway should be con-'structed and completed as speedily as possible:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Commissioners of Works empowered to make

I. That it shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings forthwith, or so soon as they shall think fit, to construct and complete so much of the Embankment and Roadway

Roadway by the said recited Act authorized to be made as extends or will extend from *Vauxhall Bridge* on the East to the Sewer which forms the Western Boundary of the Gardens of *Chelsea Hospital* on the West, in the Manner and according to the Surveys, Plans, and Designs in the said recited Act specified, although no such Agreements as are therein mentioned shall have been made and entered into; and further, that all the Powers and Provisions in the said Act applicable to the said Embankment and Roadway thereby authorized to be made shall in all respects apply to that Part thereof which is hereby authorized to be made, as if the same was herein repeated, except that Enactment which provides that the Embankment and Roadway is not to be executed until such Agreements as therein mentioned shall have been made and entered into, and in all respects as if the said Powers and Provisions had been given to and made applicable to the Commissioners of Her Majesty's Works and Public Buildings, instead of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Embankment before entering into certain Agreements as directed by the recited Act.

II. Provided nevertheless, That nothing in this Act contained shall be taken to release, alter, or vary any Agreement already entered into or pending between the aforesaid Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or the Commissioners of Her Majesty's Works and Public Buildings, with any Parties whomsoever respecting the Completion of that Portion of the said Embankment hereby authorized to be completed, or the remaining Part thereof by the said Act authorized to be made, or any Part or Parts of such Embankment.

Act not to affect Agreements already entered into between Commissioners of Woods, &c. and other Parties.

CAP. LXXII.

An Act to grant a Representative Constitution to the Colony of *New Zealand*.

[30th *June* 1852.]

'WHEREAS by an Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Sixty-two, it was enacted, that it should be lawful for Her Majesty, by Letters Patent, to be from Time to Time issued under the Great Seal of the United Kingdom, to erect into a separate Colony or Colonies any Islands which then were or which thereafter might be comprised within and be Dependencies of the Colony of *New South Wales:* And whereas, in pursuance of the Powers in Her vested by the said Act, Her Majesty did, by certain Letters Patent under the Great Seal of the United Kingdom, bearing Date the Sixteenth Day of *November* in the Fourth Year of Her Reign, erect into a separate Colony the Islands of *New Zealand*, theretofore comprised within or Dependencies of the Colony of *New South Wales*, bounded as therein described, and the said Islands of *New Zealand* were thereby erected into a separate Colony accordingly; and Her Majesty did by the said Letters Patent authorize the Governor for the Time being of the said Colony of *New Zealand* and certain other Persons to be a Legislative Council for such Colony, and to make Laws for the Peace, Order, and good Government thereof: And whereas by an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter One hundred and three, the Act firstly herein recited, and all Charters, Letters Patent, Instructions, and Orders in Council made and issued in pursuance thereof, were repealed, abrogated, and annulled, so far as the same were repugnant to the Act now in recital, or any Letters Patent, Charters, Orders in Council, or Royal Instructions to be issued under the Authority thereof; and by the Act now in recital certain Powers for the Government of the said Islands were vested in Her Majesty, to be executed by Letters Patent under the Great Seal of the United Kingdom, or by Instructions under Her Majesty's Signet and Sign Manual, approved in Her Privy Council, and accompanying or referred to in such Letters Patent: And whereas, in pursuance of the said last-mentioned Act, Her Majesty did, by Letters Patent bearing Date at *Westminster* the Twenty-third Day of *December* in the Tenth Year of Her Reign, and by certain Instructions made and approved as required by such Act, and bearing even Date with and accompanying the said Letters Patent, execute certain of the Powers by such Act vested in Her Majesty for the better Government of the said Islands: And whereas by an Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Five, so much of the said Act secondly herein recited, and the said Letters Patent and Instructions issued in pursuance thereof, as relates to the Constitution and Establishment of Two or more separate Assemblies within the said Islands, and of a General Assembly in and for the said Islands, was suspended for Five Years, unless Her Majesty, with the Advice of Her Privy Council, should direct the same to be carried into effect before the Expiration of that Period; and by the Act now in recital the said firstly-recited Act, Letters Patent, and Instructions were revived for the Time during which the said secondly-recited Act, Letters Patent, and Instructions were suspended as aforesaid; and by the Act now in recital certain Powers were vested respectively in the Governor-in-Chief of the said Islands and in such Governor and the Legislative Council thereof: And whereas it is expedient that further and better Provision should be made for the Government of *New Zealand:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

3 & 4 Vict. c. 62.

9 & 10 Vict c. 103.

11 & 12 Vict. c. 5.

I. The said Acts, and all Charters, Letters Patent, Instructions, and Orders in Council issued in pursuance thereof, shall be and the same are hereby repealed, so far as the same are repugnant to or would prevent or interfere with the Operation of this Act, or any Letters Patent or Instructions to be issued under the Authority or in pursuance of this Act: Provided nevertheless, that all Laws and Ordinances made and Acts done under and in pursuance of the said recited Acts, and any Charters, Letters Patent, Instructions, or Orders in Council issued in pursuance thereof, shall continue as lawful, valid, and effectual

Repeal of recited Acts, &c.

Provisoes.

effectual as if this Act had not been passed, save so far as any such Laws, Ordinances, or Acts may be repugnant to or would prevent or interfere with the Operation of this Act: Provided also, that, until the Expiration of the Time or latest of the Times appointed for the Return of Writs for the First Election of Members of the Provincial Councils of the Provinces established by this Act, the existing Provincial Legislative Councils shall continue to have and exercise all Rights, Jurisdiction, Powers, and Authorities which they would have had if this Act had not been passed; and until the Expiration of the Time appointed for the Return of the Writs for the First Election of the Members of the House of Representatives to be constituted under this Act, the Legislative Council of *New Zealand* shall continue to have and exercise all Rights, Jurisdiction, Powers, and Authorities which such Legislative Council would have had if this Act had not been passed.

Certain Provinces established in New Zealand.

II. The following Provinces are hereby established in *New Zealand;* namely, *Auckland, New Plymouth, Wellington, Nelson, Canterbury,* and *Otago;* and the Limits of such several Provinces shall be fixed by Proclamation by the Governor as soon as conveniently may be after the Proclamation of this Act in *New Zealand.*

Each Province to have a Superintendent and Provincial Council.

III. For each of the said Provinces hereby established, and for every Province hereafter to be established as herein-after provided, there shall be a Superintendent and a Provincial Council, and the Provincial Council of each of the said Provinces hereby established shall consist of such Number of Members, not less than Nine, as the Governor shall by Proclamation direct and appoint.

Before Elections of Members of Provincial Councils, Superintendents of Provinces to be chosen.

IV. Upon or before the Issue of Writs for the First Election of Members of the Provincial Council for any Province established by or under this Act, the Persons duly qualified in each of the said Provinces to elect Members for the Provincial Councils as herein-after mentioned shall elect a Superintendent of such Province; and on the Termination of such Council by Expiration of the Period herein-after fixed for its Continuance, or by the previous Dissolution thereof, the Persons qualified as aforesaid shall elect the same or some other Person to be Superintendent, and so on from Time to Time; and every such Superintendent shall hold his Office until the Election of his Successor: Provided always, that it shall be lawful for the Governor of *New Zealand,* on behalf of Her Majesty, to disallow any such Election; and if such Disallowance be signified by the Governor, under the Seal of *New Zealand,* to the Speaker of such Council, at any Time within Three Months after such Election, the Office of Superintendent shall become vacant; and on any Vacancy occasioned by such Disallowance, or by the Death or Resignation of the Superintendent (such Resignation being accepted by the Governor on behalf of Her Majesty), a new Election shall in like Manner take place: Provided farther, that at any Time during the Continuance of the Office of any such Superintendent it shall be lawful for Her Majesty to remove him from such Office, on receiving an Address signed by the Majority of the Members of such Provincial Council praying for such Removal; and thereupon the like Proceedings shall be had as in the Case of any such Vacancy as above mentioned.

Governor may appoint Electoral Districts, &c.

V. It shall be lawful for the Governor, by Proclamation, to constitute within each of the said Provinces hereby established convenient Electoral Districts for the Election of Members of the Provincial Council, and of the Superintendent, and to appoint and declare the Number of Members to be elected for each such District for the Provincial Council, and to make Provision for the Registration and Revision of Lists of all Persons qualified to vote at the Elections to be holden within such Districts, and for the appointing of Returning Officers, and for issuing, executing, and returning the necessary Writs for such Elections, and for taking the Poll thereat, and for determining the Validity of all disputed Returns, and otherwise for ensuring the orderly, effective, and impartial Conduct of such Elections; and in determining the Number and Extent of such Electoral Districts, and the Number of Members to be elected for each District, regard shall be had to the Number of Electors within the same, so that the Number of Members to be assigned to any One District may bear to the whole Number of the Members of the said Council, as nearly as may be, the same Proportion as the Number of Electors within such District shall bear to the whole Number of Electors within the Limits of the Province.

Qualification of Members.

VI. Every Person within any Province hereby established or hereafter to be established who shall be legally qualified as an Elector, and duly registered as such, shall be qualified to be elected a Member of the Provincial Council thereof, or to be elected Superintendent thereof: Provided always, that it shall not be necessary that he reside or possess the Qualification in the particular District for which he may be elected to serve as a Member.

Qualification of Voters.

VII. The Members of every such Council shall be chosen by the Votes of the Inhabitants of the Province who may be qualified as herein-after mentioned; that is to say, every Man of the Age of Twenty-one Years or upwards having a Freehold Estate in possession situate within the District for which the Vote is to be given of the clear Value of Fifty Pounds above all Charges and Incumbrances, and of or to which he has been seised or entitled, either at Law or in Equity, for at least Six Calendar Months next before the last Registration of Electors, or having a Leasehold Estate in possession situate within such District, of the clear annual Value of Ten Pounds, held upon a Lease which at the Time of such Registration shall have not less than Three Years to run, or having a Leasehold Estate so situate, and of such Value as aforesaid, of which he has been in possession for Three Years or upwards next before such Registration, or being a Householder within such District occupying a Tenement within the Limits of a Town (to be proclaimed as such by the Governor for the Purposes of this Act) of the clear annual Value of Ten Pounds, or without the Limits of a Town of the clear annual Value of Five Pounds, and having resided therein Six Calendar Months next before such Registration as aforesaid, shall, if duly registered, be entitled to vote at the Election of a Member or Members for the District.

VIII. Pro-

VIII. Provided always, That no Person shall be entitled to vote at any such Election who is an Alien, or who at any Time theretofore shall have been attainted or convicted of any Treason, Felony, or infamous Offence within any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or shall have undergone the Sentence or Punishment to which he shall have been adjudged for such Offence. Aliens, and Persons convicted of certain Offences, disqualified.

IX. It shall be lawful for any Member of any Provincial Council, by Writing under his Hand, addressed to the Superintendent of the Province, to resign his Seat in the said Council; and upon the Receipt by the Superintendent of such Resignation the Seat of such Member shall become vacant. Members may resign their Seats.

X. If any Member of any Provincial Council shall for Two successive Sessions of such Council fail to give his Attendance therein, or shall become bankrupt, or shall become an Insolvent Debtor within the Meaning of the Laws relating to Insolvent Debtors, or shall become a public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Offence, his Seat in such Council shall thereupon become vacant. In certain Cases Seats to become void.

XI. Any Question which shall arise respecting any Vacancy in a Provincial Council on occasion of any of the Matters aforesaid shall be heard and determined by such Council, on such Question being referred to them for that Purpose by the Superintendent of the Province, and not otherwise. Determination of Questions as to Vacancies.

XII. Whenever it shall be established to the Satisfaction of the Superintendent that the Seat of any Member of the Provincial Council has become vacant, the Superintendent shall forthwith issue a Writ for the Election of a new Member to serve in the Place so vacated, during the Remainder of the Term of the Continuance of such Council, and no longer. Issue of Writs for supplying Vacancies.

XIII. Every Provincial Council shall continue for the Period of Four Years from the Day of the Return of the Writs for choosing the same, and no longer: Provided always, that it shall be lawful for the Governor, by Proclamation or otherwise, sooner to dissolve the same, whenever he shall deem it expedient so to do. Duration of Provincial Council. Dissolution.

XIV. The Governor shall cause the First Writs for the Election of Members of the Provincial Council of every Province hereby established to be issued at some Time not later than Six Calendar Months next after the Proclamation of this Act in *New Zealand;* and upon the Expiration of the said Period of the Continuance of any Provincial Council, or upon the previous Dissolution thereof, the Governor shall cause Writs to be issued for the Election of Members of the ensuing Council. When Writs are to issue.

XV. It shall be lawful for the Superintendent, by Proclamation in the Government Gazette, to fix such Place or Places within the Limits of the Province, and such Times for holding the first and every other Session of the Provincial Council, as he may think fit, and from Time to Time, in manner aforesaid, to alter and vary such Times and Places as he may judge advisable, and most consistent with general Convenience. Convening of Council.

XVI. It shall be lawful for the Superintendent to prorogue such Council from Time to Time, whenever he shall deem it expedient so to do. Prorogation.

XVII. Provided always, That there shall be a Session of every Provincial Council once at least in every Year, so that a greater Period than Twelve Calendar Months shall not intervene between the last Sitting of the Council in One Session and the First Sitting of the Council in the next Session. A Session to be held every Year.

XVIII. It shall be lawful for the Superintendent of each Province, with the Advice and Consent of the Provincial Council thereof, to make and ordain all such Laws and Ordinances (except and subject as herein-after mentioned) as may be required for the Peace, Order, and good Government of such Province, provided that the same be not repugnant to the Law of *England.* Superintendent and Provincial Council may make Laws.

XIX. It shall not be lawful for the Superintendent and Provincial Council to make or ordain any Law or Ordinance for any of the Purposes herein-after mentioned; (that is to say,) Restrictions on Powers of Legislation.

1. The Imposition or Regulation of Duties of Customs to be imposed on the Importation or Exportation of any Goods at any Port or Place in the Province:
2. The Establishment or Abolition of any Court of Judicature of Civil or Criminal Jurisdiction, except Courts for trying and punishing such Offences as by the Law of *New Zealand* are or may be made punishable in a summary Way, or altering the Constitution, Jurisdiction, or Practice of any such Court, except as aforesaid:
3. Regulating any of the current Coin, or the Issue of any Bills, Notes, or other Paper Currency:
4. Regulating the Weights and Measures to be used in the Province or in any Part thereof:
5. Regulating the Post Offices and the Carriage of Letters within the Province:
6. Establishing, altering, or repealing Laws relating to Bankruptcy or Insolvency:
7. The Erection and Maintenance of Beacons and Lighthouses on the Coast:
8. The Imposition of any Dues or other Charges on Shipping at any Port or Harbour in the Province:
9. Regulating Marriages:
10. Affecting Lands of the Crown, or Lands to which the Title of the aboriginal native Owners has never been extinguished:
11. Inflicting any Disabilities or Restrictions on Persons of the Native Race to which Persons of European Birth or Descent would not also be subjected:
12. Altering in any way the Criminal Law of *New Zealand*, except so far as relates to the Trial and Punishment of such Offences as are now or may by the Criminal Law of *New Zealand* be punishable in a summary Way as aforesaid:
13. Regulating the Course of Inheritance of Real or Personal Property, or affecting the Law relating to Wills.

XX. Every

As to Election of Speaker.

XX. Every Provincial Council shall immediately on their First Meeting, and before proceeding to the Despatch of any other Business, elect One of their Members to be the Speaker thereof, during the Continuance of such Council, which Election being confirmed by the Superintendent shall be valid and effectual; and in case of Vacancy in the said Office by Death, Resignation, or otherwise, then and so often as the same shall happen the Election shall be repeated and confirmed as aforesaid.

Speaker to preside.

XXI. The Speaker of each Provincial Council shall preside at the Meetings of such Council; but in his Absence some Member elected by the Council shall preside.

Quorum.

XXII. No Provincial Council shall be competent to the Despatch of any Business, unless One Third of the whole Number of Members be present.

Questions to be determined by Majority of Votes.

XXIII. All Questions which shall arise in any such Council shall be decided by the Majority of Votes of the Members present other than the Speaker or presiding Member; but in all Cases wherein the Votes shall be equal the Speaker or presiding Member shall have a Casting Vote.

Standing Orders to be adopted.

XXIV. Every Provincial Council at their First Meeting, and from Time to Time afterwards, as Occasion may require, shall prepare and adopt such Standing Rules and Orders as may be best adapted for the orderly Conduct of the Business of such Council, which Rules and Orders shall be laid before the Superintendent, and being by him approved shall then become binding and in force.

Appropriation and Issue of Money.

XXV. It shall not be lawful for any Provincial Council to pass, or for the Superintendent to assent to, any Bill appropriating any Money to the Public Service, unless the Superintendent shall first have recommended to the Council to make Provision for the specific Service to which such Money is to be appropriated; and no such Money shall be issued or be made issuable, except by Warrants to be granted by the Superintendent.

Superintendent may transmit Drafts of Laws for Consideration of Council.

XXVI. It shall be lawful for the Superintendent to transmit to the Provincial Council, for their Consideration, the Drafts of any such Laws or Ordinances as it may appear to him desirable to introduce, and all such Drafts shall be taken into consideration in such convenient Manner as in and by such Rules and Orders as aforesaid shall be in that Behalf provided.

Giving or withholding Assent to Bills.

XXVII. Every Bill passed by the Provincial Council shall be presented to the Superintendent for the Governor's Assent, and the Superintendent shall declare, according to his Discretion, (but subject nevertheless to the Provisions herein contained and to such Instructions as may from Time to Time be given him by the Governor,) that he assents to such Bill on behalf of the Governor, or that he withholds the Assent of the Governor, or that he reserves such Bill for the Signification of the Governor's Pleasure thereon; provided always, that it shall and may be lawful for the Superintendent, before declaring his Pleasure in regard to any Bill so presented to him, to make such Amendments in such Bill as he thinks needful or expedient, and to return such Bill with such Amendments to such Council, and the Consideration of such Amendments by such Council shall take place in such convenient Manner as shall in and by the Rules and Orders aforesaid be in that Behalf provided; provided also, that all Bills altering or affecting the Extent of the several Electoral Districts which shall be represented in the Provincial Council, or establishing new or other such Electoral Districts, or altering the Number of the Members of such Council to be chosen by the said Districts respectively, or altering the Number of the Members of such Council, or altering the Limits of any Town or establishing any new Town, shall be so reserved as aforesaid.

Copies of Bills assented to to be sent to Governor.

XXVIII. Whenever any Bill shall have been assented to by the Superintendent as aforesaid, the Superintendent shall forthwith transmit to the Governor an authentic Copy thereof.

Disallowance of Bills assented to.

XXIX. It shall be lawful for the Governor at any Time within Three Months after any such Bill shall have been received by him to declare by Proclamation his Disallowance of such Bill, and such Disallowance shall make void and annul the same from and after the Day of the Date of such Proclamation or any subsequent Day to be named therein.

No Bill to have any Force until assented to by Governor.

XXX. No Bill which shall be reserved for the Signification of the Assent of the Governor shall have any Force or Authority within the Province until the Superintendent shall signify either by Speech or Message to the Provincial Council, or by Proclamation in the Government Gazette, that such Bill has been laid before the Governor, and that the Governor has assented to the same; and an Entry shall be made in the Journals of the Provincial Council of every such Speech, Message, or Proclamation, and a Duplicate thereof, duly attested, shall be delivered to the Registrar of the Supreme Court, or other proper Officer, to be kept among the Records of the Province; and no Bill which shall be so reserved as aforesaid shall have any Force or Authority within the Province unless the Assent of the Governor thereto shall have been so signified as aforesaid within Three Months next after the Day on which such Bill shall have been presented to the Superintendent for the Governor's Assent.

Governor may transmit Instructions to Superintendent as to reserving Bills.

XXXI. It shall be lawful for the Governor from Time to Time to transmit to the Superintendent of any Province, for his Guidance in assenting to or withholding Assent from Bills, or reserving the same for the Signification of the Governor's Pleasure thereon, such Instructions as to the Governor shall seem fit, and it shall be the Duty of the Superintendent to act in obedience to such Instructions.

Establishment of a General Assembly.

XXXII. There shall be within the Colony of *New Zealand* a General Assembly, to consist of the Governor, a Legislative Council, and House of Representatives.

Appointment of Members of the Legislative Council.

XXXIII. For constituting the Legislative Council of *New Zealand* it shall be lawful for Her Majesty, before the Time to be appointed for the First Meeting of the General Assembly, by an Instrument under Her Royal Sign Manual, to authorize the Governor in Her Majesty's Name to summon to the said Legislative Council such Persons, being not less in Number than Ten, as Her Majesty shall think fit; and it shall also be lawful for Her Majesty from Time to Time in like Manner to authorize the Governor

to

to summon to the said Legislative Council such other Person or Persons as Her Majesty shall think fit, either for supplying any Vacancy or Vacancies or otherwise, and every Person who shall be so summoned shall thereby become a Member of the said Legislative Council: Provided always, that no Person shall be summoned to such Legislative Council who shall not be of the full Age of Twenty-one Years, and a natural born Subject of Her Majesty, or a Subject of Her Majesty naturalized by Act of Parliament, or by an Act of the Legislature of *New Zealand*.

Legislative Councillors may hold Seat for Life.

XXXIV. Every Member of the Legislative Council of *New Zealand* shall hold his Seat therein for the Term of his Life, subject nevertheless to the Provisions herein-after contained for vacating the same.

Resignation of Seat in Council.

XXXV. It shall be lawful for any Member of the said Legislative Council, by Writing under his Hand addressed to the Governor, to resign his Seat in the said Council, and upon such Resignation and Acceptance thereof by the Governor the Seat of such Member shall become vacant.

Causes by which Seat may be vacated.

XXXVI. If any Legislative Councillor of *New Zealand* shall for Two successive Sessions of the General Assembly, without the Permission of Her Majesty or of the Governor, signified by the said Governor to the Legislative Council, fail to give his Attendance in the said Legislative Council, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or shall do, concur in, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or become entitled to the Rights, Privileges, or Immunities of a Subject or Citizen of any Foreign State or Power, or shall become bankrupt, or shall become an Insolvent Debtor within the Meaning of the Laws relating to Insolvent Debtors, or shall become a public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, his Seat in such Council shall thereby become vacant.

Trial of Question whether Seats are vacated.

XXXVII. Any Question which shall arise respecting any Vacancy in the said Legislative Council on occasion of any of the Matters aforesaid shall be referred by the Governor to the said Legislative Council, to be by the said Legislative Council heard and determined: Provided always, that it shall be lawful, either for the Person respecting whose Seat such Question shall have arisen, or for Her Majesty's Attorney General for *New Zealand* on Her Majesty's Behalf, to appeal from the Determination of the said Council in such Case to Her Majesty, and the Judgment of Her Majesty given with the Advice of Her Privy Council thereon shall be final and conclusive to all Intents and Purposes.

Appointment of Speaker of Legislative Council.

XXXVIII. The Governor shall have Power and Authority from Time to Time to appoint One Member of the said Legislative Council to be Speaker of such Council, and to remove him and appoint another in his Stead.

Quorum, &c.

XXXIX. The Presence of at least Five Members of the said Legislative Council, including the Speaker, shall be necessary to constitute a Meeting for the Exercise of its Powers; and all Questions which shall arise in the said Legislative Council shall be decided by a Majority of Votes of the Members present other than the Speaker, and when the Votes shall be equal the Speaker shall have the Casting Vote.

Power to summon a House of Representatives by Proclamation in Her Majesty's Name.

XL. For the Purpose of constituting the House of Representatives of *New Zealand* it shall be lawful for the Governor, within the Time herein-after mentioned, and thereafter from Time to Time as Occasion shall require, by Proclamation in Her Majesty's Name, to summon and call together a House of Representatives in and for *New Zealand*, such House of Representatives to consist of such Number of Members, not more than Forty-two nor less than Twenty-four, as the Governor shall by Proclamation in that Behalf direct and appoint; and every such House of Representatives shall, unless the General Assembly shall be sooner dissolved, continue for the Period of Five Years from the Day of the Return of the Writs for choosing such House, and no longer.

Power to Governor by Proclamation to constitute Electoral Districts, &c. for Election of Members of House of Representatives.

XLI. It shall be lawful for the Governor by Proclamation to constitute within *New Zealand* convenient Electoral Districts for the Election of Members of the said House of Representatives, and to appoint and declare the Number of such Members to be elected for each such District, and to make Provision (so far as may be necessary beyond the Provision which may be made for the like Purposes in relation to Elections for Provincial Councils) for the Registration and Revision of Lists of all Persons qualified to vote at the Elections to be holden within such Districts, and also Provision for the appointing of Returning Officers, and for issuing, executing, and returning the necessary Writs for Elections of Members of the House of Representatives, and for taking the Poll thereat, and otherwise for ensuring the orderly, effective, and impartial Conduct of such Elections; and in determining the Number and Extent of such Electoral Districts, and the Number of Members to be elected for each District, regard shall be had to the Number of Electors within the same, so that the Number of Members to be assigned to any One District may bear to the whole Number of the Members of the House of Representatives, as nearly as may be, the same Proportion as the Number of Electors within such District shall bear to the whole Number of Electors in *New Zealand*.

Qualification of Voters for Members of House of Representatives.

XLII. The Members of the said House of Representatives to be chosen in every Electoral District appointed for that Purpose shall be chosen by the Votes of the Inhabitants of *New Zealand* who shall possess within such District the like Qualifications which, when possessed within an Electoral District appointed for the Election of Members of a Provincial Council, would entitle Inhabitants of the Province to vote in the Election of Members of the Provincial Council thereof, and who shall be duly registered as Electors; and every Person legally qualified as such Elector shall be qualified to be elected a Member of the said House.

First Writs to be issued within Six Months.

XLIII. The Governor shall cause the First Writs for the Election of Members of the said House of Representatives to be issued at some Time not later than Six Calendar Months next after the Proclamation

tion of this Act in *New Zealand;* and upon the Expiration of the said Period of the Continuance of the House of Representatives, or upon the previous Determination of such House by the Dissolution of the General Assembly, the Governor shall cause Writs to be issued for the Election of Members of the ensuing House of Representatives.

Time and Place of holding the General Assembly.

XLIV. The General Assembly of *New Zealand* shall be holden at any Place and Time within *New Zealand* which the Governor shall from Time to Time by Proclamation for that Purpose appoint; and the Time so to be appointed for the first holding of such General Assembly shall be as soon as conveniently may be after the Return of the First Writs for the Election of Members of the said House of Representatives; and the Governor may at his Pleasure prorogue or dissolve the General Assembly.

Prorogation and Dissolution.

Disputed Elections.

XLV. The said House of Representatives shall, until Provision be otherwise made in that Behalf by Law, be Judges, without Appeal, of the Validity of the Election of each Member thereof.

No Member to sit or vote until he has taken the Oath of Allegiance.

XLVI. No Member of the said Legislative Council or House of Representatives shall be permitted to sit or vote therein until he shall have taken and subscribed the following Oath before the Governor, or before some Person or Persons authorized by him to administer such Oath:

'I *A.B.* do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty Queen *Victoria.* So help me GOD.'

Affirmation or Declaration instead of Oath.

XLVII. Every Person authorized by Law to make his solemn Affirmation or Declaration instead of taking an Oath may make such Affirmation or Declaration in lieu of the said Oath.

Speaker to be elected on First Meeting of House of Representatives.

XLVIII. The said House of Representatives shall immediately on their First Meeting proceed to the Choice of One of their Members as their Speaker during the Continuance of the said House, which Choice, being confirmed by the Governor, shall be valid and effectual, and in case of Vacancy of the Office by Death, Resignation, or otherwise, then and so often as the same shall happen the Choice shall be repeated and confirmed as aforesaid.

Resignation of Seats.

XLIX. It shall be lawful for any Member of the said House of Representatives, by Writing under his Hand addressed to the Speaker of the said House, to resign his Seat in the said House, and upon such Resignation the Seat of such Member shall become vacant.

Vacating of Seats in certain Cases.

L. If any Member of the said House of Representatives shall for One whole Session of the General Assembly, without the Permission of such House, fail to give his Attendance in the said House, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or do or concur in or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or become entitled to the Rights, Privileges, or Immunities of a Subject of any Foreign State or Power, or shall become bankrupt, or shall become an Insolvent Debtor within the Meaning of the Laws relating to Insolvent Debtors, or shall become a public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, his Seat in such House shall thereby become vacant.

Election to take place on Vacancies.

LI. When and so often as a Vacancy shall occur as aforesaid in any Seat in the said House of Representatives, it shall and may be lawful for such House to address the Governor, stating the Existence of such Vacancy and the Cause thereof, and the Governor, upon receiving such Address, shall cause a Writ to be issued for supplying such Vacancy.

Standing Rules and Orders to be made.

LII. The said Legislative Council and House of Representatives at the First Sitting of each respectively, and from Time to Time afterwards as there shall be Occasion, shall prepare and adopt such Standing Rules and Orders as shall appear to the said Council and House of Representatives respectively best adapted for the orderly Conduct of the Business of such Council and House respectively, and for the Manner in which such Council and House respectively shall be presided over in case of the Absence of the Speaker, and for the Mode in which such Council and House shall confer, correspond, and communicate with each other relative to Votes or Bills passed by or pending in such Council and House respectively, and for the Manner in which Notices of Bills, Resolutions, and other Business intended to be submitted to such Council and House respectively at any Session thereof may be published in the Government Gazette or otherwise for general Information for some convenient Space or Time before the Meeting of such Council and House respectively, and for the proper framing, entitling, and numbering of the Bills to be introduced into and passed by the said Council and House of Representatives, all of which Rules and Orders shall by such Council and House respectively be laid before the Governor, and being by him approved shall become binding and of force, but subject nevertheless to the Confirmation or Disallowance of Her Majesty in manner herein-after provided respecting the Acts to be made by the Governor with the Advice and Consent of the said Legislative Council and House of Representatives; provided that no such Rule or Order shall be of force to subject any Person, not being a Member or Officer of the Council or House to which it relates, to any Pain, Penalty, or Forfeiture.

Power of General Assembly to make Laws.

LIII. It shall be competent to the said General Assembly (except and subject as herein-after mentioned) to make Laws for the Peace, Order, and good Government of *New Zealand*, provided that no such Laws be repugnant to the Law of *England;* and the Laws so to be made by the said General Assembly shall control and supersede any Laws or Ordinances in anywise repugnant thereto which may have been made or ordained prior thereto by any Provincial Council; and any Law or Ordinance made or ordained by any Provincial Council in pursuance of the Authority hereby conferred upon it, and on any Subject whereon under such Authority as aforesaid it is entitled to legislate, shall, so far as the same is repugnant to or inconsistent with any Act passed by the General Assembly, be null and void.

As to the Appropriation and Issue of Money.

LIV. It shall not be lawful for the House of Representatives or the Legislative Council to pass, or for the Governor to assent to any Bill appropriating to the Public Service any Sum of Money from or out

out of Her Majesty's Revenue within *New Zealand*, unless the Governor on Her Majesty's Behalf shall first have recommended to the House of Representatives to make Provision for the specific Public Service towards which such Money is to be appropriated, and (save as herein otherwise provided) no Part of Her Majesty's Revenue within *New Zealand* shall be issued except in pursuance of Warrants under the Hand of the Governor directed to the public Treasurer thereof.

Governor may transmit Drafts of Laws to either House.

LV. It shall and may be lawful for the Governor to transmit by Message to either the said Legislative Council or the said House of Representatives for their Consideration the Drafts of any Laws which it may appear to him desirable to introduce, and all such Drafts shall be taken into consideration in such convenient Manner as shall in and by the Rules and Orders aforesaid be in that Behalf provided.

Governor may assent to, refuse Assent, or reserve Bills.

LVI. Whenever any Bill which has been passed by the said Legislative Council and House of Representatives shall be presented for Her Majesty's Assent to the Governor, he shall declare according to his Discretion, but subject nevertheless to the Provisions contained in this Act and to such Instructions as may from Time to Time be given in that Behalf by Her Majesty, Her Heirs or Successors, that he assents to such Bill in Her Majesty's Name, or that he refuses his Assent to such Bill, or that he reserves such Bill for the Signification of Her Majesty's Pleasure thereon; provided always, that it shall and may be lawful for the Governor, before declaring his Pleasure in regard to any Bill so presented to him, to make such Amendments in such Bill as he thinks needful or expedient, and by Message to return such Bill with such Amendments to the Legislative Council or the House of Representatives as he shall think the more fitting, and the Consideration of such Amendments by the said Council and House respectively shall take place in such convenient Manner as shall in and by the Rules and Orders aforesaid be in that Behalf provided.

Governor to conform to Instructions transmitted by Her Majesty.

LVII. It shall be lawful for Her Majesty, with the Advice of Her Privy Council, or under Her Majesty's Signet and Sign Manual, or through One of Her Principal Secretaries of State, from Time to Time to convey to the Governor of *New Zealand* such Instructions as to Her Majesty shall seem meet, for the Guidance of such Governor, for the Exercise of the Powers hereby vested in him of assenting to or dissenting from or for reserving for the Signification of Her Majesty's Pleasure Bills to be passed by the said Legislative Council and House of Representatives; and it shall be the Duty of such Governor to act in obedience to such Instructions.

As to Disallowance by Her Majesty of Bills assented to by the Governor.

LVIII. Whenever any Bill which shall have been presented for Her Majesty's Assent to the Governor shall by such Governor have been assented to in Her Majesty's Name, he shall by the first convenient Opportunity transmit to One of Her Majesty's Principal Secretaries of State an authentic Copy of such Bill so assented to; and it shall be lawful, at any Time within Two Years after such Bill shall have been received by the Secretary of State, for Her Majesty, by Order in Council, to declare Her Disallowance of such Bill; and such Disallowance, together with a Certificate under the Hand and Seal of the Secretary of State certifying the Day on which such Bill was received as aforesaid, being signified by the Governor to the said Legislative Council and House of Representatives by Speech or Message, or by Proclamation in the Government Gazette, shall make void and annul the same from and after the Day of such Signification.

No reserved Bill to have any Force until assented to by Her Majesty.

LIX. No Bill which shall be reserved for the Signification of Her Majesty's Pleasure thereon shall have any Force or Authority within *New Zealand* until the Governor shall signify, either by Speech or Message to the said Legislative Council and House of Representatives, or by Proclamation, that such Bill has been laid before Her Majesty in Council, and that Her Majesty has been pleased to assent to the same; and an Entry shall be made in the Journals of the said Legislative Council and House of Representatives of every such Speech, Message, or Proclamation, and a Duplicate thereof, duly attested, shall be delivered to the Registrar of the Supreme Court, or other proper Officer, to be kept among the Records of *New Zealand*; and no Bill which shall be so reserved as aforesaid shall have any Force or Authority within *New Zealand*, unless Her Majesty's Assent thereto shall have been so signified as aforesaid within the Space of Two Years from the Day on which such Bill shall have been presented for Her Majesty's Assent to the Governor as aforesaid.

Acts to be printed.

LX. The Governor shall cause every Act of the said General Assembly which he shall have assented to in Her Majesty's Name to be printed in the Government Gazette for general Information, and such Publication by such Governor of any such Act shall be deemed to be in Law the Promulgation of the same.

Duties not to be levied on Supplies for Troops, nor any Dues, &c. inconsistent with Treaties.

LXI. It shall not be lawful for the said General Assembly to levy any Duty upon Articles imported for the Supply of Her Majesty's Land or Sea Forces, or to levy any Duty, impose any Prohibition or Restriction, or grant any Exemptions, Bounty, Drawback, or other Privilege upon the Importation or Exportation of any Articles, or to impose any Dues or Charges upon Shipping contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power.

Expenses of Collection of Revenue.

LXII. The Governor is hereby authorized and required to pay out of the Revenue arising from Taxes, Duties, Rates, and Imposts levied under any Act or Acts of the said General Assembly, and from the Disposal of Waste Lands of the Crown, all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof; also to pay out of the said Revenue arising from the Disposal of Waste Lands of the Crown such Sums as may become payable under the Provisions herein-after contained for or on account of the Purchase of Land from aboriginal Natives, or the Release or Extinguishment of their Rights in any Land, and such Sums as may become payable to the *New Zealand* Company under the Provisions of this Act in respect of the Sale or Alienation of Land: Provided always, that full and particular Accounts of all such Disbursements shall from Time to Time be laid before the said Legislative Council and House of Representatives.

Audit of Accounts.

LXIII. All Costs, Charges, and Expenses of or incident to the Collection, Management, and Receipt of Duties of Import and Export shall be regulated and audited in such Manner as shall be directed by the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, and all such Costs, Charges, and Expenses in relation to other Branches of the said Revenue shall be regulated and audited in such Manner as shall be directed by Laws of the said General Assembly.

Grants for Civil and Judicial Services.

LXIV. There shall be payable to Her Majesty, every Year, out of the Revenue arising from such Taxes, Duties, Rates, and Imposts, and from the Disposal of such Waste Lands of the Crown in *New Zealand*, the several Sums mentioned in the Schedule to this Act; such several Sums to be paid for defraying the Expenses of the Services and Purposes mentioned in such Schedule, and to be issued by the Treasurer of *New Zealand* in discharge of such Warrants as shall be from Time to Time directed to him under the Hand and Seal of the Governor; and the said Treasurer shall account to Her Majesty for the same through the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, in such Manner and Form as Her Majesty shall be graciously pleased to direct.

How the Appropriation of Sums granted may be varied.

LXV. It shall be lawful for the General Assembly of *New Zealand*, by any Act or Acts, to alter all or any of the Sums mentioned in the said Schedule, and the Appropriation of such Sums to the Services and Purposes therein mentioned; but every Bill which shall be passed by the said Legislative Council and House of Representatives altering the Salary of the Governor, or altering the Sum described as for native Purposes, shall be reserved for the Signification of Her Majesty's Pleasure thereon, and until and subject to such Alteration by Act or Acts as aforesaid the Salaries of the Governor and Judges shall be those respectively set against their several Offices in the said Schedule; and Accounts in detail of the Expenditure of the several Sums for the Time being appropriated under this Act, or such Act or Acts as aforesaid of the said General Assembly, to the several Services and Purposes mentioned in the said Schedule, shall be laid before the said Legislative Council and House of Representatives within Thirty Days next after the Beginning of the Session after such Expenditure shall have been made: Provided always, that it shall not be lawful for the said General Assembly, by any such Act as aforesaid, to make any Diminution in the Salary of any Judge to take effect during the Continuance in Office of any Person being such Judge at the Time of the passing of such Act.

Appropriation of Revenue.

LXVI. After and subject to the Payments to be made under the Provisions herein-before contained, all the Revenue arising from Taxes, Duties, Rates, and Imposts levied in virtue of any Act of the General Assembly, and from the Disposal of Waste Lands of the Crown, under any such Act made in pursuance of the Authority herein contained, shall be subject to be appropriated to such specific Purposes as by any Act of the said General Assembly shall be prescribed in that Behalf; and the Surplus of such Revenue which shall not be appropriated as aforesaid shall be divided among the several Provinces for the Time being established in *New Zealand* under or by virtue of this Act, in the like Proportions as the gross Proceeds of the said Revenue shall have arisen therein respectively, and shall be paid over to the respective Treasuries of such Provinces for the public Uses thereof, and shall be subject to the Appropriation of the respective Provincial Councils of such Provinces.

Power to General Assembly to alter Electoral Districts and Number of Members of House of Representatives, &c.

LXVII. It shall be lawful for the said General Assembly, by any Act or Acts, from Time to Time, to establish new Electoral Districts for the Purpose of electing Members of the said House of Representatives, to alter the Boundaries of Electoral Districts for the Time being existing for such Purposes, to alter and appoint the Number of Members to be chosen for such Districts, to increase the whole Number of Members of the said House of Representatives, and to alter and regulate the Appointment of Returning Officers, and make Provision in such Manner as they may deem expedient for the Issue and Return of Writs for the Election of the Members of such House, and the Time and Place of holding such Elections, and for the Determination of contested Elections for such House.

Power to General Assembly to make other Alterations in the Constitution of the House of Representatives.

LXVIII. It shall be lawful for the said General Assembly, by any Act or Acts, to alter from Time to Time any Provisions of this Act and any Laws for the Time being in force concerning the Election of Members of the said House of Representatives, and the Qualification of Electors and Members; provided that every Bill for any of such Purposes shall be reserved for the Signification of Her Majesty's Pleasure thereon, and a Copy of such Bill shall be laid before both Houses of Parliament for the Space of Thirty Days at the least before Her Majesty's Pleasure thereon shall be signified.

Power to General Assembly to constitute Provinces, and alter the Provisions concerning Election of Members, &c.

LXIX. It shall be lawful for the said General Assembly, by any Act or Acts from Time to Time, to constitute new Provinces in *New Zealand*, to direct and appoint the Number of Members of which the Provincial Councils thereof shall consist, and to alter the Boundaries of any Provinces for the Time being existing, and to alter the Provisions of this Act and any Laws for the Time being in force respecting the Election of Members of the Provincial Councils, the Powers of such Councils, and the Distribution of the said surplus Revenue between the several Provinces of *New Zealand;* provided always, that any Bill for any of the said Purposes shall be reserved for the Signification of Her Majesty's Pleasure thereon.

Her Majesty may establish Municipal Corporations.

LXX. It shall be lawful for Her Majesty, in and by any Letters Patent to be issued under the Great Seal of the United Kingdom, from Time to Time, to constitute and establish within any District or Districts of *New Zealand* One or more Municipal Corporation or Corporations, and to grant to any such Corporation all or any of the Powers which, in pursuance of the Statutes in that Behalf made and provided, it is competent to Her Majesty to grant to the Inhabitants of any Town or Borough in *England* and *Wales* incorporated in virtue of such Statutes or any of them, and to qualify and restrict the Exercise of any such Powers in such and the same Manner as, by the Statutes aforesaid or any of them, Her Majesty may qualify or restrict the Exercise of any such Powers as aforesaid in *England:* Provided always,

always, that all Provisions of any such Letters Patent, and all Byelaws or Regulations made by any such Corporation, shall be subject to Alteration or Repeal by any Ordinance or Act of the Provincial Council for the Province in which any such Corporation may be established, or of the General Assembly, according to their respective Powers herein-before declared.

Her Majesty may cause Laws of aboriginal native Inhabitants to be maintained.

LXXI. 'And whereas it may be expedient that the Laws, Customs, and Usages of the aboriginal or 'native Inhabitants of *New Zealand*, so far as they are not repugnant to the general Principles of 'Humanity, should for the present be maintained for the Government of themselves, in all their Relations 'to and Dealings with each other, and that particular Districts should be set apart within which such 'Laws, Customs, or Usages should be so observed:'

It shall be lawful for Her Majesty, by any Letters Patent to be issued under the Great Seal of the United Kingdom, from Time to Time to make Provision for the Purposes aforesaid, any Repugnancy of any such native Laws, Customs, or Usages to the Law of *England*, or to any Law, Statute, or Usage in force in *New Zealand*, or in any Part thereof, in anywise notwithstanding.

Power to General Assembly to regulate Sales of Waste Lands.

LXXII. Subject to the Provisions herein contained, it shall be lawful for the said General Assembly to make Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown in *New Zealand;* and all Lands wherein the Title of Natives shall be distinguished as hereinafter mentioned, and all such other Lands as are described in an Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter One hundred and twelve, to promote Colonization in *New Zealand*, and to authorize a Loan to the *New Zealand* Company, as Demesne Lands of the Crown, shall be deemed and taken to be Waste Lands of the Crown within the Meaning of this Act: Provided always, that, subject to the said Provisions, and until the said General Assembly shall otherwise enact, it shall be lawful for Her Majesty to regulate such Sale, Letting, Disposal, and Occupation by Instructions to be issued under the Signet and Royal Sign Manual.

Saving as to the Lands of aboriginal native Tribes.

LXXIII. It shall not be lawful for any Person other than Her Majesty, Her Heirs or Successors, to purchase or in anywise acquire or accept from the aboriginal Natives Land of or belonging to or used or occupied by them in common as Tribes or Communities, or to accept any Release or Extinguishment of the Rights of such aboriginal Natives in any such Land as aforesaid; and no Conveyance or Transfer, or Agreement for the Conveyance or Transfer, of any such Land, either in perpetuity or for any Term or Period, either absolutely or conditionally, and either in Property or by way of Lease or Occupancy, and no such Release or Extinguishment as aforesaid, shall be of any Validity or Effect unless the same be made to, or entered into with, and accepted by Her Majesty, Her Heirs or Successors: Provided always, that it shall be lawful for Her Majesty, Her Heirs and Successors, by Instructions under the Signet and Royal Sign Manual, or signified through One of Her Majesty's Principal Secretaries of State, to delegate Her Powers of accepting such Conveyances or Agreements, Releases or Relinquishments, to the Governor of *New Zealand*, or the Superintendent of any Province within the Limits of such Province, and to prescribe or regulate the Terms on which such Conveyances or Agreements, Releases or Extinguishments, shall be accepted.

10 & 11 Vict. c. 112.

LXXIV. 'And whereas under and by virtue of the said last-mentioned Act, and of a Notice given on 'the Fourth Day of *July* One thousand eight hundred and fifty by the *New Zealand* Company in 'pursuance of such Act, the Sum of Two hundred and sixty-eight thousand three hundred and seventy 'Pounds Fifteen Shillings, with Interest after the yearly Rate of Three Pounds Ten Shillings *per* '*Centum* upon the said Sum, or so much thereof as shall from Time to Time remain unpaid, is charged 'upon and payable to the *New Zealand* Company out of the Proceeds of the Sales of the Demesne Lands 'of the Crown in *New Zealand*:'

Upon all Sales of Waste Lands One Fourth Part of the Sum to be paid to New Zealand Company till their Debt is discharged.

In respect of all Sales or other Alienations of any Waste Lands of the Crown in *New Zealand* in Fee Simple or for any less Estate or Interest (except by way of Licence for Occupation for pastoral Purposes for any Term of Years not exceeding Seven, and not containing any Contract for the Renewal of the same, or for a further Estate, Interest, or Licence, or by way of Reservation of such Lands as may be required for public Roads or other internal Communications whether by Land or Water, or for the Use or Benefit of the aboriginal Inhabitants of the Country, or for Purposes of Military Defence, or as the Sites of Places of Public Worship, Schools, or other public Buildings, or as Places for the Interment of the Dead, or Places for the Recreation and Amusement of the Inhabitants of any Town or Village, or as the Sites of public Quays or Landing Places on the Sea Coast or Shores of navigable Streams, or for any other Purpose of public Safety, Convenience, Health, or Enjoyment,) there shall be paid to the said *New Zealand* Company towards the Discharge of the Principal Sum and Interest charged as aforesaid, in lieu of all and every other Claim of the said Company in respect of the said Sum, except where otherwise herein-after provided, so long as the same or any Part thereof respectively shall remain unpaid, One Fourth Part of the Sum paid by the Purchaser in respect of every such Sale or Alienation: Provided always, that it shall be lawful for the *New Zealand* Company, by any Resolution of a Majority of the Proprietors of the said Company present at any Meeting of such Proprietors, and certified under the Common Seal of such Company, to release all or any Part of the said Lands from the Monies or Payment charged thereon by the said Act or this Act, or any Part of such Monies or Payment, either absolutely or upon any Terms or Conditions, as such Proprietors may think fit.

Power to New Zealand Company to release Lands from Payments, &c.

Saving as to Canterbury Settlement Lands. 13 & 14 Vict. c. 70. and

LXXV. It shall not be lawful for the said General Assembly to repeal or interfere with all or any of the Provisions of an Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Seventy, intituled *An Act empowering the* Canterbury *Association to dispose of certain Lands in*

14 & 15 Vict. c. 84.

in New Zealand, or of an Act passed in the Session then next following, Chapter Eighty-four, to alter and amend the said first-mentioned Act: Provided always, that on the Expiration or sooner Determination of the Functions, Powers, and Authorities now vested in or lawfully exercised by the said Association, the Provisions of the present Act shall come into force as regards the Lands to which the said Acts relate.

Power to Canterbury Association to transfer their Powers to the Provincial Council.

LXXVI. It shall be lawful for the *Canterbury* Association, at any Time after a Provincial Council shall have been constituted under this Act for the Province of *Canterbury*, to transfer to the said Council all such Functions, Powers, and Authorities, and the said Council is hereby empowered to accept such Transfer, upon such Terms and Conditions as shall be agreed upon between the said Council and the said Association: Provided always, that nothing contained in such Terms and Conditions shall interfere with the Rights of Her Majesty, Her Heirs and Successors, or of the *New Zealand* Company respectively; and from and after such Time as shall be agreed upon between the said Council and the said Association the said Council shall have and be entitled to exercise all the said Functions, Powers, and Authorities.

Saving as to Nelson Trust Fund.

14 & 15 Vict. c. 86.

LXXVII. Nothing in this Act or in any Act, Law, or Ordinance to be made by the said General Assembly, or by any Provincial Assembly, shall affect or interfere with so much of an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Eighty-six, intituled *An Act to regulate the Affairs of certain Settlements established by the* New Zealand *Company in* New Zealand, as relates to the Administration of the Fund for the public Purposes of the Settlement of *Nelson*.

Power to Her Majesty to regulate the Disposal of Waste Lands in Otago.

LXXVIII. 'And whereas certain Terms of Purchase and Pasturage of Land in the Settlement of 'Otago had been issued by the *New Zealand* Company before the Fourth Day of *July* One thousand 'eight hundred and fifty, and the said Terms, or Part of them, were in force on that Day as Contracts 'between the *New Zealand* Company and the Association of Lay Members of the Free Church of *Scot-* 'land, commonly called the *Otago* Association: And whereas by the Provisions of the said Act of the 'Tenth and Eleventh Years of Her Majesty, and of the said Notice given by the *New Zealand* Company, 'the Lands of the said Company in *New Zealand* reverted to and became vested in Her Majesty as Part 'of the Demesne Lands of the Crown, subject nevertheless to any Contract then subsisting in regard 'to any of the said Lands: And whereas it is expedient that Provision should be made to enable Her 'Majesty to fulfil the Contracts contained in such Terms of Purchase and Pasturage as aforesaid:'

It shall be lawful for Her Majesty for that Purpose to make Provision, by way of Regulations to be contained in any Charter to be granted to the said Association, for the Disposal of the Lands to which the said Terms of Purchase and Pasturage relate, so far as the same are still in force as aforesaid, and for varying from Time to Time such Regulations, with such Consent by or on behalf of the said Association as in any such Charter or Instructions shall be specified, and for fixing the Boundaries thereof, and for enabling the said Association to transfer its Powers to the Provincial Council for the Province of *Otago:* Provided always, that no such Charter shall be granted or have Effect for any longer Term than Ten Years from the passing of this Act; but One of Her Majesty's Principal Secretaries of State may at any Time during the Term for which such Charter shall be granted, by Writing under his Hand, extend the Term for which such Charter shall have been granted for such further Time as in his Discretion he may think fit: Provided always, that it shall not be lawful for Her Majesty, by any such Regulations as aforesaid, to diminish the Sum now payable to the *New Zealand* Company in respect of all Waste Land sold under the said Terms of Purchase, unless with the Consent of the *New Zealand* Company, signified as herein-before provided; and during the Continuance of such Charter as aforesaid, it shall not be lawful for the said General Assembly to repeal or interfere with any such Regulations respecting Lands in *Otago*, except with such Consent by or on behalf of the *Otago* Association as in any such Charter or Instructions may be provided, and (so far as the Rights of the *New Zealand* Company may be affected) with the Consent of such Company signified as herein-before provided; and every Bill which shall repeal or interfere with any such Regulations shall be reserved for the Signification of Her Majesty's Pleasure thereon.

No Act of the General Assembly to interfere with such Regulations, save with Consent, &c.

Her Majesty may delegate certain Powers to Governor.

LXXIX. It shall be lawful for Her Majesty, by any such Letters Patent as aforesaid, or Instructions under Her Majesty's Signet and Sign Manual, or signified through One of Her Majesty's Principal Secretaries of State, to delegate to the Governor any of the Powers herein-before reserved to Her Majesty respecting the Removal of Superintendents of Provinces, and the Regulation of the Sale, Letting, Disposal, and Occupation of Waste Lands, the Establishment of Municipal Corporations, and the Preservation of aboriginal Laws, Customs, and Usages.

Interpretation of "Governor" and "New Zealand."

LXXX. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of *New Zealand;* and for the Purposes of this Act "*New Zealand*" shall be held to include all Territories, Islands, and Countries lying between Thirty-three Degrees of South Latitude and Fifty Degrees of South Latitude, and One hundred and sixty-two Degrees of East Longitude and One hundred and seventy-three Degrees of West Longitude, reckoning from the Meridian of *Greenwich*.

Commencement of this Act.

LXXXI. This Act shall be proclaimed in *New Zealand* by the Governor thereof within Six Weeks after a Copy of such Act shall have been received by such Governor, and, save as herein expressly provided, shall take effect in *New Zealand* from the Day of such Proclamation thereof.

Proclamations to be published in the New Zealand Gazette.

LXXXII. The Proclamation of this Act, and all Proclamations to be made under the Provisions thereof, shall be published in the *New Zealand* Government Gazette.

SCHE-

SCHEDULE referred to in the foregoing Act.

	£
Governor	2,500
Chief Justice	1,000
Puisne Judge	800
Establishment of the General Government	4,700
Native Purposes	7,000
	£16,000

CAP. LXXIII.

An Act to make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius, in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges Clerks by Salaries, and to abolish certain Offices in those Courts.

[30th *June* 1852.]

'WHEREAS the Officers in the Superior Courts of Common Law who perform the Duties at Nisi Prius hold their Offices and Appointments during Pleasure, and such Officers and the Clerks at the Judges Chambers are remunerated by Fees received by them from the Suitors, and it is expedient to provide a permanent Establishment of such Officers, and that they and the said Clerks be paid by Salaries, and that the Fees now payable by the Suitors be diminished:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—

Marshal and Clerk at Nisi Prius in the Court of Queen's Bench and Marshals in the Courts of Common Pleas and Exchequer abolished, and their Duties to be performed by the Associates respectively.

I. From and after the Twenty-fourth Day of *October* after the passing of this Act the Offices of Marshal and Clerk at Nisi Prius in the Court of Queen's Bench, and Marshal in the Courts of Common Pleas and Exchequer, shall be and the same are hereby abolished; and all Acts, Duties, and Services now and heretofore done, performed, and rendered by such Marshals and Clerk at Nisi Prius respectively shall be done, performed, and rendered by the Associates in the Courts of Queen's Bench, Common Pleas, and Exchequer, who shall also continue to perform all Acts, Duties, and Services now done, performed, and rendered by them in respect of the several Offices now held by them respectively; and such Acts, Duties, and Services, when so done, performed, and rendered by the said Associates, or their Successors, or any of them, shall be good and valid in Law to all Intents and Purposes; and all lawful Powers and Authorities now and heretofore vested in or exercised by the Marshal and Clerk at Nisi Prius in the Court of Queen's Bench, and the Marshals in the Courts of Common Pleas and Exchequer by virtue or in right of their respective Offices, shall be vested in and exercised by the said Associates in the Courts of Queen's Bench, Common Pleas, and Exchequer respectively.

Records, &c. to be transferred to Associates.

II. All the Records, Books, Papers, and Documents of and concerning the Duties and Business of the several Offices of the Courts of Queen's Bench, Common Pleas, and Exchequer, so abolished as aforesaid, shall, on or before the Twenty-fourth Day of *October* One thousand eight hundred and fifty-two, be delivered by the several Officers of the said Courts respectively now having the Custody of the same, into the Custody and Possession of the Associates in the Courts of Queen's Bench, Common Pleas, and Exchequer respectively, to be by them kept and preserved; and Searches may be made, and Copies or Extracts of and from the said Records, Books, Papers, and Documents shall and may be had and taken, at such Times and in such Manner as hath been the accustomed Practice in the several Offices hereby abolished; and the Officers, whose Offices are hereby abolished, shall and they are hereby required, on or before the said Twenty-fourth Day of *October* One thousand eight hundred and fifty-two, to pay over to the Associates of the said Courts respectively all and every Sum and Sums of Money, if any, which shall have been paid into and shall be in their Hands by virtue of their said respective Offices, and to render an accurate Account thereof to the said Associates of the said Courts respectively.

Chief Justices or Chief Baron to appoint future Associates.

III. When and so often as any Vacancy shall occur in any of the said Offices of Associate in either of the said Courts respectively, by Death, Resignation, or otherwise, it shall and may be lawful for the Lord Chief Justice or Lord Chief Baron of the Court in which such Vacancy shall occur to nominate and appoint some fit and proper Person to fill such vacant Office.

Two Clerks to be appointed by Associates, subject to Approval of Chief Justices or Chief Baron.

IV. The Associates in the Courts of Queen's Bench, Common Pleas, and Exchequer, and their Successors, shall and may, in and for the Discharge of the Duties of their respective Offices, have not exceeding Two Clerks, as the Lord Chief Justice or the Lord Chief Baron of the Court for the Time being to which such Associates respectively belong shall determine to be necessary and proper; and all such Clerks shall and may be appointed by the Associates of the said Courts respectively for the Time being, with the Sanction and Approval of the Lord Chief Justice or Lord Chief Baron of the Court to which such Associate shall belong; and such Clerks as are appointed shall hold their Offices during Pleasure.

Offices to be provided for the Associates in the Offices of the Courts or their Vicinity.

V. Convenient Offices shall be provided by the Commissioners of Her Majesty's Treasury for the Transaction of the Business of the Office of Associate in the Courts of Queen's Bench, Common Pleas, and Exchequer, in the Offices of the said respective Courts, or their immediate Vicinity; and the Places for such Offices shall be fixed by the Lord Chief Justice, or Lord Chief Baron of the said Courts respectively,

respectively, as soon as possible after the passing of this Act, and may be changed by them from Time to Time as Occasion may require.

In case of Sickness or other unavoidable Cause, the Duties of the Associates may be performed by Deputy.

VI. If the said Associates, or any or either of them, shall, from Sickness or other unavoidable Cause, have occasion to be absent from the Business of their or his Office for a longer Period than Two Months at any One Time, then and in every such Case it shall and may be lawful for the Lord Chief Justice or Lord Chief Baron for the Time being of the Court to which such Officer shall belong to give Leave of Absence by his Order in Writing to such Officer, and, if necessary, to appoint a Deputy in his Place during such Time as shall be expressed in such Order; and the Name of such Deputy, and also the Cause and Time of such Absence, shall be stated in such Order; and such Deputy may, if Occasion require it, be changed by the Lord Chief Justice or Lord Chief Baron; and every Deputy so appointed shall be paid by the Principal for whom he shall act such Remuneration for his Services as the said Lord Chief Justice or Lord Chief Baron shall direct in such Order, not being in any Case less than One Third of the Amount fixed and settled by this Act as the Salary of such principal Officer.

Power to Treasury to fix Salaries of Judges Marshals.

VII. A fixed Sum, to be settled for the several Circuits respectively by the said Commissioners of Her Majesty's Treasury, by and with the Sanction of the said Lord Chief Justices and Lord Chief Baron, shall be hereafter paid by way of Salary to each of the Judges Marshals on each Spring and Summer Circuit, and to the Marshal of the Senior Judge on the Winter Circuit, and on a Special Commission, for his Services thereon; such Sum to be paid to the Marshal upon Notice in Writing being given by the Judge, by whom such Marshal is appointed, of the Name and Address of the Person whom he has appointed to be his Marshal, and of the Circuit which such Judge has chosen, or the Commission to which he has been appointed, to the Lords Commissioners of Her Majesty's Treasury for the Time being, who shall, upon the Receipt of such Notice, pay the Sum so fixed on as aforesaid for such Circuit or Commission to the Person therein mentioned as having been appointed to be Marshal.

Clerks to be appointed by the Judges.

VIII. It shall be lawful for the Lord Chief Justices and Lord Chief Baron each to appoint Three Clerks, One of whom is to act as Crier on the Circuit, and in *London* and *Middlesex*, and for the other Justices and Barons each to appoint Two Clerks, One of whom is to act as Crier on the Circuit; and such Clerks shall perform all the Duties heretofore performed by the Judges Clerks; and shall hold their Offices during the Pleasure of the Judges by whom they are appointed, or if continued by their Successors during the Pleasure of such Successors.

Present Officers re-appointed to hold their Offices during good Behaviour.

IX. 'And whereas it is expedient that the several Officers of the said Superior Courts, set forth and 'described in Schedule (A.) to this Act annexed, who now hold their Offices and Appointments during 'Pleasure, should be re-appointed, and should hold such Offices and Appointments during good Behaviour:' Be it enacted, That the Persons now holding the Offices and Appointments in the said Schedule (A.) as such Officers, shall be and the same are hereby appointed and declared to be such Officers in the said Superior Courts, and they and their Successors shall respectively hold such Offices and Appointments during good Behaviour.

Treasury to cause Table of Fees to be prepared, and submitted to Judges for Approval.

X. 'And whereas it is expedient that a new Table or Tables of Fees proper to be taken in the said 'Superior Courts, and their several Offices, and at the Judges Chambers, and by the Clerks of Assize 'acting as Associates on the Circuits, should be prepared with reference to the various Changes and 'Alterations which have been or may be made in the Process, Practice, and Proceedings of those Courts, 'and to the Diminution of Expense, where practicable, to the Suitors:' Be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, and they are hereby required, forthwith to prepare or cause to be prepared a Table or Tables of Fees, specifying what Fees are proper to be demanded and taken in the said Courts and Offices, at the Judges Chambers, and on the Circuits, and what Fees should be abolished; and such Table or Tables shall be laid for Approval before the Judges of the said Courts; and the said Judges or any Six or more of them, of whom the Lord Chief Justices and Lord Chief Baron shall be Three, are hereby empowered and required, as soon as conveniently may be, to revise and settle the said Table or Tables of Fees so prepared as aforesaid, and from Time to Time to add to, or reduce, alter, or amend the same, as they may deem necessary and proper, and the said Table or Tables of Fees so revised and corrected as aforesaid from Time to Time to allow and sanction, by affixing their Signatures respectively thereto, and to establish the same in and for the said Courts; and the said Commissioners of Her Majesty's Treasury are required, so soon and as often as each Table or Tables of Fees have been sanctioned and allowed by the Judges, to cause the same to be inserted and published in the *London Gazette;* and from and after such Publication no other Fees than those sanctioned and allowed as aforesaid shall on any Pretence whatever be demanded or taken by any Officer or Clerk of the said Courts in respect of any Duty or Service to which such Table or Tables of Fees may relate; provided that until the Publication of such Table or Tables of Fees under the Authority aforesaid, the Fees now lawfully taken by the said Officers and Clerks shall and may continue to be taken.

Officers and Clerks not to act as Barristers, Attornies, or Agents.

XI. No Person holding the Office of Associate in the Courts of Queen's Bench, Common Pleas, and Exchequer, or the Appointment of Judges Clerk, or of Clerk in any of the Offices of the Superior Courts, shall, either directly or indirectly, act as a Barrister, Attorney, or Solicitor, or as Agent of any Attorney or Solicitor, in any Court of Law or Equity in the United Kingdom, either separately or in Partnership with any other, during such Time as he shall hold such Office of Associate, or act as such Clerk: Provided always, that nothing in this Act contained shall operate to prevent any Attorney or Solicitor, or Agent of any Attorney or Solicitor, now practising in any Court of Law or Equity, and now holding any Office or Appointment mentioned in this Act, from continuing to practise as such Attorney, Solicitor, or Agent, notwithstanding this Act.

XII. It

Treasury to fix Salaries of Officers and Clerks.

XII. It shall and may be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and required, by and with the Sanction of the Lord Chief Justices and the Lord Chief Baron, to fix and appoint an annual Sum by way of Salary to the several Officers and Clerks whose Offices and Appointments are respectively set forth and described in the Schedule (B.) to this Act annexed, which Salaries they shall be entitled to receive in lieu of all Fees and Emoluments now received by such Officers and Clerks respectively; and the said Commissioners, with such Sanction as aforesaid, shall have Power, on each Vacancy in any such Office or Appointment, to revise the Salary attached thereto, and to fix another Salary in lieu thereof, having regard to the Nature, Duties, and Responsibility of such Office or Appointment; and such Salaries, together with the necessary Expenses of the respective Offices, shall be payable and paid by equal quarterly Payments on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, together with a proportional Part of such annual Sum for the Time which at the Decease of the Person entitled thereto shall have elapsed since the last Payment thereof: Provided always, that if any of the Officers or Clerks appointed or to be appointed under the Provisions of this Act shall be entitled to and in the Receipt of Compensation Allowance awarded to them under any Act or Acts of Parliament regulating or relating to their respective Offices or Appointments, which shall exceed the Amount of Salary fixed and determined as aforesaid, such Officers and Clerks respectively shall be entitled to and shall receive the full Amount of such Compensation Allowance by way of Salary so long as they shall respectively hold their Offices or Situations; and in Cases wherein such Compensation Allowance shall be less than the Amount of Salary so fixed and determined as aforesaid, the same shall merge and be considered as Part of and included in the said Salary.

Power to raise Salaries.

Salaries, how charged.

XIII. The Salaries and Compensation Allowances by way of Salary herein-before granted to the several Officers and Clerks of the said Courts respectively, and also the Salaries and Compensation Allowances by way of Salary, if any, which shall and may be granted to the several Officers and Clerks under the Provisions of this and any other Act or Acts of Parliament regulating or relating to the same, together with the necessary and unavoidable Expenses of the said Offices respectively, shall be paid and payable out of and be charged and chargeable upon the Fees received by the said Officers and Clerks in the said Courts respectively; and the Surplus of such Fees arising in each of the said Courts, after the Payment of the said Salaries and Expenses, shall be paid into the Receipt of the Exchequer to the Credit of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, at such Times and in such Manner as the Commissioners of Her Majesty's Treasury for the Time being shall think proper to direct; and in the event of the Fees so received by the said Officers and Clerks respectively of any of the said Courts being at any Time insufficient to defray the said Salaries and Compensations, if any, and other necessary Expenses, it shall be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and required, to direct the Amount of such Deficiency to be charged upon and paid out of the said Consolidated Fund.

Officers to render Accounts of Fees received to the Treasury.

XIV. The said Officers and Clerks, mentioned and described in Schedule (C.) to this Act annexed, shall respectively cause all Fees received by them, and all Disbursements made thereout for Salaries and other necessary Expenses, to be duly and regularly entered in One or more Books, to be kept for that Purpose in their Offices, distinguishing the Fees received under their several Heads, and also the Particulars and Amount of every Disbursement; and shall quarterly, within One Month after the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, render a true and faithful Account in Writing to the Commissioners of Her Majesty's Treasury for the Time being of all such Fees and Disbursements, in such Form of Account, and with such Particulars of Receipt or otherwise, and accompanied by such Vouchers, as the said Commissioners of Her Majesty's Treasury shall from Time to Time think proper to require and direct; and if upon Examination of any such Account it shall appear to the said Commissioners of Her Majesty's Treasury that any Fees have not been duly accounted for, or that any unreasonable or improper Charge or Deduction has been made in such Account, it shall be lawful for the said Commissioners of Her Majesty's Treasury finally to settle and adjust the same in such Way as they may think reasonable and proper, and the said Officers and Clerks of the said Courts by whom such Account shall have been rendered shall and they are hereby required to alter and amend the said Account accordingly: Provided always, that the Officers and Clerks of the said Courts respectively shall submit their Books of Account to the Inspection of the said Commissioners of Her Majesty's Treasury, or any Person or Persons whom they may employ for that Purpose, whenever the said Officers and Clerks shall be required so to do.

Allowance to Officers on their Retirement from Office.

XV. Every Person appointed or to be appointed under the Provisions of this Act as an Officer of the said Courts respectively, who shall hereafter resign his Office or Situation with the Sanction and under the Authority of the Lord Chief Justice or Lord Chief Baron of the Court to which he shall belong, in consequence of his being incapable, from Infirmity of Mind or Body, to discharge the Duties thereof, shall be entitled to receive such Superannuation Allowance as the said Commissioners of Her Majesty's Treasury shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the said Commissioners of Her Majesty's Treasury shall take into consideration the whole Period during which any such Person shall have been permanently employed in any Office or Situation in either of the said Courts, or in any other Public Office or Situation, prior to the passing of this Act, and shall proceed according to the Principles laid down by an Act passed in the Fourth and Fifth Years of the Reign of His said late Majesty, intituled *An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons*

4 & 5 W. 4, c. 24.

Persons in respect of their having held Civil Offices in His Majesty's Service; and all such Sums and Allowances which shall be so awarded and granted under the Authority aforesaid shall be paid and payable and be charged and chargeable in the same Way as is herein-before provided in respect of the Salaries of the Officers of the said Courts respectively, and the necessary Expenses of the said Offices.

Ushers and subordinate Officers, and their Deputies, to render Accounts of Fees to Treasury.

XVI. 'And whereas the Ushers, Courtkeepers, Messengers, Assistants, and other subordinate Officers 'of the said Superior Courts, and Attendants on the Judges (other than the Judges Clerks herein-before 'mentioned) are entitled to receive Fees from the Suitors in the said Court, and it is expedient that the 'said Suitors should be relieved from the Payment of such Fees, and that adequate Salaries should be 'provided for such Officers, Assistants, and Attendants:' Be it enacted, That all Persons holding any subordinate Offices or Appointments in any of the said Superior Courts, as Ushers, Courtkeepers, Messengers, Assistants, and the like, or as Attendants on the Judges (other than the Judges Clerks herein-before mentioned), and their Deputies, shall respectively, on or before the Twenty-fourth Day of *October* One thousand eight hundred and fifty-two, render a true Account in Writing to the said Commissioners of Her Majesty's Treasury of all Fees and Emoluments received or claimed to be received by them, or on their Behalf, and also of the annual Value of all such Fees and Emoluments received by them, or on their Behalf, and also of the annual Salary, Allowances, or Profits allowed to or received by them respectively, whether as Principals or Deputies, and also of the Nature and Amount of Disbursements, if any, in respect of any of such Offices or Appointments, for the Space of Five Years next preceding the passing of this Act; and the Accounts so rendered shall be in such Form, and with such Particulars of Receipt or otherwise, and accompanied by such Vouchers, as the said Lords Commissioners shall from Time to Time think proper to require and direct.

Fees of such subordinate Officers may be abolished.

XVII. It shall and may be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby empowered, by and with the Consent of the said Lord Chief Justices and the Lord Chief Baron, to abolish all or any of the Fees set forth in such Accounts; and a List or Lists, specifying the Nature or Description of the Fees so to be abolished, shall thereupon be published by and under the Authority of the said Commissioners of Her Majesty's Treasury in the *London Gazette;* provided that until such Publication all Fees that now are or may be legally received in respect of such subordinate Offices or Appointments, shall and may continue to be received as heretofore.

The Number of subordinate Officers to be fixed by Treasury, with the Sanction of the Chief Justices and Chief Baron.

XVIII. It shall and may be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby empowered and required, by and with the Sanction of the said Lord Chief Justices and the Lord Chief Baron, as soon as conveniently may be, to ascertain and fix the Number of Ushers, Courtkeepers, Messengers, and other subordinate Officers, and Assistants in the said Superior Courts, and of Attendants on the Judges (other than the Judges Clerks herein-before mentioned), which shall be sufficient for the due Performance of the Duties required to be rendered in respect of such subordinate Offices and Appointments, and for the necessary Attendance on the Judges; and a List or Lists of the Offices and Appointments, when so fixed and ascertained, shall thereupon be published by and under the Authority of the said Commissioners of Her Majesty's Treasury in the *London Gazette;* and from and after such Publication all such of the said Offices and Appointments as are not contained in such List or Lists shall be and the same are hereby declared to be abolished.

Subordinate Officers to be appointed by the Chief Justices and Chief Baron respectively.

XIX. It shall and may be lawful for the Lord Chief Justices and the Lord Chief Baron respectively for the several Courts to appoint fit and proper Persons to perform the Duties of the said several subordinate Offices and Appointments, when such Offices and Appointments shall have been fixed and ascertained in the Manner herein-before provided: Provided always, that the Persons who now perform the Duties of such subordinate Offices and Appointments shall be re-appointed to such Offices and Appointments, if they shall be found willing and competent to discharge the Duties thereof, in preference to any Person who shall not have performed such Duties prior to the passing of this Act; and when and so often as any Vacancy shall occur by Death, Resignation, or otherwise, in any such Office or Appointment, it shall and may be lawful for the Lord Chief Justice or Lord Chief Baron of the Court, in which such Vacancy shall occur, to nominate and appoint some fit and proper Person to fill such Vacancy; and all Persons to be appointed to such Offices or Appointments shall hold their respective Offices during the Pleasure of the Court to which they shall respectively belong.

Power to increase or reduce the Number of such subordinate Officers.

XX. If at any Time after the passing of this Act it shall be found that the Establishment of such subordinate Officers, Assistants, or Attendants in any of the said Superior Courts is either excessive or insufficient for the due Performance of the Duties required to be rendered by such Officers, Assistants, or Attendants, it shall and may be lawful for the Lord Chief Justice or Lord Chief Baron of the Court, in which any Alteration with respect to such Establishment may be deemed necessary, to notify the same in Writing to the said Commissioners of Her Majesty's Treasury, stating therein the Circumstances which may have caused any Increase or Diminution of such Establishment to be necessary; and thereupon the said Commissioners of Her Majesty's Treasury may, and they are hereby authorized and required, from Time to Time by their Warrant to increase or reduce such Establishment, as the Case may require; and, by and with the Sanction of the said Lord Chief Justice or Lord Chief Baron of the Court in which such Alteration is deemed necessary, to make such Provision for the carrying into effect such Alteration, both with respect to regulating the Salaries and otherwise, as may be thought proper.

Salaries of subordinate Officers to be fixed by Treasury, with

XXI. It shall and may be lawful for the said Commissioners of Her Majesty's Treasury, and they are hereby authorized and required, by and with the Sanction of the Lord Chief Justices and Lord Chief Baron, to fix and appoint an annual Sum to be paid by way of Salary to each and every of such subordinate

ordinate Officers, Assistants, and Attendants, who shall be re-appointed or appointed under the Provisions of this Act; and such Salaries, together with the necessary Expenses (if any) of such Offices and Appointments, shall be payable and paid by equal quarterly Payments on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in every Year, together with a proportional Part of such annual Sum for the Time which at the Decease of the Person entitled thereto shall have elapsed since the last Payment thereof; and such Salaries and Expenses shall be paid out of and charged and chargeable upon the said Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided always, that the Officers, Assistants, and Attendants, the Value of whose Offices or Amount of whose Salaries or official Incomes have been already fixed and ascertained under and by virtue of any Act or Acts of Parliament regulating or relating to their said Offices or Salaries, shall be entitled during their Tenure of Office respectively to receive the Amount of Salary or official Income now received by them, if such Amount exceed the Salary to be fixed by the Commissioners of Her Majesty's Treasury as aforesaid under this Act; and in case such Amount shall be less than the Salary so fixed by the said Commissioners of Her Majesty's Treasury, the same shall merge and be considered as Part of and included in the said Salary.

Sanction of the Chief Justices and Chief Baron, and to be paid out of Consolidated Fund.

XXII. 'And whereas the Hereditary Chief Proclamator in the Court of Common Pleas, and the 'Hereditary Chief Usher in the Court of Exchequer, in right of their respective Offices, are entitled to 'appoint certain Officers in the said Courts of Common Pleas and Exchequer, who by themselves or 'their Deputies perform the Duties of their respective Offices; and it is expedient that the said Offices 'of Hereditary Chief Proclamator and Hereditary Chief Usher should be abolished; and that a fit and 'proper Compensation should be awarded to *George Henry Walker Heneage* Esquire (being the Person 'who now holds these Offices), upon the Abolition thereof:' Be it enacted, That it shall and may be lawful for the said Commissioners of Her Majesty's Treasury and they are hereby authorized to pay to the said *George Henry Walker Heneage* Esquire, during his Life, and after his Death to such Person or Persons as would have been entitled to hold such Offices, or either of them, upon satisfactory Proof of his, her, or their being so entitled, such annual Sum as the Commissioners may find to be a fair and reasonable Compensation for the Loss of the said Offices; and in estimating such Compensation, the average annual Amount of Profit arising from the said Offices respectively for the Thirty Years next preceding the passing of this Act shall be taken into consideration; and such annual Sum shall be paid out of and charged and chargeable upon the said Consolidated Fund of *Great Britain* and *Ireland*.

Compensation to Hereditary Chief Proclamator and Hereditary Chief Usher.

XXIII. Every Person holding any Office or Appointment in the said Courts of Common Pleas or Exchequer under any Grant, Deed, or other Appointment from the said Hereditary Chief Proclamator, or Hereditary Chief Usher, and every other subordinate Officer, Assistant, or Attendant, whose Office shall be abolished under the Provisions of this Act, and who shall not be re-appointed to any Office in any of the said Superior Courts, shall be entitled to receive such a Sum in Gross, or such an annual Sum, as the said Commissioners of Her Majesty's Treasury may fix and appoint, as a fair and reasonable Compensation for the Loss of any such Office or Appointment; and such Sums by way of Compensation shall be paid out of and charged and chargeable upon the said Consolidated Fund of *Great Britain* and *Ireland;* and the said Commissioners of Her Majesty's Treasury are hereby authorized and required to fix the Amount of such Sums to be paid by way of Compensation, and to pay the same to the said Persons whose Offices shall have been abolished under this Act.

Compensation to Officers appointed by Hereditary Chief Proclamator or Hereditary Chief Usher, and to subordinate Officers.

XXIV. That nothing herein contained shall affect the Rights of the existing Four Patent Messengers of the said Court of Exchequer, but there shall be paid to each of the present Messengers of the said Court, during their respective Lives, the Amount of the annual Salaries or Allowances to which they are now respectively entitled.

Not to affect existing Messengers of Exchequer.

XXV. All Appointments of Officers and Clerks to be made by virtue of this Act shall be so made without any pecuniary or other Consideration whatsoever, directly or indirectly, to be paid or received for the same; and all such Officers and Clerks shall execute their Duties in Person, and shall give their Attendance in Court or elsewhere, and shall conduct the Business of their several Departments or Offices at such Places and Hours, whether in Term Time or Vacation, and in every respect in such Manner as the Lord Chief Justices or the Lord Chief Baron, and the other Justices and Barons of the said Courts respectively shall from Time to Time order and direct.

Appointments to be made without pecuniary Consideration.

XXVI. If any Officer of the said Courts, or any Clerk appointed or to be appointed under or by virtue of this Act, or any Person whatever employed in the Offices of the said Courts, shall, for anything done or pretended to be done relating to his Office or Employment, or under colour of doing anything relating to his Office or Employment, or for forbearing to do any Act properly appertaining to his said Office, demand, take, receive or accept, or allow any Person whatsoever to take for him, or on his Account, or for or on account of or in trust for him or any other Person named by him, any Gratuity, Perquisite, or Reward, or anything of Value, other than the Salary or Remuneration allowed or to be allowed to every such Officer, Clerk, or Person aforesaid, he shall forfeit a Sum of Fifty Pounds, to be recovered by Action of Debt at the Suit of Her Majesty's Attorney General, and upon Judgment being recovered therein he shall be incapable of any longer holding his Office or Employment.

Officers and Clerks not to receive Gratuities on pain of Dismissal.

XXVII. In the event of any Reduction being hereafter made in the Number of the Officers or Clerks created or authorized by this Act, the Lord Chief Justices, Lord Chief Baron, Justices, Barons, and Associates of the said Courts respectively for the Time being, shall not be entitled to Compensation for the Loss of any Right of Appointment vested in them or any of them by virtue of this Act.

No Compensation to be allowed for Loss of Right of Appointment.

Certain Fees on Circuit abolished.

XXVIII. 'And whereas upon the Circuits of the Judges of Assize and Gaol Delivery, a Fee of Six 'Shillings and Eightpence is now paid on every Cause to the Marshals of the Judges of Assize for the 'Use of the Judge:' Be it enacted, That the said Fee, and all other Payments upon the Circuits to or to the Use of the said Judges, shall be and they are hereby abolished.

Account to be laid before Parliament.

XXIX. The said Commissioners of Her Majesty's Treasury shall cause to be laid before Parliament, within Fourteen Days of its First Meeting in every Year, an Account, made up to the Thirty-first Day of *December* previous, both with respect to the said Offices, and with respect to all other Offices in the Superior Courts of Law, of all Charges on the Consolidated Fund, by way of Compensation or otherwise, and of the gross and net Receipts of Fees in each of the said Offices, and of all Charges and Disbursements deducted therefrom, and of all Amounts fixed by way of Remuneration for any of the Holders of the said Offices respectively, and of any Salaries fixed under the Powers of this Act, and of all Salaries charged on the said Fees during the Year then last elapsed, and after the first such Account shall have been presented, then during the Two Years last elapsed, with a Statement of the Increase or Decrease of any of the said Items of Account in the second of such Years as compared with the first.

Duties to be performed in Person.

XXX. Where it shall be made to appear to the said Commissioners that any of the herein-before mentioned Officers omits to perform the Duties of his Office in Person, the said Commissioners, unless it shall be shown to their Satisfaction that such Omission arises from temporary and unavoidable Causes, and they shall in Writing approve of such Omission for a Period not exceeding at any One Time Six Months, shall, as the Case may be, require the whole of the Fees due to or received by such Officer for his own Use during the Time of such Omission to be accounted for and paid over as aforesaid, or shall cease to allow or pay any Salary otherwise due to such Officer during the Time of such Omission.

Fees of Marshal's Men and Judge's Bailiff abolished.

XXXI. The Fees heretofore received on the Circuit by the Marshal's Man and the Judge's Bailiff respectively shall be and are hereby abolished; and no Fee, Gratuity, or Reward whatsoever shall be demanded or accepted by any one exercising or claiming to exercise either of the said Offices, or by any Servant or other Person attending the Circuit in any subordinate Office or Employment.

As to Performance of Duties of Hereditary Chief Usher and Messenger of the Court of Exchequer.

XXXII. 'And whereas, by reason of abolishing the Office of Hereditary Chief Usher of the Court of 'Exchequer, and the Officers of the said Court appointed by that Officer, it becomes necessary to make 'Provision for the Duties hitherto performed by the said Hereditary Chief Usher and Persons, styled '"Messengers of the Court of Exchequer," holding Offices or Places in the Patronage of and appointed by 'the said Hereditary Chief Usher:' The Duties hitherto performed by the said Hereditary Chief Usher and Messengers of the Court of Exchequer, so far as regards the Process issued and issuing from the Office of Her Majesty's Remembrancer in the Court of Exchequer, and of the Treasurer of the Governors of the Bounty of Queen *Anne*, on the Seal Day next after each and every Term, shall, from and after the Abolition of the said Offices of Messengers of the Court of Exchequer, be discharged by Her said Majesty's Remembrancer, and his Officers under his Direction, and the Officers of the said Treasurer of the Governors of the Bounty of Queen *Anne*, and shall be in all respects as valid and effectual to all Intents and Purposes as if performed by the said Hereditary Chief Usher and Messengers of the Court of Exchequer as heretofore, any Law or Usage to the contrary notwithstanding; and that it shall not be necessary in future for the Process herein-before referred to to be sealed before or in the Presence of the Cursitor Baron of the said Court of Exchequer on the said Seal Days as heretofore, but the same may be issued from the Office of Her said Majesty's Remembrancer and the Office of the Treasurer of the Governors of the Bounty of Queen *Anne*, and be respectively sealed in the Office of Her said Majesty's Remembrancer, who has the Custody or Keeping of the Great Seal of the Exchequer.

SCHEDULE (A.)

OFFICERS and CLERKS of the JUDGES in the Superior Courts re-appointed by this Act.

Associate in the Court of Queen's Bench.
Associate in the Court of Common Pleas.
Associate in the Court of Exchequer.

SCHEDULE (B.)

OFFICERS and CLERKS who are to be paid by SALARIES instead of FEES.

The Associates in the Queen's Bench, Common Pleas, and Exchequer.
Senior Clerk in the Offices of the Associates in the Queen's Bench, Common Pleas, and Exchequer.
Junior Clerks in those Offices.
Clerk of Assize for the Performance of the Duties of Associate on the Northern Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the Western Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the Oxford Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the Midland Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the Home Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the Norfolk Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the North Wales Circuit.
Clerk of Assize for the Performance of the Duties of Associate on the South Wales Circuit.

JUDGES CLERKS.

Principal Clerks of the Lord Chief Justices of the Queen's Bench and Common Pleas, and Lord Chief Baron of the Exchequer.
Chamber Clerks to the same.
Third Clerks to the same.
Principal Clerks to the other Judges and Barons.
Chamber Clerks to the same.

SCHEDULE (C.)

Associates in the Courts of Queen's Bench, Common Pleas, and Exchequer.
Marshals on the Circuits.
Clerks of Assize as Associates.
Judges Clerks.

CAP. LXXIV.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [30th *June* 1852.]

[*This Act is the same, except as to Dates, as* 14 & 15 *Vict. c.* 58.]

CAP. LXXV.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [30th *June* 1852.]

[*This Act is the same, except as to Dates, as* 14 & 15 *Vict. c.* 32.]

CAP. LXXVI.

An Act to amend the Process, Practice, and Mode of Pleading in the Superior Courts of Common Law at *Westminster*, and in the Superior Courts of the Counties Palatine of *Lancaster* and *Durham*. [30th *June* 1852.]

'WHEREAS the Process, Practice, and Mode of Pleading in the Superior Courts of Common Law at *Westminster* may be rendered more simple and speedy:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

I. The Provisions of this Act shall come into operation on the Twenty-fourth Day of *October* in the Year of our Lord One thousand eight hundred and fifty-two.

Writs for Commencement of Actions.

And with respect to the Writs for the Commencement of Personal Actions in the said Courts against Defendants, whether in or out of the Jurisdiction of the Courts, be it enacted as follows:

Personal Actions how to be commenced.

II. All Personal Actions brought in Her Majesty's Superior Courts of Common Law, where the Defendant is residing or supposed to reside within the Jurisdiction of the said Court, shall be commenced by Writ of Summons in the Form contained in the Schedule (A.) to this Act annexed, marked No. 1., and in every such Writ and Copy thereof the Place and County of the Residence or supposed Residence of the Party Defendant, or wherein the Defendant shall be or shall be supposed to be, shall be mentioned; and such Writ shall be issued by any One of the Officers of the said Courts respectively by whom like Process hath been heretofore issued from such Court, or by such other Officer as the Court shall direct.

Form, &c. of Action need not be mentioned.

III. It shall not be necessary to mention any Form or Cause of Action in any Writ of Summons, or in any Notice of Writ of Summons, issued under the Authority of this Act.

Writ to state Names of all Defendants, &c.

IV. Every Writ of Summons shall contain the Names of all the Defendants, and shall not contain the Name or Names of any Defendant or Defendants in more Actions than One.

How Writ to be dated and tested.

V. Every Writ of Summons shall bear Date on the Day on which the same shall be issued, and shall be tested in the Name of the Lord Chief Justice or Lord Chief Baron of the Court from which the same shall issue, or in case of a Vacancy of such Office, then in the Name of a Senior Puisne Judge of the said Court.

Writ to be indorsed with Name and Abode of Attorney, or a Memorandum that Writ has been sued by Plaintiff in Person.

VI. Every Writ of Summons shall be indorsed with the Name and Place of Abode of the Attorney actually suing out the same, and in case such Attorney shall not be an Attorney of the Court in which the same is sued out, then also with the Name and Place of Abode of the Attorney of such Court in whose Name such Writ shall be taken out; and when the Attorney actually suing out any Writ shall sue out the same as Agent for an Attorney in the Country, the Name and Place of Abode of such Attorney in the Country shall also be indorsed upon the said Writ; and in case no Attorney shall be employed to issue the Writ, then it shall be indorsed with a Memorandum expressing that the same has been sued out by the Plaintiff in Person, mentioning the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of such Plaintiff's Residence, if any such there be.

VII. Every

Attorney to declare if Writ issued by his Authority, &c.

VII. Every Attorney whose Name shall be indorsed on any Writ issued by Authority of this Act shall, on Demand in Writing, made by or on behalf of any Defendant, declare forthwith whether such Writ has been issued by him or with his Authority or Privity; and if he shall answer in the Affirmative, then he shall also, in case the Court or a Judge shall so order and direct, declare in Writing, within a Time to be allowed by such Court or Judge, the Profession, Occupation, or Quality, and Place of Abode of the Plaintiff, on pain of being guilty of a Contempt of the Court from which such Writ shall appear to have been issued; and if such Attorney shall declare that the Writ was not issued by him, or with his Authority or Privity, all Proceedings upon the same shall be stayed, and no further Proceedings shall be taken thereupon without Leave of the Court or a Judge.

If Writ issued without Authority of Attorney, Proceedings to be stayed.

Indorsement of Debt and Costs on Writ and Copy of Writ for a Debt, with Notice that Proceedings will be stayed on Payment within Four Days.

VIII. Upon the Writ and Copy of any Writ served for the Payment of any Debt the Amount of the Debt shall be stated, and the Amount of what the Plaintiff's Attorney claims for the Costs of such Writ, Copy, and Service, and Attendance to receive Debt and Costs, and it shall be further stated that upon Payment thereof within Four Days to the Plaintiff or his Attorney, further Proceedings will be stayed; which Indorsement shall be written or printed in the following Form or to the like Effect:

'The Plaintiff claims £ for Debt, and £
'for Costs, and if the Amount thereof be paid to the Plaintiff or to his Attorney within Four Days
'from the Service hereof further Proceedings will be stayed.'

But the Defendant shall be at liberty, notwithstanding such Payment, to have the Costs taxed, and if more than One Sixth shall be disallowed, the Plaintiff's Attorney shall pay the Costs of Taxation.

Concurrent Writs may be issued.

IX. The Plaintiff in any such Action may, at any Time during Six Months from the issuing of the original Writ of Summons, issue One or more concurrent Writ or Writs, each concurrent Writ to bear Teste of the same Day as the original Writ, and to be marked with a Seal bearing the Word "concurrent," and the Date of issuing the concurrent Writ; and such Seal shall be provided and kept for that Purpose at the Offices of the Masters of the said Courts, and shall be impressed upon the Writ by the proper Officer of the Court out of which the original Writ issued: Provided always, that such concurrent Writ or Writs shall only be in force for the Period during which the original Writ in such Action shall be in force.

From Commencement of this Act certain Provisions of 2 W. 4. c. 39. repealed.

X. From the Time when this Act shall commence and take effect, so much of a certain Act of Parliament passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for Uniformity of Process in Personal Actions in His Majesty's Courts of Law at* Westminster, as relates to the Duration of Writs, and to alias and pluries Writs, and to the Proceedings necessary for making the First Writ in any Action available to prevent the Operation of any Statute whereby the Time for the Commencement of any Action may be limited, shall be repealed, except so far as may be necessary for supporting any Writs that have been issued before the Commencement of this Act, and any Proceedings taken or to be taken thereon.

Renewal of Writs of Summons to save the Statute of Limitation, and for other Purposes.

XI. No original Writ of Summons shall be in force for more than Six Months from the Day of the Date thereof, including the Day of such Date; but if any Defendant therein named may not have been served therewith, the original or concurrent Writ of Summons may be renewed at any Time before its Expiration, for Six Months from the Date of such Renewal, and so from Time to Time during the Currency of the renewed Writ, by being marked with a Seal, bearing the Date of the Day, Month, and Year of such Renewal, such Seal to be provided and kept for that Purpose at the Offices of the Masters of the said Superior Courts, and to be impressed upon the Writ by the proper Officer of the Court out of which such Writ issued, upon Delivery to him by the Plaintiff or his Attorney of a Præcipe in such Form as has heretofore been required to be delivered upon the obtaining of an alias Writ; and a Writ of Summons so renewed shall remain in force and be available to prevent the Operation of any Statute whereby the Time for the Commencement of the Action may be limited, and for all other Purposes, from the Date of the issuing of the original Writ of Summons.

Renewal of Writs issued before this Act.

XII. Where any Writ of Summons in any such Action shall have been issued before, and shall be in force at, the Commencement of this Act, such Writ may at any Time before the Expiration thereof be renewed under the Provisions of and in the Manner directed by this Act; and where any Writ, issued in continuation of a preceding Writ according to the Provisions of the said Act of His late Majesty King *William* the Fourth, shall be in force and unexpired, or where One Month next after the Expiration thereof shall not have elapsed at the Commencement of this Act, such continuing Writ may, without being returned non est inventus, or entered of Record according to the Provisions of the said Act of His late Majesty King *William* the Fourth, be filed in the Office of the Court within One Month next after the Expiration of such Writ, or within Twenty Days after the Commencement of this Act; and the original Writ of Summons in such Action may thereupon, but within the same Period of One Month next after the Expiration of the continuing Writ, or within Twenty Days after the Commencement of this Act, be renewed under the Provisions of and in the Manner directed by this Act; and every such Writ shall after such Renewal have the same Duration and Effect for all Purposes, and shall, if necessary, be subsequently renewed, in the same Manner as if it had originally issued under the Authority of this Act.

Production of renewed Writ Evidence of Commencement of Action.

XIII. The Production of a Writ of Summons purporting to be marked with the Seal of the Court, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed, and of the Commencement of the Action as of the First Date of such renewed Writ for all Purposes.

Service of Writ.

XIV. The Writ of Summons in any Action may be served in any County.

XV. The

Indorsement of Service to be made.

XV. The Person serving the Writ of Summons shall and he is hereby required, within Three Days at least after such Service, to indorse on the Writ the Day of the Month and Week of the Service thereof, otherwise the Plaintiff shall not be at liberty, in case of Nonappearance, to proceed under this Act; and every Affidavit of Service of such Writ shall mention the Day on which such Indorsement was made.

As to Service of Writ on Corporation and Inhabitants of Hundreds and Towns.

XVI. Every such Writ of Summons issued against a Corporation Aggregate may be served on the Mayor or other Head Officer, or on the Town Clerk, Clerk, Treasurer, or Secretary of such Corporation; and every such Writ issued against the Inhabitants of a Hundred or other like District may be served on the High Constable thereof, or any One of the High Constables thereof; and every such Writ issued against the Inhabitants of any County of any City or Town, or the Inhabitants of any Franchise, Liberty, City, Town, or Place not being Part of a Hundred or other like District, on some Peace Officer thereof.

Proceedings where personal Service cannot be effected, but Defendant knows of the Writ, and evades Service.

XVII. The Service of the Writ of Summons, wherever it may be practicable, shall, as heretofore, be personal; but it shall be lawful for the Plaintiff to apply from Time to Time, on Affidavit, to the Court out of which the Writ of Summons issued, or to a Judge; and in case it shall appear to such Court or Judge that reasonable Efforts have been made to effect personal Service, and either that the Writ has come to the Knowledge of the Defendant, or that he wilfully evades Service of the same, and has not appeared thereto, it shall be lawful for such Court or Judge to order that the Plaintiff be at liberty to proceed as if personal Service had been effected, subject to such Conditions as to the Court or Judge may seem fit.

As to Actions against British Subjects residing out of the Jurisdiction of Superior Courts.

XVIII. In case any Defendant, being a *British* Subject, is residing out of the Jurisdiction of the said Superior Courts, in any Place except in *Scotland* or *Ireland*, it shall be lawful for the Plaintiff to issue a Writ of Summons in the Form contained in the Schedule (A.) to this Act annexed, marked No. 2., which Writ shall bear the Indorsement contained in the said Form, purporting that such Writ is for Service out of the Jurisdiction of the said Superior Courts; and the Time for Appearance by the Defendant to such Writ shall be regulated by the Distance from *England* of the Place where the Defendant is residing; and it shall be lawful for the Court or Judge, upon being satisfied by Affidavit that there is a Cause of Action, which arose within the Jurisdiction, or in respect of the Breach of a Contract made within the Jurisdiction, and that the Writ was personally served upon the Defendant, or that reasonable Efforts were made to effect personal Service thereof upon the Defendant, and that it came to his Knowledge, and either that the Defendant wilfully neglects to appear to such Writ, or that he is living out of the Jurisdiction of the said Courts, in order to defeat and delay his Creditors, to direct from Time to Time that the Plaintiff shall be at liberty to proceed in the Action in such Manner and subject to such Conditions as to such Court or Judge may seem fit, having regard to the Time allowed for the Defendant to appear being reasonable, and to the other Circumstances of the Case: Provided always, that the Plaintiff shall and he is hereby required to prove the Amount of the Debt or Damages claimed by him in such Action, either before a Jury upon a Writ of Inquiry, or before One of the Masters of the said Superior Courts in the Manner herein-after provided, according to the Nature of the Case, as such Court or Judge may direct; and the making such Proof shall be a Condition precedent to his obtaining Judgment.

As to Actions against Foreigners residing out of the Jurisdiction of Superior Courts.

XIX. In any Action against a Person residing out of the Jurisdiction of the said Courts, and not being a *British* Subject, the like Proceedings may be taken as against a *British* Subject resident out of the Jurisdiction, save, that in lieu of the Form of Writ of Summons in the Schedule (A.) to this Act annexed marked No. 2., the Plaintiff shall issue a Writ of Summons according to the Form contained in the said Schedule (A.) marked No. 3., and shall in manner aforesaid serve a Notice of such last-mentioned Writ upon the Defendant therein mentioned, which Notice shall be in the Form contained in the said Schedule also marked No. 3.; and such Service shall be of the same Force and Effect as the Service of the Writ of Summons in any Action against a *British* Subject resident abroad, and by Leave of the Court or a Judge, upon their or his being satisfied by Affidavit as aforesaid, the like Proceedings may be had and taken thereupon.

Omission to insert or indorse Matters in or on Writ not to nullify it.

XX. If the Plaintiff or his Attorney shall omit to insert in or indorse on any Writ or Copy thereof any of the Matters required by this Act to be inserted therein or indorsed thereon, such Writ or Copy thereof shall not on that Account be held void, but it may be set aside as irregular, or amended, upon Application to be made to the Court out of which the same shall issue, or to a Judge; and such Amendment may be made, upon any Application to set aside the Writ, upon such Terms as to the Court or Judge may seem fit.

Substitution by Mistake, &c. of One Form of Writ for another may be by Judge without Costs.

XXI. If either of the Forms of Writ of Summons contained in the Schedule (A.) to this Act annexed, and marked respectively Nos. 1, 2, and 3, shall by Mistake or Inadvertence be substituted for any other of them, such Mistake or Inadvertence shall not be an Objection to the Writ or any other Proceeding in such Action, but the Writ may, upon an *ex parte* Application to a Judge, whether before or after any Application to set aside such Writ or any Proceeding thereon, and whether the same or Notice thereof shall have been served or not, be amended by such Judge without Costs.

Writs for Service in and out of Jurisdiction.

XXII. A Writ for Service within the Jurisdiction may be issued and marked as a concurrent Writ with One for Service out of the Jurisdiction, and a Writ for Service out of the Jurisdiction may be issued and marked as a concurrent Writ with One for Service within the Jurisdiction.

Affidavits in certain Cases

XXIII. Any Affidavit for the Purpose of enabling the Court or a Judge to direct Proceedings to be taken against a Defendant residing out of the Jurisdiction of the said Courts may be sworn before any Consul

may be sworn before a Consul, &c.

Consul General, Consul, Vice-Consul, or Consular Agent for the Time being, appointed by Her Majesty at any Foreign Port or Place; and every Affidavit so sworn by virtue of this Act may be used and shall be admitted in Evidence, saving all just Exceptions, provided it purport to be signed by such Consul General, Consul, Vice-Consul, or Consular Agent, upon Proof of the official Character and Signature of the Person appearing to have signed the same: Provided always, that if any Person shall forge the Signature of any such Affidavit, or shall use or tender in Evidence any such Affidavit with a false or counterfeit Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Transportation for Seven Years, or to Imprisonment for any Term not exceeding Three Years, nor less than One Year, with Hard Labour; and every Person who shall be charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed in the County or Place in which he shall be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in any County or Place in which the principal Offender may be tried: Provided also, that if any Person shall wilfully and corruptly make a false Affidavit before such Consul General, Consul, Vice-Consul, or Consular Agent, every Person so offending shall be deemed and taken to be guilty of Perjury, in like Manner as if such false Affidavit had been made in *England* before competent Authority, and shall and may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in any County or Place in which he shall be apprehended or be in Custody, as if his Offence had been actually committed in that County or Place.

Distringas to compel Appearance or to proceed to Outlawry abolished.

XXIV. From the Time when this Act shall commence and take effect, so much of the said Act of His late Majesty King *William* the Fourth as relates to the Writ of Distringas, and the proceeding thereon, whether for the Purpose of compelling Appearance or for Proceedings to Outlawry, shall be repealed, except so far as may be necessary for the Purpose of giving Effect to Proceedings already taken, or to be taken after the Commencement of this Act, under or by reason of any Writ of Distringas issued before the Commencement of this Act, or under any Rule or Order authorizing the issuing of such Writ, and made before the Commencement of this Act.

Special Indorsement of the Particulars of Debts or liquidated Demands may be made on the Writ.

XXV. In all Cases where the Defendant resides within the Jurisdiction of the Court, and the Claim is for a Debt or liquidated Demand in Money, with or without Interest, arising upon a Contract, express or implied, as, for instance, on a Bill of Exchange, Promissory Note, or Cheque, or other Simple Contract Debt, or on a Bond or Contract under Seal for Payment of a liquidated Amount of Money, or on a Statute where the Sum sought to be recovered is a fixed Sum of Money, or in the Nature of a Debt, or on a Guarantee, whether under Seal or not, where the Claim against the Principal is in respect of such Debt or liquidated Demand, Bill, Cheque, or Note, the Plaintiff shall be at liberty to make upon the Writ of Summons and Copy thereof a special Indorsement of the Particulars of his Claim, in the Form contained in the Schedule (A.) to this Act annexed, marked No. 4., or to the like Effect; and when a Writ of Summons has been indorsed in the special Form herein-before mentioned, the Indorsement shall be considered as Particulars of Demand, and no further or other Particulars of Demand need be delivered, unless ordered by the Court or a Judge.

Special Indorsement to stand for Particulars of Demand.

Appearance and Proceedings in default of Appearance.

And with respect to the Appearance of the Defendant, and Proceedings of the Plaintiff in default of Appearance, be it enacted as follows:

Appearance according to Provisions of 12 G. 1. c. 29. and 2 W. 4. c. 39. abolished.

XXVI. From the Time when this Act shall commence and take effect, so much of a certain Act of Parliament passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act to prevent frivolous and vexatious Arrests,* and so much of the said Act of His late Majesty King *William* the Fourth as relates to the entering an Appearance for the Defendant by the Plaintiff in any Action in any of the said Superior Courts, shall be repealed, except so far as may be necessary to support Proceedings heretofore taken, and no Appearance need be entered by the Plaintiff for the Defendant.

Final Judgment upon Writ specially indorsed in default of Appearance.

XXVII. In case of Nonappearance by the Defendant, where the Writ of Summons is indorsed in the special Form herein-before provided, it shall and may be lawful for the Plaintiff, on filing an Affidavit of personal Service of the Writ of Summons, or a Judge's Order for Leave to proceed under the Provisions of this Act, and a Copy of the Writ of Summons, at once to sign final Judgment in the Form contained in the Schedule (A.) to this Act annexed, marked No. 5., (on which Judgment no Proceeding in Error shall lie,) for any Sum not exceeding the Sum indorsed on the Writ, together with Interest at the Rate specified, if any, to the Date of the Judgment, and a Sum for Costs, (to be fixed by the Masters of the said Superior Courts, or any Three of them, subject to the Approval of the Judges thereof, or any Eight of them, of whom the Lord Chief Justices and the Lord Chief Baron shall be Three,) unless the Plaintiff claim more than such fixed Sum, in which Case the Costs shall be taxed in the ordinary Way; and the Plaintiff may upon such Judgment issue Execution at the Expiration of Eight Days from the last Day for Appearance, and not before: Provided always, that it shall be lawful for the Court or a Judge, either before or after final Judgment, to let in the Defendant to defend upon an Application, supported by satisfactory Affidavits accounting for the Nonappearance, and disclosing a Defence upon the Merits.

Judgment for Nonappearance where the Writ is not indorsed in the special Form.

XXVIII. In case of such Nonappearance, where the Writ of Summons is not indorsed in the special Form herein-before provided, it shall and may be lawful for the Plaintiff, on filing an Affidavit of personal Service of the Writ of Summons, or a Judge's Order for Leave to proceed under the Provisions of this Act, and a Copy of the Writ of Summons, to file a Declaration indorsed with a Notice to plead in Eight Days, and to sign Judgment by Default at the Expiration of the Time to plead, so indorsed as aforesaid; and in the event of no Plea being delivered, where the Cause of Action mentioned in the

Declaration

Declaration is for any of the Claims which might have been inserted in the special Indorsement on the Writ of Summons herein-before provided, and the Amount claimed is indorsed on the Writ of Summons, the Judgment shall be final, and Execution may issue for an Amount not exceeding the Amount indorsed on the Writ of Summons, with Interest at the Rate specified, if any, and the Sum fixed by the Masters for Costs, as herein-before mentioned, unless the Plaintiff claim more, in which Case the Costs shall be taxed in the ordinary Way: Provided always, that in such Case the Plaintiff shall not be entitled to more Costs than if he had made such special Indorsement, and signed Judgment upon Nonappearance.

Appearance to be entered at any Time before Judgment.

XXIX. The Defendant may appear at any Time before Judgment, and if he appear after the Time specified either in the Writ of Summons, or in any Rule or Order to proceed as if personal Service had been effected, he shall, after Notice of such Appearance to the Plaintiff or his Attorney, as the Case may be, be in the same Position as to Pleadings and other Proceedings in the Action as if he had appeared in Time: Provided always, that a Defendant appearing after the Time appointed by the Writ shall not be entitled to any further Time for pleading or any other Proceeding than if he had appeared within such appointed Time.

Appearance by the Defendant in Person to give an Address at which Proceedings may be served.

XXX. Every Appearance by the Defendant in Person shall give an Address, at which it shall be sufficient to leave all Pleadings and other Proceedings not requiring personal Service; and if such Address be not given the Appearance shall not be received; and if an Address so given shall be illusory or fictitious, the Appearance shall be irregular, and may be set aside by the Court or a Judge, and the Plaintiff may be permitted to proceed by sticking up the Proceedings in the Master's Office without further Service.

Mode of Appearance to Writ of Summons.

XXXI. The Mode of Appearance to every such Writ of Summons, or under the Authority of this Act, shall be by delivering a Memorandum in Writing according to the following Form, or to the like Effect:

"*A.*, Plaintiff, against *C.D.*
or
against *C.D.* and another,
or
against *C.D.* and others.

The Defendant *C.D.* appears in Person.
E.F., Attorney for *C.D.*, appears for him.

[*If the Defendant appears in Person here give his Address.*]

Entered the Day of 18 ."

Such Memorandum to be delivered to the proper Officer or Person in that Behalf, and to be dated on the Day of the Delivery thereof.

Proceedings may be taken in default.

XXXII. All such Proceedings as are mentioned in any Writ or Notice issued under this Act shall and may be had and taken in default of a Defendant's Appearance.

Proceedings where only some of the Defendants appear to a Writ specially indorsed.

XXXIII. In any Action brought against Two or more Defendants, where the Writ of Summons is indorsed in the special Form herein-before provided, if One or more of such Defendants only shall appear, and another or others of them shall not appear, it shall and may be lawful for the Plaintiff to sign Judgment against such Defendant or Defendants only as shall not have appeared, and, before Declaration against the other Defendant or Defendants, to issue Execution thereupon, in which Case he shall be taken to have abandoned his Action against the Defendant or Defendants who shall have appeared; or the Plaintiff may, before issuing such Execution, declare against such Defendant or Defendants as shall have appeared, stating, by way of Suggestion, the Judgment obtained against the other Defendant or Defendants who shall not have appeared, in which Case the Judgment so obtained against the Defendant or Defendants who shall not have appeared shall operate and take effect in like Manner as a Judgment by Default obtained before the Commencement of this Act against One or more of the several Defendants in an Action of Debt before the Commencement of this Act.

Joinder of Parties.

And with respect to the Joinder of Parties to Actions, be it enacted as follows:

Nonjoinder and Misjoinder of Plaintiffs may be amended before Trial.

XXXIV. It shall and may be lawful for the Court or a Judge, at any Time before the Trial of any Cause, to order that any Person or Persons, not joined as Plaintiff or Plaintiffs in such Cause, shall be so joined, or that any Person or Persons, originally joined as Plaintiff or Plaintiffs, shall be struck out from such Cause, if it shall appear to such Court or Judge that Injustice will not be done by such Amendment, and that the Person or Persons, to be added as aforesaid, consent, either in Person or by Writing, under his, her, or their Hands, to be so joined, or that the Person or Persons, to be struck out as aforesaid, were originally introduced without his, her, or their Consent, or that such Person or Persons consent in Manner aforesaid to be so struck out; and such Amendment shall be made upon such Terms as to the Amendment of the Pleadings (if any), Postponement of the Trial, and otherwise, as the Court or Judge by whom such Amendment is made shall think proper; and when any such Amendment shall have been made, the Liability of any Person or Persons, who shall have been added as Co-plaintiff or Co-plaintiffs, shall, subject to any Terms imposed as aforesaid, be the same as if such Person or Persons had been originally joined in such Cause.

Nonjoinder and Misjoinder of Plaintiffs may be amended at the Trial, as in Cases of Amendments of Variances under 3 & 4 W. 4. c. 42.

XXXV. In case it shall appear at the Trial of any Action that there has been a Misjoinder of Plaintiffs, or that some Person or Persons, not joined as Plaintiff or Plaintiffs, ought to have been so joined, and the Defendant shall not, at or before the Time of pleading, have given Notice in Writing that he objects to such Nonjoinder, specifying therein the Name or Names of such Person or Persons, such Misjoinder or Nonjoinder may be amended, as a Variance, at the Trial by any Court of Record holding Plea in Civil Actions, and by any Judge sitting at Nisi Prius, or other presiding Officer, in like Manner as to the Mode of Amendment, and Proceedings consequent thereon, or as near thereto as the Circumstances of the Case will admit, as in the Case of Amendments of Variances under an Act of Parliament passed in the Session

Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the further Amendment of the Law, and the better Advancement of Justice*, if it shall appear to such Court, or Judge, or other presiding Officer, that such Misjoinder or Nonjoinder was not for the Purpose of obtaining an undue Advantage, and that Injustice will not be done by such Amendment, and that the Person or Persons, to be added as aforesaid, consent, either in Person or by Writing, under his, her, or their Hands, to be so joined, or that the Person or Persons, to be struck out as aforesaid, were originally introduced without his, her, or their Consent, or that such Person or Persons consent, in manner aforesaid, to be so struck out; and such Amendment shall be made upon such Terms as the Court, or Judge, or other presiding Officer, by whom such Amendment is made, shall think proper; and when any such Amendment shall have been made, the Liability of any Person or Persons, who shall have been added as Co-plaintiff or Co-plaintiffs, shall, subject to any Terms imposed as aforesaid, be the same as if such Person or Persons had been originally joined in such Action.

Upon Notice or Plea of Nonjoinder of Plaintiffs, Proceedings may be amended.

XXXVI. In case such Notice be given, or any Plea in Abatement of Nonjoinder of a Person or Persons as Co-plaintiff or Co-plaintiffs, in Cases where such Plea in Abatement may be pleaded, be pleaded by the Defendant, the Plaintiff shall be at liberty, without any Order, to amend the Writ and other Proceedings before Plea, by adding the Name or Names of the Person or Persons named in such Notice or Plea in Abatement, and to proceed in the Action without any further Appearance, on Payment of the Costs of, and occasioned by such Amendment only, and in such Case the Defendant shall be at liberty to plead *de novo*.

Misjoinder of Defendants may be amended before or at Trial.

XXXVII. It shall and may be lawful for the Court or a Judge in the Case of the Joinder of too many Defendants in any Action on Contract, at any Time before the Trial of such Cause, to order that the Name or Names of One or more of such Defendants be struck out, if it shall appear to such Court or Judge that Injustice will not be done by such Amendment; and the Amendment shall be made upon such Terms as the Court or Judge, by whom such Amendment is made, shall think proper; and in case it shall appear at the Trial of any Action on Contract that there has been a Misjoinder of Defendants, such Misjoinder may be amended, as a Variance, at the Trial, in like Manner as the Misjoinder of Plaintiffs has been herein-before directed to be amended, and upon such Terms as the Court, or Judge, or other presiding Officer, by whom such Amendment is made, shall think proper.

Upon Plea in Abatement for Nonjoinder of Defendants, Proceedings may be amended.

XXXVIII. In any Action on Contract where the Nonjoinder of any Person or Persons as a Co-Defendant or Co-Defendants has been pleaded in Abatement, the Plaintiff shall be at liberty, without any Order, to amend the Writ of Summons and the Declaration, by adding the Name or Names of the Person or Persons named in such Plea in Abatement as Joint Contractors, and to serve the amended Writ upon the Person or Persons so named in such Plea in Abatement, and to proceed against the original Defendant or Defendants, and the Person or Persons so named in such Plea in Abatement: Provided that the Date of such Amendment shall, as between the Person or Persons so named in such Plea in Abatement and the Plaintiff, be considered for all Purposes as the Commencement of the Action.

Provision in the Case of subsequent Proceedings against the Persons named in a Plea in Abatement for Nonjoinder of Defendants.

XXXIX. In all Cases after such Plea in Abatement and Amendment, if it shall appear upon the Trial of the Action that the Person or Persons so named in such Plea in Abatement was or were jointly liable with the original Defendant or Defendants, the original Defendant or Defendants shall be entitled as against the Plaintiff to the Costs of such Plea in Abatement and Amendment; but if at such Trial it shall appear that the original Defendant or any of the original Defendants is or are liable, but that One or more of the Persons named in such Plea in Abatement is or are not liable as a contracting Party or Parties, the Plaintiff shall nevertheless be entitled to Judgment against the other Defendant or Defendants who shall appear to be liable; and every Defendant who is not so liable shall have Judgment, and shall be entitled to his Costs as against the Plaintiff, who shall be allowed the same, together with the Costs of the Plea in Abatement and Amendment, as Costs in the Cause against the original Defendant or Defendants who shall have so pleaded in Abatement the Nonjoinder of such Person: Provided that any such Defendant who shall have so pleaded in Abatement shall be at liberty on the Trial to adduce Evidence of the Liability of the Defendants named by him in such Plea in Abatement.

Joinder of Claims by Husband and Wife with Claims in right of Husband.

XL. In any Action brought by a Man and his Wife for an Injury done to the Wife, in respect of which she is necessarily joined as Co-Plaintiff, it shall be lawful for the Husband to add thereto Claims in his own Right, and separate Actions brought in respect of such Claims may be consolidated, if the Court or a Judge shall think fit: Provided that in the Case of the Death of either Plaintiff such Suit, so far only as relates to the Causes of Action, if any, which do not survive, shall abate.

Joinder of Causes of Action.

And with respect to Joinder of Causes of Action, be it enacted as follows:

Different Causes of Action may be joined, but separate Trials may be ordered.

XLI. Causes of Action, of whatever kind, provided they be by and against the same Parties and in the same Rights, may be joined in the same Suit; but this shall not extend to Replevin or Ejectment; and where Two or more of the Causes of Action so joined are local, and arise in different Counties, the Venue may be laid in either of such Counties; but the Court or a Judge shall have Power to prevent the Trial of different Causes of Action together, if such Trial would be inexpedient, and in such Case such Court or Judge may order separate Records to be made up, and separate Trials to be had.

Questions by Consent without pleading.

And for the Determination of Questions raised by Consent of the Parties without Pleading, be it enacted as follows:

Questions of Fact may, after

XLII. Where the Parties to an Action are agreed as to the Question or Questions of Fact to be decided between them, they may, after Writ issued, and before Judgment, by Consent, and Order of a Judge, (which Order any Judge shall have Power to make, upon being satisfied that the Parties have a *bonâ fide* Interest in the Decision of such Question or Questions, and that the same is or are fit to be tried,) proceed

to

to the Trial of any Question or Questions of Fact without formal Pleadings; and such Question or Questions may be stated for Trial in an Issue in the Form contained in the Schedule (A.) to this Act annexed, marked No. 6., and such Issue may be entered for Trial and tried accordingly in the same Manner as any Issue joined in an ordinary Action; and the Proceedings in such Action and Issue shall be under and subject to the ordinary Control and Jurisdiction of the Court, as in other Actions.

Writ issued, by Consent and Leave of a Judge, be raised without Pleadings.

XLIII. The Parties may, if they think fit, enter into an Agreement in Writing, which shall not be subject to any Stamp Duty, and which shall be embodied in the said or any subsequent Order, that upon the Finding of the Jury in the affirmative or negative of such Issue or Issues, a Sum of Money fixed by the Parties, or to be ascertained by the Jury upon a Question inserted in the Issue for that Purpose, shall be paid by One of such Parties to the other of them, either with or without the Costs of the Action.

Agreement may be made for paying Money and Costs according to Result of Issue.

XLIV. Upon the Finding of the Jury in any such Issue, Judgment may be entered for such Sum as shall be so agreed or ascertained as aforesaid, with or without Costs, as the Case may be, and Execution may issue upon such Judgment forthwith, unless otherwise agreed, or unless the Court or a Judge shall otherwise order for the Purpose of giving either Party an Opportunity for moving to set aside the Verdict, or for a new Trial.

Judgment to be entered according to Agreement, and Execution issued, unless stayed.

XLV. The Proceedings upon such Issue may be recorded at the Instance of either Party, and the Judgment, whether actually recorded or not, shall have the same Effect as any other Judgment in a contested Action.

Proceedings upon Issue may be recorded.

XLVI. The Parties may, after Writ issued, and before Judgment, by Consent, and Order of a Judge, state any Question or Questions of Law in a Special Case for the Opinion of the Court, without any Pleadings.

Questions of Law may be raised after Writ issued, &c.

XLVII. The Parties may, if they think fit, enter into an Agreement in Writing, which shall not be subject to any Stamp Duty, and which shall be embodied in the said or any subsequent Order, that upon the Judgment of the Court being given in the affirmative or negative of the Question or Questions of Law raised by such Special Case, a Sum of Money, fixed by the Parties, or to be ascertained by the Court, or in such Manner as the Court may direct, shall be paid by One of such Parties to the other of them, either with or without Costs of the Action; and the Judgment of the Court may be entered for such Sum as shall be so agreed or ascertained, with or without Costs, as the Case may be, and Execution may issue upon such Judgment forthwith, unless otherwise agreed, or unless stayed by Procedings in Error.

Agreement as to Payment of Money and Costs, according to Judgment upon Special Case.

XLVIII. In case no Agreement shall be entered into as to the Costs of such Action, the Costs shall follow the Event, and be recovered by the successful Party.

Costs to follow the Event, &c.

And with respect to the Language and Form of Pleadings in general, be it enacted as follows:

Pleadings in general.

XLIX. All Statements which need not be proved, such as the Statement of Time, Quantity, Quality, and Value, where these are immaterial; the Statement of losing and finding, and Bailment, in Actions for Goods or their Value; the Statement of Acts of Trespass having been committed with Force and Arms, and against the Peace of our Lady the Queen; the Statement of Promises which need not be proved, as Promises in Indebitatus Counts, and mutual Promises to perform Agreements; and all Statements of a like kind, shall be omitted.

Fictitious and needless Averments not to be made.

L. Either Party may object by Demurrer to the Pleading of the opposite Party, on the Ground that such Pleading does not set forth sufficient Ground of Action, Defence, or Reply, as the Case may be; and where Issue is joined on such Demurrer, the Court shall proceed and give Judgment according as the very Right of the Cause and Matter in Law shall appear unto them, without regarding any Imperfection, Omission, Defect in or Lack of Form; and no Judgment shall be arrested, stayed, or reversed for any such Imperfection, Omission, Defect in or Lack of Form.

Judgment upon Demurrer to be given according to the very Right of the Cause.

LI. No Pleading shall be deemed insufficient for any Defect which could heretofore only be objected to by Special Demurrer.

Special Demurrer taken away.

LII. If any Pleading be so framed as to prejudice, embarrass, or delay the fair Trial of the Action, the opposite Party may apply to the Court or a Judge to strike out or amend such Pleading, and the Court or any Judge shall make such Order respecting the same, and also respecting the Costs of the Application, as such Court or Judge shall see fit.

Pleadings framed to embarrass may be struck out or amended.

LIII. Rules to declare, or declare peremptorily, and Rules to reply, and plead subsequent Pleadings, shall not be necessary, and instead thereof a Notice shall be substituted requiring the opposite Party to declare, reply, rejoin, or as the Case may be, within Four Days, otherwise Judgment, such Notice to be delivered separately or indorsed on any Pleading to which the opposite Party is required to reply, rejoin, or as the Case may be.

Four Days Notice substituted for Rule to declare, reply, or rejoin.

LIV. Every Declaration and other Pleading shall be entitled of the proper Court, and of the Day of the Month and the Year when the same was pleaded, and shall bear no other Time or Date, and every Declaration and other Pleading shall also be entered on the Record made up for Trial and on the Judgment Roll under the Date of the Day of the Month and Year when the same respectively took place, and without Reference to any other Time or Date, unless otherwise specially ordered by the Court or a Judge.

Pleadings to be dated and entered as of Time of Pleading, unless Order to the contrary.

LV. It shall not be necessary to make Profert of any Deed or other Document mentioned or relied on in any Pleading; and if Profert shall be made it shall not entitle the opposite Party to crave Oyer of or set out upon Oyer such Deed or other Document.

Profert and Oyer abolished.

Document may be set out, and considered Part of Pleadings.

LVI. A Party pleading in answer to any Pleading in which any Document is mentioned or referred to shall be at liberty to set out the whole or such Part thereof as may be material, and the Matter so set out shall be deemed and taken to be Part of the Pleading in which it is set out.

Averment of Performance of Conditions precedent.

LVII. It shall be lawful for the Plaintiff or Defendant in any Action to aver Performance of Conditions precedent generally, and the opposite Party shall not deny such Averment generally, but shall specify in his Pleading the Condition or Conditions precedent the Performance of which he intends to contest.

Declaration.

And with regard to the Time and Manner of declaring, and to Particulars of Demand, be it enacted as follows:

Plaintiff to declare within a Year.

LVIII. A Plaintiff shall be deemed out of Court, unless he declare within One Year after the Writ of Summons is returnable.

Forms of Commencement, &c. of Declaration.

LIX. Every Declaration shall commence as follows, or to the like Effect:

[Venue.] "*A.B.* by *E.F.*, his Attorney [*or* in Person, *as the Case may be*], sues *C.D.* for [*here state the Cause of Action*];"

And shall conclude as follows, or to the like Effect:

"And the Plaintiff claims £ , [*or, if the Action is brought to recover specific Goods,* the Plaintiff claims a Return of the said Goods or their Value, and £ for their Detention]."

Commencement of Declaration after Plea of Nonjoinder.

LX. In all Cases in which, after a Plea in Abatement of the Nonjoinder of another Person as Defendant, the Plaintiff shall, without having proceeded to Trial on an Issue thereon, commence another Action against the Defendant or Defendants in the Action in which such Plea in Abatement shall have been pleaded, and the Person or Persons named in such Plea in Abatement as joint Contractors, or shall amend by adding the omitted Defendant or Defendants, the Commencement of the Declaration shall be in the following Form, or to the like Effect:

[Venue.] "*A.B.* by *E.F.*, his Attorney [*or* in his own proper Person, *&c.*], sues *C.D.* and *G.H.*, which said *C.D.* has heretofore pleaded in Abatement the Nonjoinder of the said *G.H.* for," *&c.*

Declaration for Libel or Slander.

LXI. In Actions of Libel and Slander the Plaintiff shall be at liberty to aver that the Words or Matter complained of were used in a defamatory Sense, specifying such defamatory Sense without any prefatory Averment to show how such Words or Matter were used in that Sense, and such Averment shall be put in issue by the Denial of the alleged Libel or Slander; and where the Words or Matter set forth, with or without the alleged Meaning, show a Cause of Action, the Declaration shall be sufficient.

Pleas and Pleadings.

And as to Pleas and subsequent Pleadings, be it enacted as follows:

Rule to plead, &c. abolished.

LXII. No Rule to plead or Demand of Plea shall be necessary, and the Notice to plead indorsed on the Declaration or delivered separately shall be sufficient.

Time for pleading, where Defendant is within Jurisdiction.

LXIII. In Cases where the Defendant is within the Jurisdiction, the Time for pleading in Bar, unless extended by the Court or a Judge, shall be Eight Days; and a Notice requiring the Defendant to plead thereto in Eight Days, otherwise Judgment, may, whether the Declaration be delivered or filed, be indorsed upon the Declaration, or delivered separately.

Express Colour.

LXIV. Express Colour shall no longer be necessary in any Pleading.

Special Traverses.

LXV. Special Traverses shall not be necessary in any Pleading.

Formal Commencement and Prayer of Judgment unnecessary.

LXVI. In a Plea or subsequent Pleading it shall not be necessary to use any Allegation of Actionem non, or Actionem ulterius non, or to the like Effect, or any Prayer of Judgment, nor shall it be necessary in any Replication or subsequent Pleading, to use any Allegation of Precludi non, or to the like Effect, or any Prayer of Judgment.

Commencement of Plea.

LXVII. No formal Defence shall be required in a Plea, or Avowry, or Cognizance, and it shall commence as follows, or to the like Effect:

"The Defendant by his Attorney [*or* in Person, *or as the Case may be,*] says that "[*here state First Defence*]"

and it shall not be necessary to state in a Second or other Plea, or Avowry, or Cognizance, that it is pleaded by Leave of the Court or a Judge, or according to the Form of the Statute, or to that Effect; but every such Plea, Avowry, or Cognizance shall be written in a separate Paragraph, and numbered, and shall commence as follows, or to the like Effect:

"And for a Second [*&c.*] Plea the Defendant says, that [*here state Second, &c. Defence*];"

or if pleaded to Part only, then as follows, or to the like Effect:

"And for a Second [*&c.*] Plea to [*stating to what it is pleaded*], the Defendant says that," *&c.*

and no formal Conclusion shall be necessary to any Plea, Avowry, Cognizance, or subsequent Pleading.

Plea of Matter subsequent to Action.

LXVIII. Any Defence arising after the Commencement of any Action shall be pleaded according to the Fact, without any formal Commencement or Conclusion; and any Plea which does not state whether the Defence therein set up arose before or after Action shall be deemed to be a Plea of Matter arising before Action.

Plea Puis darrein Continuance, when and how to be pleaded.

LXIX. In Cases in which a Plea Puis darrein Continuance has heretofore been pleadable in Banc or at Nisi Prius, the same Defence may be pleaded, with an Allegation that the Matter arose after the last Pleading; and such Plea may, when necessary, be pleaded at Nisi Prius, between the Tenth of *August* and Twenty-fourth of *October;* but no such Plea shall be allowed unless accompanied by an Affidavit that the Matter thereof arose within Eight Days next before the pleading of such Plea, or unless the Court or a Judge shall otherwise order.

Payment into Court in certain Actions.

LXX. It shall be lawful for the Defendant in all Actions, (except Actions for Assault and Battery, false Imprisonment, Libel, Slander, Malicious Arrest or Prosecution, Criminal Conversation, or debauching of the Plaintiff's Daughter or Servant,) and, by Leave of the Court or a Judge, upon such Terms as they or he may think fit, for One or more of several Defendants to pay into Court a Sum of Money by way of Compensation or Amends: Provided that nothing herein contained shall be taken to affect the Provisions of a certain Act of Parliament passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law respecting defamatory Words and Libel.*

Payment into Court how pleaded.

LXXI. When Money is paid into Court, such Payment shall be pleaded in all Cases, as near as may be, in the following Form, *mutatis mutandis:*

"The Defendant by his Attorney [*or* in Person, *&c.*] [*if pleaded to part say*, as "to £ Parcel of the Money claimed], brings into Court the Sum of £ "and says that the said Sum is enough to satisfy the Claim of the Plaintiff in respect of the "Matter herein pleaded to."

No Order to pay Money into Court.

LXXII. No Rule or Judge's Order to pay Money into Court shall be necessary, except in the Case of One or more of several Defendants, but the Money shall be paid to the proper Officer of each Court, who shall give a Receipt for the Amount in the Margin of the Plea, and the said Sum shall be paid out to the Plaintiff or to his Attorney, upon a written Authority from the Plaintiff, on Demand.

Proceeding by Plaintiff after Payment into Court.

LXXIII. The Plaintiff, after the Delivery of a Plea of Payment of Money into Court, shall be at liberty to reply to the same by accepting the Sum so paid into Court in full Satisfaction and Discharge of the Cause of Action in respect of which it has been paid in, and he shall be at liberty in that Case to tax his Costs of Suit, and, in case of Nonpayment thereof within Forty-eight Hours, to sign Judgment for his Costs of Suit so taxed, or the Plaintiff may reply that the Sum paid into Court is not enough to satisfy the Claim of the Plaintiff in respect of the Matter to which the Plea is pleaded; and, in the event of an Issue thereon being found for the Defendant, the Defendant shall be entitled to Judgment and his Costs of Suit.

Pleas to Actions partaking both of Breach of Contract and Wrong.

LXXIV. 'Whereas certain Causes of Action may be considered to partake of the Character both of 'Breaches of Contract and of Wrongs, and Doubts may arise as to the Form of Pleas in such Actions, 'and it is expedient to preclude such Doubts:' Any Plea, which shall be good in Substance, shall not be objectionable on the Ground of its treating the Declaration either as framed for a Breach of Contract, or for a Wrong.

Pleas of Payment, &c. which can be construed distributively shall be so construed.

LXXV. Pleas of Payment and Set-off, and all other Pleadings capable of being construed distributively, shall be taken distributively, and if Issue is taken thereon, and so much thereof as shall be sufficient Answer to Part of the Causes of Action proved shall be found true by the Jury, a Verdict shall pass for the Defendant in respect of so much of the Causes of Action as shall be answered, and for the Plaintiff in respect of so much of the Causes of Action as shall not be so answered.

Traverse of the Declaration.

LXXVI. A Defendant may either traverse generally such of the Facts contained in the Declaration as might have been denied by One Plea, or may select and traverse separately any material Allegation in the Declaration, although it might have been included in a general Traverse.

Traverse of Plea or subsequent Pleading of Defendant.

LXXVII. A Plaintiff shall be at liberty to traverse the whole of any Plea or subsequent Pleading of the Defendant by a general Denial, or, admitting some Part or Parts thereof, to deny all the rest, or to deny any One or more Allegations.

Traverse of Replication, &c. of Plaintiff.

LXXVIII. A Defendant shall be at liberty in like Manner to deny the whole or Part of a Replication or subsequent Pleading of the Plaintiff.

Joinder of Issue.

LXXIX. Either Party may plead, in answer to the Plea or subsequent Pleading of his Adversary, that he joins Issue thereon, which Joinder of Issue may be as follows, or to the like Effect:

"The Plaintiff joins Issue upon the Defendant's 1st [*&c., specifying what or what Part*] Plea:"

"The Defendant joins Issue upon the Plaintiff's Replication to the 1st [*&c., specifying what*] Plea;"

and such Form of Joinder of Issue shall be deemed to be a Denial of the Substance of the Plea or other subsequent Pleading, and an Issue thereon; and in all Cases where the Plaintiff's Pleading is in Denial of the Pleading of the Defendant, or some Part of it, the Plaintiff may add a Joinder of Issue for the Defendant.

As to pleading and demurring together.

LXXX. Either Party may, by Leave of the Court or a Judge, plead and demur to the same Pleading at the same Time, upon an Affidavit by such Party, or his Attorney, if required by the Court or Judge, to the Effect that he is advised and believes that he has just Ground to traverse the several Matters proposed to be traversed by him, and that the several Matters sought to be pleaded as aforesaid by way of Confession and Avoidance are respectively true in Substance and in Fact, and that he is further advised and believes that the Objections raised by such Demurrer are good and valid Objections in Law, and it shall be in the Discretion of the Court or a Judge to direct which Issue shall be first disposed of.

Several Matters may be pleaded at any Stage of the Pleadings.

LXXXI. The Plaintiff in any Action may, by Leave of the Court or a Judge, plead in answer to the Plea, or the subsequent Pleading of the Defendant, as many several Matters as he shall think necessary to sustain his Action; and the Defendant in any Action may, by Leave of the Court or a Judge, plead in answer to the Declaration, or other subsequent Pleading of the Plaintiff, as many several Matters as he shall think necessary for his Defence, upon an Affidavit of the Party making such Application, or his Attorney, if required by the Court or Judge, to the Effect that he is advised and believes that he has just Ground to traverse the several Matters proposed to be traversed by him, and that the several Matters sought to be pleaded as aforesaid by way of Confession and Avoidance are respectively true in

Substance and in Fact; provided that the Costs of any Issue, either of Fact or Law, shall follow the Finding or Judgment upon such Issue, and be adjudged to the successful Party, whatever may be the Result of the other Issue or Issues.

Judge's Order as to pleading several Matters.

LXXXII. No Rule of Court for Leave to plead several Matters shall be necessary where a Judge's Order has been made for the same Purpose.

Objections to be heard on Summons to plead several Matters.

LXXXIII. All Objections to the pleading of several Pleas, Replications, or subsequent Pleadings, or several Avowries or Cognizances, on the Ground that they are founded on the same Ground of Answer or Defence, shall be heard upon the Summons to plead several Matters.

Certain Pleas may be pleaded together without Leave.

LXXXIV. The following Pleas, or any Two or more of them, may be pleaded together as of course, without Leave of the Court or a Judge; that is to say, a Plea denying any Contract or Debt alleged in the Declaration; a Plea of Tender as to Part; a Plea of the Statute of Limitations, Set-off, Bankruptcy of the Defendant, Discharge under an Insolvent Act, Plenè administravit, Plenè administravit præter, Infancy, Coverture, Payment, Accord and Satisfaction, Release, Not guilty, a Denial that the Property an Injury to which is complained of is the Plaintiff's, Leave and Licence, Son assault demesne, and any other Pleas which the Judges of the said Superior Courts, or any Eight or more of them, of whom the Chief Judges of the said Courts shall be Three, shall by any Rule or Order, to be from Time to Time by them made in Term or Vacation, order or direct.

Signature of Counsel.

LXXXV. The Signature of Counsel shall not be required to any Pleading.

For pleading several Matters without Leave, Judgment may be signed.

LXXXVI. Except in the Cases herein specifically provided for, if either Party plead several Pleas, Replications, Avowries, Cognizances, or other Pleadings, without Leave of the Court or a Judge, the opposite Party shall be at liberty to sign Judgment; provided that such Judgment may be set aside by the Court or a Judge, upon an Affidavit of Merits, and such Terms as to Costs and otherwise as they or he may think fit.

One new Assignment only allowed in respect of the same Cause of Action.

LXXXVII. One new Assignment only shall be pleaded to any Number of Pleas to the same Cause of Action; and such new Assignment shall be consistent with and confined by the Particulars delivered in the Action, if any, and shall state that the Plaintiff proceeds for Causes of Action different from all those which the Pleas profess to justify, or for an Excess over and above what all the Defences set up in such Pleas justify, or both.

Pleas not to be repeated.

LXXXVIII. No Plea, which has already been pleaded to the Declaration, shall be pleaded to such new Assignment, except a Plea in Denial, unless by Leave of the Court or a Judge; and such Leave shall only be granted upon satisfactory Proof that the Repetition of such Plea is essential to a Trial on the Merits.

Form of Demurrer and Joinder in Demurrer.

LXXXIX. The Form of a Demurrer, except in the Cases herein specifically provided for, shall be as follows, or to the like Effect:

"The Defendant, by his Attorney [*or*, in Person, *&c.*, *or*, Plaintiff] says, that the Declaration [*or* "Plea, *&c.*] is bad in Substance;"

and in the Margin thereof some substantial Matter of Law intended to be argued shall be stated; and if any Demurrer shall be delivered without such Statement, or with a frivolous Statement, it may be set aside by the Court or a Judge, and Leave may be given to sign Judgment as for Want of a Plea; and the Form of a Joinder in Demurrer shall be as follows, or to the like Effect:

"The Plaintiff [*or*, Defendant] says that the Declaration [*or*, Plea, *&c.*,] is good in Substance."

Time for pleading after Amendment.

XC. Where an Amendment of any Pleading is allowed, no new Notice to plead thereto shall be necessary; but the opposite Party shall be bound to plead to the amended Pleading within the Time specified in the original Notice to plead, or within Two Days after Amendment, whichever shall last expire, unless otherwise ordered by the Court or a Judge; and in case the amended Pleading has been pleaded to before Amendment, and is not pleaded to *de novo* within Two Days after Amendment, or within such other Time as the Court or a Judge shall allow, the Pleadings originally pleaded thereto shall stand and be considered as pleaded in answer to such amended Pleading.

Examples of Pleading.

'And whereas it is desirable that Examples should be given of the Statements of Causes of Action, 'and of Forms of Pleading:' Be it enacted as follows:

Forms in Schedule may be adopted.

XCI. The Forms contained in the Schedule (B.) to this Act annexed shall be sufficient, and those and the like Forms may be used, with such Modifications as may be necessary to meet the Facts of the Case; but nothing herein contained shall render it erroneous or irregular to depart from the Letter of such Forms, so long as the Substance is expressed without Prolixity.

Judgment by Default, &c.

And with respect to Judgment by Default, and the Mode of ascertaining the Amount to be recovered thereupon, be it enacted as follows:

Rule to compute abolished.

XCII. No Rule to compute shall be necessary or used; but nothing in this Act contained shall invalidate any Proceedings already taken or to be taken by reason of any Rule to compute made, or applied for, before the Commencement of this Act.

Judgment by Default final.

XCIII. In Actions where the Plaintiff seeks to recover a Debt or liquidated Demand in Money, Judgment by Default shall be final.

Inquiry of Damages may be directed to take place before the Master.

XCIV. In Actions in which it shall appear to the Court or a Judge that the Amount of Damages sought to be recovered by the Plaintiff is substantially a Matter of Calculation, it shall not be necessary to issue a Writ of Inquiry, but the Court or a Judge may direct that the Amount, for which final Judgment is to be signed, shall be ascertained by One of the Masters of the said Court; and the Attendance of Witnesses and the Production of Documents before such Master may be compelled by Subpœna, in the same Manner as before a Jury upon a Writ of Inquiry; and it shall be lawful for such Master to adjourn

adjourn the Inquiry from Time to Time, as Occasion may require; and the Master shall indorse upon the Rule or Order for referring the Amount of Damages to him, the Amount found by him, and shall deliver the Rule or Order, with such Indorsement, to the Plaintiff; and such and the like Proceedings may thereupon be had as to Taxation of Costs, signing Judgment, and otherwise, as upon the Finding of a Jury upon a Writ of Inquiry.

Judgment, without Distinction between Debt and Damages.

XCV. In all Actions where the Plaintiff recovers a Sum of Money, the Amount to which he is entitled may be awarded to him by the Judgment generally, without any Distinction being therein made as to whether such Sum is recovered by way of a Debt or Damages.

Saving as to certain Provisions of 8 & 9 W. 3. c. 11.

XCVI. Nothing in this Act contained shall in any way affect the Provisions of a certain Act of Parliament passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of His Majesty King *William* the Third, intituled *An Act for the better preventing frivolous and vexatious Suits*, as to the Assignment or Suggestion of Breaches, or as to Judgment for a Penalty as a Security for Damages in respect of further Breaches.

Notice of Trial, Inquiry, and Countermand.

And with respect to Notice of Trial and Inquiry, and Countermand thereof, be it enacted as follows:

Time for Notice of Trial, &c.

XCVII. Ten Days Notice of Trial or Inquiry shall be given, and shall be sufficient in all Cases, whether at Bar or Nisi Prius, in Town or Country, unless otherwise ordered by the Court or a Judge.

Notice of Countermand.

XCVIII. A Countermand of Notice of Trial shall be given Four Days before the Time mentioned in the Notice of Trial, unless Short Notice of Trial has been given, and then Two Days before the Time mentioned in the Notice of Trial, unless otherwise ordered by the Court or a Judge, or by Consent.

Costs of the Day.

XCIX. A Rule for Costs of the Day for not proceeding to Trial pursuant to Notice, or not countermanding in sufficient Time, may be drawn up on Affidavit, without Motion.

Judgment for not proceeding to Trial.

And with respect to Judgment for Default in not proceeding to Trial, be it enacted as follows:

Part of 14 G. 2. c. 17. repealed.

C. The Act passed in the Fourteenth Year of the Reign of His Majesty King *George* the Second, intituled *An Act to prevent Inconveniences arising from Delays of Causes after Issue joined*, so far as the same relates to Judgment as in the Case of a Nonsuit, shall be and the same is hereby repealed, except as to Proceedings taken or commenced thereupon before the Commencement of this Act.

Proceeding where Plaintiff neglects to bring on the Cause to be tried.

CI. Where any Issue is or shall be joined in any Cause, and the Plaintiff has neglected or shall neglect to bring such Issue on to be tried, that is to say, in Town Causes where Issue has been or shall be joined in, or in the Vacation before, any Term, for instance, *Hilary* Term, and the Plaintiff has neglected or shall neglect to bring the Issue on to be tried during or before the following Term and Vacation, for instance, *Easter* Term and Vacation, and in Country Causes where Issue has been or shall be joined in, or in the Vacation before, *Hilary* or *Trinity* Term, and the Plaintiff has neglected or shall neglect to bring the Issue on to be tried at or before the Second Assizes following such Term, or if Issue has been or shall be joined in, or in the Vacation before, *Easter* or *Michaelmas* Term, then, if the Plaintiff has neglected or shall neglect to bring the Issue on to be tried at or before the First Assizes after such Term, whether the Plaintiff shall in the meantime have given Notice of Trial or not, the Defendant may give Twenty Days Notice to the Plaintiff to bring the Issue on to be tried at the Sittings or Assizes, as the Case may be, next after the Expiration of the Notice; and if the Plaintiff afterwards neglects to give Notice of Trial for such Sittings or Assizes, or to proceed to Trial in pursuance of the said Notice given by the Defendant, the Defendant may suggest on the Record that the Plaintiff has failed to proceed to Trial, although duly required so to do, (which Suggestion shall not be traversable, but only be subject to be set aside if untrue,) and may sign Judgment for his Costs; provided that the Court or a Judge shall have Power to extend the Time for proceeding to Trial, with or without Terms.

Nisi Prius Record.

And with respect to the Nisi Prius Record, be it enacted as follows:

Nisi Prius Record not to be sealed or passed.

CII. The Record of Nisi Prius shall not be sealed or passed, but may be delivered to the proper Officer of the Court in which the Cause is to be tried, to be by him entered as at present, and remain until disposed of.

Trials in Counties Palatine.

CIII. Records of the Superior Courts of Common Law shall be brought to Trial and entered and disposed of in the Counties Palatine in the same Manner as in other Counties.

Jury and Jury Process.

And with respect to Juries and Jury Process, be it enacted as follows:

Jury Process abolished.

CIV. The several Writs of Venire facias juratores, and Distringas juratores, or Habeas corpora juratorum, and the Entry Jurata ponitur in respectu, shall no longer be necessary or used.

Jurors to be summoned for Civil as well as Criminal Trials.

CV. The Precept issued by the Judges of Assize to the Sheriff to summon Jurors for the Assizes shall direct that the Jurors be summoned for the Trial of all Issues, whether civil or criminal, which may come on for Trial at the Assizes; and the Jurors shall thereupon be summoned in like Manner as at present.

A printed Panel to be prepared, &c.

CVI. A printed Panel of the Jurors summoned shall, Seven Days before the Commission Day, be made by the Sheriff, and kept in the Office for Inspection; and a printed Copy of such Panel shall be delivered by the Sheriff to any Party requiring the same, on Payment of One Shilling; and such Copy shall be annexed to the Nisi Prius Record.

Sheriffs of London and Middlesex to summon Common Jurors and prepare a Panel, to be annexed to the Record.

CVII. The Sheriffs of *London* and *Middlesex* respectively shall, pursuant to a Precept under the Hand of a Judge of any of the said Superior Courts, and without any other Authority, summon a sufficient Number of Common Jurors for the Trial of all Issues in the Superior Courts of Common Law, in like Manner as before this Act; and Seven Days before the First Day of each Sittings a printed Panel of the Jurors so summoned for the Trial of Causes at such Sittings shall be made by such Sheriffs, and kept in their Offices for public Inspection; and a printed Copy of such Panel shall be delivered by the said Sheriffs to any Party requiring the same, on Payment of One Shilling; and such Copy shall be annexed to the Nisi Prius Record; and the said Precept shall and may be in like Form as the Precept issued by the

the Judges of Assize, and One thereof shall suffice for each Term, and for all the Superior Courts; and it shall be the Duty of the Sheriffs respectively to apply for and procure such Precept to be issued in sufficient Time before each Term to enable them to summon the Jurors in manner aforesaid; and it shall be lawful for the several Courts, or any Judge thereof, at any Time to issue such Precept or Precepts to summon Jurors for disposing of the Business pending in such Courts, and to direct the Time and Place for which such Jurors shall be summoned, and all such other Matters as to such Judge shall seem requisite.

Special Jurors, not exceeding Forty-eight in Number, to be summoned to try all Special Jury Causes at Assizes.

CVIII. The Precept issued by the Judges of Assize as aforesaid shall direct the Sheriff to summon a sufficient Number of Special Jurymen, to be mentioned therein, not exceeding Forty-eight in all, to try the Special Jury Causes at the Assizes; and the Persons summoned in pursuance of such Precept shall be the Jury for trying the Special Jury Causes at the Assizes, subject to such Right of Challenge as the Parties are now by Law entitled to; and a printed Panel of the Special Jurors so summoned shall be made, kept, delivered, and annexed to the Nisi Prius Record, in like Time and Manner and upon the same Terms as herein-before provided with reference to the Panel of Common Jurors; and upon the Trial the Special Jury shall be ballotted for, and called in the Order in which they shall be drawn from the Box, in the same Manner as Common Jurors: Provided that the Court or a Judge, in such Case as they or he may think fit, may order that a Special Jury be struck according to the present Practice, and such Order shall be a sufficient Warrant for striking such Special Jury and making a Panel thereof for the Trial of the particular Cause.

Mode of obtaining a Special Jury in Country Causes.

CIX. In any County, except *London* and *Middlesex*, the Plaintiff in any Action, except Replevin, shall be entitled to have the Cause tried by a Special Jury, upon giving Notice in Writing to the Defendant, at such Time as would be necessary for a Notice of Trial, of his Intention that the Cause shall be so tried; and the Defendant, or Plaintiff in Replevin, shall be so entitled, on giving the like Notice within the Time now limited for obtaining a Rule for a Special Jury: Provided that the Court or a Judge may at any Time order that a Cause shall be tried by a Special Jury, upon such Terms as they or he shall think fit.

Special Juries in London and Middlesex, how struck.

CX. In *London* and *Middlesex* Special Jurors shall be nominated and reduced by and before the Under Sheriff and Secondary respectively, in like Manner as by the Master before this Act, upon the Application of either Party entitled to a Special Jury, and his obtaining a Rule for such Purpose; and the Names of the Jurors so struck shall be placed upon a Panel, which shall be delivered and annexed to the Nisi Prius Record, in like Manner and upon the same Terms as herein-before provided with reference to the Panel of Common Jurors; and upon the Trial the Special Jury shall be ballotted for, and called in the Order in which they shall be drawn from the Box, in the same Manner as Common Jurors.

Remedy for Delay by Notice of Trial by Special Jury.

CXI. Where the Defendant in any Case, or Plaintiff in Replevin, gives Notice of his Intention to try the Cause by a Special Jury, and the Venue is in *London* or *Middlesex*, the Court or a Judge, if satisfied that such Notice is given for the Purpose of Delay, may order that the Cause be tried by a Common Jury, or make such other Order as to the Trial of the Cause as such Court or Judge shall think fit.

Notice to Sheriff of Trial by Special Jury.

CXII. Where Notice has been given to try by Special Jury, either Party may, Six Days before the First Day of the Sittings in *London* or *Middlesex*, or Adjournment Day in *London*, or Commission Day of the Assizes, give Notice to the Sheriff that such Cause is to be tried by a Special Jury; and in case no such Notice be given no Special Jury need be summoned or attend, and the Cause may be tried by a Common Jury, unless otherwise ordered by the Court or a Judge.

If Special Jury not summoned, Cause to be tried by a Common Jury.

CXIII. In all Cases where Notice is not given to the Sheriff that the Cause is to be tried by a Special Jury, and by reason thereof a Special Jury is not summoned or does not attend, the Cause may be tried by a Common Jury, to be taken from the Panel of Common Jurors, in like Manner as if no Proceedings had been had to try the Cause by a Special Jury.

View to be by Rule without Writ.

CXIV. A Writ of View shall not be necessary or used, but, whether the View is to be had by a Common or Special Jury, it shall be sufficient to obtain a Rule of the Court or Judge's Order, directing a View to be had; and the Proceedings upon the Rule for a View shall be the same as the Proceedings heretofore had under a Writ of View; and the Sheriff, upon Request, shall deliver to either Party the Names of the Viewers, and shall also return their Names to the Associate for the Purpose of their being called as Jurymen upon the Trial.

Proceedings before Jurors so returned same as before this Act.

CXV. The Jurors contained in such Panels as aforesaid shall be the Jurors to try the Causes at the Assizes and Sittings for which they shall be summoned respectively; and all such Proceedings may be had and taken before such Juries in like Manner, and with the like Consequences in all respects, as before any Jury summoned in pursuance of any Writ or Writs of Venire facias juratores, Distringas juratores, or Habeas corpora juratorum, before this Act.

Defendant's Right to try, upon Default of the Plaintiff, preserved.

CXVI. Nothing herein contained shall affect the Right of a Defendant to take down a Cause for Trial, after Default by the Plaintiff to proceed to Trial, according to the Course and Practice of the Court; and if Records are entered for Trial both by the Plaintiff and the Defendant, the Defendant's Record shall be treated as standing next in order after the Plaintiff's Record in the List of Causes, and the Trial of the Cause shall take place accordingly.

Admission of Documents.

And with respect to the Admission of Documents, be it enacted as follows:

Admission of Documents.

CXVII. Either Party may call on the other Party by Notice to admit any Document, saving all just Exceptions; and in case of Refusal or Neglect to admit, the Costs of proving the Document shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless at the Trial the Judge shall certify that the Refusal to admit was reasonable; and no Costs of proving any Document shall

shall be allowed unless such Notice be given, except in Cases where the Omission to give the Notice is in the Opinion of the Master a Saving of Expense.

Proof of Admissions.

CXVIII. An Affidavit of the Attorney in the Cause, or his Clerk, of the due Signature of any Admissions made in pursuance of such Notice, and annexed to the Affidavit, shall be in all Cases sufficient Evidence of such Admissions.

Proof of Notice to produce.

CXIX. An Affidavit of the Attorney in the Cause, or his Clerk, of the Service of any Notice to produce, in respect of which Notice to admit shall have been given, and of the Time when it was served, with a Copy of such Notice to produce annexed to such Affidavit, shall be sufficient Evidence of the Service of the Original of such Notice, and of the Time when it was served.

Execution.

And with respect to Execution, be it enacted as follows:

Execution after Trial.

CXX. A Plaintiff or Defendant, having obtained a Verdict in a Cause tried out of Term, shall be entitled to issue Execution in Fourteen Days, unless the Judge who tries the Cause, or some other Judge, or the Court, shall order Execution to issue at an earlier or later Period, with or without Terms.

Ground Writs abolished.

CXXI. It shall not be necessary to issue any Writ directed to the Sheriff of the County in which the Venue is laid, but Writs of Execution may issue at once into any County, and be directed to and executed by the Sheriff of any County, whether a County Palatine or not, without Reference to the County in which the Venue is laid, and without any Suggestion of the issuing of a prior Writ into such County.

Writs in Counties Palatine to be directed to the Sheriff.

CXXII. All Writs of every Description issuing out of the Superior Courts of Common Law at *Westminster*, to be executed in the Counties Palatine, shall be directed and delivered to the Sheriffs of such Counties, and executed and returned by them to the Courts out of which such Writs are issued, in the same Manner in all respects as Writs are executed and returned by the Sheriffs of other Counties.

Expenses of Execution.

CXXIII. In every Case of Execution, the Party entitled to Execution may levy the Poundage Fees and Expenses of the Execution, over and above the Sum recovered.

Writs of Execution to remain in force for One Year, and to be renewed if necessary.

CXXIV. A Writ of Execution issued after the Commencement of this Act, if unexecuted, shall not remain in force for more than One Year from the Teste of such Writ, unless renewed in the Manner herein-after provided; but such Writ may, at any Time before its Expiration, be renewed, by the Party issuing it, for One Year from the Date of such Renewal, and so on from Time to Time during the Continuance of the renewed Writ, either by being marked with a Seal bearing the Date of the Day, Month, and Year of such Renewal, (such Seal to be provided and kept for that Purpose at the Office of the Masters of the Court out of which such Writ issued,) or by such Party giving a written Notice of Renewal to such Sheriff, signed by the Party or his Attorney, and bearing the like Seal of the Court; and a Writ of Execution so renewed shall have effect, and be entitled to Priority, according to the Time of the original Delivery thereof.

Production of renewed Writ, Evidence of Renewal.

CXXV. The Production of a Writ of Execution, or of the Notice renewing the same, purporting to be marked with such Seal, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed.

Sheriff or Gaoler may discharge Prisoner by Authority of Attorney in the Cause.

CXXVI. A written Order under the Hand of the Attorney in the Cause, by whom any Writ of Capias ad satisfaciendum shall have been issued, shall justify the Sheriff, Gaoler, or Person in whose Custody the Party may be under such Writ, in discharging such Party, unless the Party for whom such Attorney professes to act shall have given written Notice to the contrary to such Sheriff, Gaoler, or Person in whose Custody the opposite Party may be; but such Discharge shall not be a Satisfaction of the Debt, unless made by the Authority of the Creditor; and nothing herein contained shall justify any Attorney in giving such Order for Discharge without the Consent of his Client.

Proceedings for charging in Execution a Person already in Prison of the Court.

CXXVII. It shall not be necessary in any Case to sue out a Writ of Habeas corpus ad satisfaciendum to charge in Execution a Person already in the Prison of the Court, but such Person may be so charged in Execution by a Judge's Order made upon Affidavit that Judgment has been signed and is not satisfied; and the Service of such Order upon the Keeper of the Prison for the Time being shall have the Effect of a Detainer.

Proceedings to revive.

And with respect to Proceedings for the Revival of Judgments and other Proceedings by and against Persons not Parties to the Record, be it enacted as follows:

Execution in Six Years without Revival.

CXXVIII. During the Lives of the Parties to a Judgment, or those of them during whose Lives Execution may at present issue within a Year and a Day without a Scire facias, and within Six Years from the Recovery of the Judgment, Execution may issue without a Revival of the Judgment.

Judgment to be revived by Writ or with Leave of Court, or Judge, by Suggestion.

CXXIX. In Cases where it shall become necessary to revive a Judgment by reason either of Lapse of Time, or of a Change, by Death or otherwise, of the Parties entitled or liable to Execution, the Party alleging himself to be entitled to Execution may either sue out a Writ of Revivor in the Form herein-after mentioned, or apply to the Court or a Judge for Leave to enter a Suggestion upon the Roll, to the Effect that it manifestly appears to the Court that such Party is entitled to have Execution of the Judgment and to issue Execution thereupon; such Leave to be granted by the Court or a Judge upon a Rule to show Cause or a Summons, to be served according to the present Practice, or in such other Manner as such Court or Judge may direct, and which Rule or Summons may be in the Form contained in the Schedule (A.) to this Act annexed, marked No. 7., or to the like Effect.

Proceedings upon Application for Suggestion to revive Judgment.

CXXX. Upon such Application, in case it manifestly appears that the Party making the same is entitled to Execution, the Court or Judge shall allow such Suggestion as aforesaid to be entered in the Form contained in the Schedule (A.) to this Act annexed, marked No. 8., or to the like Effect, and Execution to issue thereupon, and shall order whether or not the Costs of such Application shall be paid to the Party making the same; and in case it does not manifestly so appear, the Court or Judge shall discharge

discharge the Rule or dismiss the Summons with or without Costs: Provided nevertheless, that in such last-mentioned Case the Party making such Application shall be at liberty to proceed by Writ of Revivor or Action upon the Judgment.

Writ of Revivor and Proceedings thereon.

CXXXI. The Writ of Revivor shall be directed to the Party called upon to show Cause why Execution should not be awarded, and shall bear Teste on the Day of its issuing; and, after reciting the Reason why such Writ has become necessary, it shall call upon the Party, to whom it is directed, to appear, within Eight Days after Service thereof, in the Court out of which it issues, to show Cause why the Party at whose Instance such Writ has been issued should not have Execution against the Party to whom such Writ is directed, and it shall give Notice that, in default of Appearance, the Party issuing such Writ may proceed to Execution; and such Writ may be in the Form contained in the Schedule (A.) to this Act annexed, marked No. 9., or to the like Effect, and may be served in any County, and otherwise proceeded upon, whether in Term or Vacation, in the same Manner as a Writ of Summons; and the Venue in a Declaration upon such Writ may be laid in any County; and the Pleadings and Proceedings thereupon, and the Rights of the Parties respectively to Costs, shall be the same as in an ordinary Action.

Writs of Scire facias in other Cases to be tested, directed, and proceeded upon in like Manner.

CXXXII. All Writs of Scire facias issued out of any of the Superior Courts of Law at *Westminster* against Bail on a Recognizance; Ad audiendum errores; against Members of a Joint Stock Company or other Body, upon a Judgment recorded against a public Officer or other Person sued as representing such Company or Body, or against such Company or Body itself; by or against a Husband to have Execution of a Judgment for or against a Wife; for Restitution after a Reversal in Error; upon a Suggestion of further Breaches after Judgment for any Penal Sum, pursuant to the Statute passed in the Session holden in the Eighth and Ninth Years of the Reign of King *William* the Third, intituled *An Act for the better preventing frivolous and vexatious Suits;* or for Recovery of Land taken under an Elegit, shall be tested, directed, and proceeded upon, in like Manner as Writs of Revivor.

Appearance to Writ of Revivor.

CXXXIII. Notice in Writing to the Plaintiff, his Attorney or Agent, shall be sufficient Appearance to a Writ of Revivor.

Regulations as to Issue of Writs of Revivor.

CXXXIV. A Writ of Revivor to revive a Judgment less than Ten Years old shall be allowed without any Rule or Order; if more than Ten Years old, not without a Rule of Court or a Judge's Order; nor, if more than Fifteen, without a Rule to show Cause.

Death, Marriage, &c.

And with respect to the Effect of Death, Marriage, and Bankruptcy upon the Proceedings in an Action, be it enacted as follows:

Action not to abate by Death.

CXXXV. The Death of a Plaintiff or Defendant shall not cause the Action to abate, but it may be continued as herein-after mentioned.

Proceedings in case of Death of One or more of several Plaintiffs or Defendants.

CXXXVI. If there be Two or more Plaintiffs or Defendants, and One or more of them should die, if the Cause of such Action shall survive to the surviving Plaintiff or Plaintiffs, or against the surviving Defendant or Defendants, the Action shall not be thereby abated; but such Death being suggested upon the Record, the Action shall proceed at the Suit of the surviving Plaintiff or Plaintiffs against the surviving Defendant or Defendants.

Proceeding in case of sole Plaintiff.

CXXXVII. In case of the Death of a sole Plaintiff or sole surviving Plaintiff, the legal Representative of such Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, and the Action shall thereupon proceed; and, if such Suggestion be made before the Trial, the Truth of the Suggestion shall be tried thereat, together with the Title of deceased Plaintiff, and such Judgment shall follow upon the Verdict in favour of or against the Person making such Suggestion, as if such Person were originally the Plaintiff.

Proceeding upon Death of sole or sole surviving Defendant.

CXXXVIII. In case of the Death of a sole Defendant or sole surviving Defendant, where the Action survives, the Plaintiff may make a Suggestion, either in any of the Pleadings, if the Cause has not arrived at Issue, or in a Copy of the Issue, if it has so arrived, of the Death, and that a Person named therein is the Executor or Administrator of the Deceased; and may thereupon serve such Executor or Administrator with a Copy of the Writ and Suggestion, and with a Notice, signed by the Plaintiff or his Attorney, requiring such Executor or Administrator to appear within Eight Days after Service of the Notice, inclusive of the Day of such Service, and that in default of his so doing the Plaintiff may sign Judgment against him as such Executor or Administrator; and the same Proceedings may be had and taken in case of Nonappearance after such Notice, as upon a Writ against such Executor or Administrator in respect of the Cause for which the Action was brought; and in case no Pleadings have taken place before the Death, the Suggestion shall form Part of the Declaration, and the Declaration and Suggestion may be served together, and the new Defendant shall plead thereto at the same Time; and in case the Plaintiff shall have declared, but the Defendant shall not have pleaded before the Death, the new Defendant shall plead at the same Time to the Declaration and Suggestion; and in case the Defendant shall have pleaded before the Death, the new Defendant shall be at liberty to plead to the Suggestion only by way of Denial, or such Plea as may be appropriate to and rendered necessary by his Character of Executor or Administrator, unless, by Leave of the Court or a Judge, he should be permitted to plead fresh Matter in answer to the Declaration; and in case the Defendant shall have pleaded before the Death, but the Pleadings shall not have arrived at Issue, the new Defendant, besides pleading to the Suggestion, shall continue the Pleadings to Issue in the same Manner as the Deceased might have done, and the Pleadings upon the Declaration and the Pleadings upon the Suggestion shall be tried together; and in case the Plaintiff shall recover, he shall be entitled to the like Judgment in respect of the Debt or Sum sought to be recovered and in respect of the Costs prior to the Suggestion, and in respect of the

Costs

Costs of the Suggestion and subsequent thereto, he shall be entitled to the like Judgment as in an Action originally commenced against the Executor or Administrator.

Death between Verdict and Judgment.

CXXXIX. The Death of either Party between the Verdict and the Judgment shall not hereafter be alleged for Error, so as such Judgment be entered within Two Terms after such Verdict.

Proceedings in case of Death after Interlocutory, and before final Judgment.

CXL. If the Plaintiff in any Action happen to die after an Interlocutory Judgment and before a final Judgment obtained therein, the said Action shall not abate by reason thereof, if such Action might be originally prosecuted or maintained by the Executor or Administrator of such Plaintiff; and if the Defendant die after such Interlocutory Judgment and before final Judgment therein obtained, the said Action shall not abate, if such Action might be originally prosecuted or maintained against the Executor or Administrator of such Defendant; and the Plaintiff, or if he be dead after such Interlocutory Judgment, his Executors or Administrators, shall and may have a Writ of Revivor, in the Form contained in the Schedule (A.) to this Act annexed, marked No. 9., or to the like Effect, against the Defendant, if living after such Interlocutory Judgment, or if he be dead, then against his Executors or Administrators, to show Cause why Damages in such Action should not be assessed and recovered by him or them; and if such Defendant, his Executors or Administrators, shall appear at the Return of such Writ, and not show or allege any Matter sufficient to arrest the final Judgment, or shall make Default, a Writ of Inquiry of Damages shall be thereupon awarded, or the Amount, for which final Judgment is to be signed, shall be referred to One of the Masters, as herein-before provided; and upon the Return of the Writ, or Delivery of the Order with the Amount indorsed thereon to the Plaintiff, his Executors or Administrators, Judgment final shall be given for the said Plaintiff, his Executors or Administrators, prosecuting such Writ of Revivor, against such Defendant, his Executors or Administrators respectively.

Marriage not to abate Action.

CXLI. The Marriage of a Woman Plaintiff or Defendant shall not cause the Action to abate, but the Action may, notwithstanding, be proceeded with to Judgment; and such Judgment may be executed against the Wife alone, or, by Suggestion or Writ of Revivor pursuant to this Act, Judgment may be obtained against the Husband and Wife, and Execution issue thereon; and in case of a Judgment for the Wife, Execution may be issued thereupon by the Authority of the Husband without any Writ of Revivor or Suggestion; and if in any such Action the Wife shall sue or defend by Attorney appointed by her when sole, such Attorney shall have Authority to continue the Action or Defence, unless such Authority be countermanded by the Husband, and the Attorney changed according to the Practice of the Court.

Bankruptcy and Insolvency of Plaintiff, when not to abate Action.

CXLII. The Bankruptcy or Insolvency of the Plaintiff in any Action, which the Assignees might maintain for the Benefit of the Creditors, shall not be pleaded in bar to such Action, unless the Assignees shall decline to continue, and give Security for the Costs thereof, upon a Judge's Order to be obtained for that Purpose, within such reasonable Time as the Judge may order, but the Proceedings may be stayed until such Election is made; and in case the Assignees neglect or refuse to continue the Action, and give such Security within the Time limited by the Order, the Defendant may, within Eight Days after such Neglect or Refusal, plead the Bankruptcy.

Arrest of Judgment and Judgment Non obstante veredicto.

And with respect to the Proceedings upon Motions to arrest the Judgment, and for Judgment Non obstante veredicto, be it enacted as follows:

Upon Motion in arrest of Judgment, pursuant to 1 W. 4. c. 7., or for Judgment Non obstante veredicto, omitted Facts may by Leave of the Court be suggested.

CXLIII. Upon any Motion made in arrest of Judgment, or to enter an Arrest of Judgment, pursuant to the Statute passed in the First Year of His late Majesty King *William* the Fourth, intituled *An Act for the more speedy Judgment and Execution in Actions brought in His Majesty's Courts of Law at* Westminster, *and in the Court of Common Pleas of the County Palatine of* Lancaster, *and for amending the Law as to Judgment on a Cognovit actionem in Cases of Bankruptcy*, or for Judgment Non obstante veredicto, by reason of the Non-averment of some alleged material Fact or Facts or material Allegation, or other Cause, the Party, whose Pleading is alleged or adjudged to be therein defective, may, by Leave of the Court, suggest the Existence of the omitted Fact or Facts or other Matter, which, if true, would remedy the alleged Defect; and such Suggestion may be pleaded to by the opposite Party within Eight Days after Notice thereof, or such further Time as the Court or a Judge may allow; and the Proceedings for Trial of any Issues joined upon such Pleadings shall be the same as in an ordinary Action.

Judgment to follow Result of Suggestion.

CXLIV. If the Fact or Facts suggested be admitted, or found to be true, the Party suggesting shall be entitled to such Judgment as he would have been entitled to, if such Fact or Facts or Allegations had been originally stated in such Pleading, and proved or admitted on the Trial, together with the Costs of, and occasioned by, the Suggestion and Proceedings thereon; but if such Fact or Facts be found untrue, the opposite Party shall be entitled to his Costs of, and occasioned by, the Suggestion and Proceedings thereon, in addition to any other Costs to which he may be entitled.

Costs of abortive Issues.

CXLV. Upon an Arrest of Judgment, or Judgment Non obstante veredicto, the Court shall adjudge to the Party, against whom such Judgment is given, the Costs occasioned by the Trial of any Issues of Fact, arising out of the Pleading for Defect of which such Judgment is given, upon which such Party shall have succeeded; and such Costs shall be set off against any Money or Costs adjudged to the opposite Party, and Execution may issue for the Balance, if any.

Error.

And with respect to Proceedings in Error, be it enacted as follows:

Error to be brought within Six Years.

CXLVI. No Judgment in any Cause shall be reversed or avoided for any Error or Defect therein, unless Error be commenced, or brought and prosecuted with Effect, within Six Years after such Judgment signed or entered of Record.

Proviso for Disabilities.

CXLVII. If any Person that is or shall be entitled to bring Error as aforesaid is or shall be, at the Time of such Title accrued, within the Age of Twenty-one Years, Feme Covert, *non compos mentis*, or beyond

beyond the Seas, then such Person shall be at liberty to bring Error as aforesaid, so as such Person commences, or brings and prosecutes the same with Effect, within Six Years after coming to or being of full Age, Discovert, of sound Memory, or Return from beyond the Seas; and if the opposite Party shall, at the Time of the Judgment signed or entered of Record, be beyond the Seas, then Error may be brought, provided the Proceedings be commenced and prosecuted with Effect within Six Years after the Return of such Party from beyond Seas.

Writ of Error abolished.

CXLVIII. A Writ of Error shall not be necessary or used in any Cause, and the Proceeding to Error shall be a Step in the Cause, and shall be taken in manner herein-after mentioned; but nothing in this Act contained shall invalidate any Proceedings already taken or to be taken by reason of any Writ of Error issued before the Commencement of this Act.

Error in Law how brought.

CXLIX. Either Party alleging Error in Law may deliver to One of the Masters of the Court a Memorandum in Writing, in the Form contained in the Schedule (A.) to this Act annexed, marked No. 10., or to the like Effect, entitled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Law in the Record and Proceedings; whereupon the Master shall file such Memorandum, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note, together with a Statement of the Grounds of Error intended to be argued, may be served on the opposite Party or his Attorney.

Error not Supersedeas till Service of the Copy of the Note and Grounds of Error.

CL. Proceedings in Error in Law shall be deemed a Supersedeas of Execution from the Time of the Service of the Copy of such Note, together with the Statement of the Grounds of Error intended to be argued, until Default in putting in Bail, or an Affirmance of the Judgment, or Discontinuance of the Proceedings in Error, or until the Proceedings in Error shall be otherwise disposed of without a Reversal of the Judgment; provided always, that if the Grounds of Error shall appear to be frivolous, the Court or a Judge upon Summons may order Execution to issue.

Bail in Error.

CLI. Upon any Judgment hereafter to be given in any of the said Superior Courts of Common Law in any Action, Execution shall not be stayed or delayed by Proceedings in Error, or Supersedeas thereupon, without the special Order of the Court or a Judge, unless the Person in whose Name such Proceedings in Error be brought, with Two, or, by Leave of the Court or a Judge, more than Two sufficient Sureties, such as the Court (wherein such Judgment is or shall be given) or a Judge shall allow of, shall, within Four clear Days after lodging the Memorandum alleging Error, or after the signing of the Judgment, whichever shall last happen, or before Execution executed, be bound unto the Party for whom any such Judgment is or shall be given, by Recognizance to be acknowledged in the same Court, in double the Sum adjudged to be recovered by the said Judgment, (except in case of a Penalty, and in case of a Penalty in double the Sum really due, and double the Costs,) to prosecute the Proceedings in Error with Effect, and also to satisfy and pay (if the said Judgment be affirmed, or the Proceedings in Error be discontinued by the Plaintiff therein,) all and singular the Sum or Sums of Money and Costs adjudged or to be adjudged upon the former Judgment, and all Costs and Damages to be also awarded for the delaying of Execution, and shall give Notice thereof to the Defendant in Error, or his Attorney.

Suggestion instead of Assignment of and Joinder in Error.

CLII. The Assignment of and Joinder in Error in Law shall not be necessary or used, and, instead thereof, a Suggestion to the Effect that Error is alleged by the One Party and denied by the other, may be entered on the Judgment Roll in the Form contained in Schedule (A.) to this Act annexed, marked No. 11., or to the like Effect: Provided that in case the Defendant in Error intends to rely upon the Proceeding in Error being barred by Lapse of Time, or by Release of Error, or other like Matter of Fact, he may give Four Days written Notice to the Plaintiff in Error to assign Error as heretofore, instead of entering the Suggestion; and he shall, within Eight Days, plead thereto the Bar by Lapse of Time, or Release of Error, or other like Matter of Fact; and thereupon such Proceedings may be had as heretofore.

Roll to be made up and Suggestion entered by Plaintiff in Error.

CLIII. The Roll shall be made up, and the Suggestion last aforesaid entered by the Plaintiff in Error within Ten Days after the Service of the Note of the Receipt of the Memorandum alleging Error, or within such other Time as the Court or a Judge may order; and in default thereof, or of Assignment of Error in Cases where an Assignment is required, the Defendant in Error, his Executors or Administrators, shall be at liberty to sign Judgment of Non-pros.

Error brought by One of several Persons against whom Judgment has been given.

CLIV. In case Error be brought upon a Judgment given against several Persons, and One or some only shall proceed in Error, the Memorandum alleging Error, and the Note of the Receipt of such Memorandum, shall state the Names of the Persons by whom the Proceedings are taken; and in case the other Persons, against whom Judgment has been given, decline to join in the Proceedings in Error, the same may be continued, and the Suggestion last aforesaid entered, stating the Persons by whom the Proceedings are brought, without any Summons and Severance, or if such other Persons elect to join, then the Suggestion shall state them to be, and they shall be deemed as Plaintiffs in Error, although not mentioned as such in the previous Proceedings.

Judgment Roll to be brought into Court instead of Transcript.

CLV. Upon such Suggestion of Error alleged and denied being entered, the Cause may be set down for Argument in the Court of Error in the Manner heretofore used; and the Judgment Roll shall, without any Writ or Return, be brought by the Master into the Court of Error in the Exchequer Chamber, before the Justices, or Justices and Barons, as the Case may be, of the other Two Superior Courts of Common Law, on the Day of its Sitting, at such Time as the Judges shall appoint, either in Term or in Vacation; or if the Proceedings in Error be before the High Court of Parliament, then before the High Court of Parliament, before or at the Time of its Sitting; and the Court of Error shall and may thereupon review the Proceedings, and give Judgment as they shall be advised thereon; and such

Proceedings

Proceedings and Judgment, as altered or affirmed, shall be entered on the original Record; and such further Proceedings as may be necessary thereon shall be awarded by the Court in which the original Judgment was given.

Jurisdiction of Courts of Error over the Proceedings.

CLVI. Courts of Error shall have Power to quash the Proceedings in Error in all Cases in which Error does not lie, or where they are taken against good Faith, or in any Case in which Proceedings in Error might heretofore have been quashed by such Courts; and such Courts shall in all respects have such Jurisdiction over the Proceedings as over the Proceedings in Error commenced by Writ of Error.

Court of Error to have like Powers with Court below.

CLVII. Courts of Error shall in all Cases have Power to give such Judgment, and award such Process, as the Court, from which Error is brought, ought to have done, without regard to the Party alleging Error.

Proceedings in Error in Fact.

CLVIII. Either Party alleging Error in Fact may deliver to One of the Masters of the Court a Memorandum in Writing, in the Form contained in the Schedule (A.) to this Act annexed, marked No. 12., or to the like Effect, intitled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Fact in the Proceedings, together with an Affidavit of the Matter of Fact in which the alleged Error consists; whereupon the Master shall file such Memorandum and Affidavit, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note and Affidavit may be served on the opposite Party or his Attorney; and such Service shall have the same Effect, and the same Proceedings may be had thereafter as heretofore had after the Service of the Rule for Allowance of a Writ of Error in Fact.

Plaintiff may discontinue Proceedings in Error.

CLIX. The Plaintiff in Error, whether in Fact or Law, shall be at liberty to discontinue his Proceedings by giving to the Defendant in Error a Notice, headed in the Court and Cause, and signed by the Plaintiff in Error or his Attorney, stating that he discontinues such Proceedings; and thereupon the Defendant in Error may sign Judgment for the Costs of, and occasioned by, the Proceedings in Error, and may proceed upon the Judgment on which the Error was brought.

Defendant may confess Error, and consent to Reversal of Judgment.

CLX. The Defendant in Error, whether in Fact or Law, shall be at liberty to confess Error, and consent to the Reversal of the Judgment, by giving to the Plaintiff in Error a Notice, headed in the Court and Cause, and signed by the Defendant in Error or his Attorney, stating that he confesses the Error, and consents to the Reversal of the Judgment; and thereupon the Plaintiff in Error shall be entitled to and may forthwith sign a Judgment of Reversal.

Death of Plaintiff in Error no Abatement.

CLXI. The Death of a Plaintiff in Error after Service of the Note of the Receipt of the Memorandum alleging Error, with a Statement of the Grounds of Error, shall not cause the Proceedings to abate, but they may be continued as herein-after mentioned.

Providing for Death of One of several Plaintiffs in Error.

CLXII. In case of the Death of One of several Plaintiffs in Error, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Proceedings may be thereupon continued at the Suit of, and against the surviving Plaintiff in Error, as if he were the sole Plaintiff.

Proceedings upon Death of sole Plaintiff or of all the Plaintiffs in Error.

CLXIII. In case of the Death of a sole Plaintiff or of several Plaintiffs in Error, the legal Representative of such Plaintiff or of the surviving Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Proceedings may thereupon be continued at the Suit of, and against such legal Representative as the Plaintiff in Error; and, if no such Suggestion shall be made, the Defendant in Error may proceed to an Affirmance of the Judgment according to the Practice of the Court, or take such other Proceedings thereupon as he may be entitled to.

Death of Defendant in Error no Abatement.

CLXIV. The Death of a Defendant in Error shall not cause the Proceedings to abate, but they may be continued as herein-after mentioned.

Proceedings on Death of One of several Defendants in Error.

CLXV. In case of the Death of One of several Defendants in Error, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Proceedings may be continued against the surviving Defendant.

Proceedings on Death of sole Defendant or of all the Defendants in Error.

CLXVI. In case of the Death of a sole Defendant or of all the Defendants in Error, the Plaintiff in Error may proceed upon giving Ten Days Notice of the Proceedings in Error, and of his Intention to continue the same, to the Representatives of the deceased Defendants, or if no such Notice can be given, then, by Leave of the Court or a Judge, upon giving such Notice to the Parties interested as he or they may direct.

Marriage not to abate Proceedings in Error.

CLXVII. The Marriage of a Woman, Plaintiff or Defendant in Error, shall not abate the Proceedings in Error, but the same may be continued in like Manner as herein-before provided with reference to the Continuance of an Action after Marriage.

And with respect to the Action of Ejectment, be it enacted as follows:

Ejectment.

Ejectment to be brought by Writ.

CLXVIII. Instead of the present Proceeding by Ejectment, a Writ shall be issued, directed to the Persons in possession by Name, and to all Persons entitled to defend the Possession of the Property claimed, which Property shall be described in the Writ with reasonable Certainty.

Form and Duration of Writ of Ejectment.

CLXIX. The Writ shall state the Names of all the Persons in whom the Title is alleged to be, and command the Persons, to whom it is directed, to appear, within Sixteen Days after Service thereof, in the Court from which it is issued, to defend the Possession of the Property sued for, or such Part thereof as they may think fit, and it shall contain a Notice that in default of Appearance they will be turned out of Possession; and the Writ shall bear Teste of the Day on which it was issued, and shall be in force for

Three Months, and shall be in the Form contained in the Schedule (A.) to this Act annexed, marked No. 13., or to the like Effect; and the Name and Abode of the Attorney issuing the same, or, if no Attorney, the Name and Residence of the Party, shall be indorsed thereon, in like Manner as herein-before enacted with reference to the Indorsements on a Writ of Summons in a Personal Action; and the same Proceedings may be had to ascertain whether the Writ was issued by the Authority of the Attorney whose Name was indorsed thereon, and who and what the Claimants are, and their Abode, and as to staying the Proceedings upon Writs issued without Authority, as in the Case of Writs in Personal Actions.

Service of Writ of Ejectment.

CLXX. The Writ shall be served in the same Manner as an Ejectment has heretofore been served, or in such Manner as the Court or a Judge shall order, and in case of vacant Possession, by posting a Copy thereof upon the Door of the Dwelling House or other conspicuous Part of the Property.

Appearance of Persons named.

CLXXI. The Persons named as Defendants in such Writ, or either of them, shall be allowed to appear within the Time appointed.

Appearance of Persons not named.

CLXXII. Any other Person not named in such Writ shall, by Leave of the Court or a Judge, be allowed to appear and defend, on filing an Affidavit showing that he is in possession of the Land either by himself or his Tenant.

Appearance and Defence by Landlord.

CLXXIII. Any Person appearing to defend as Landlord in respect of Property, whereof he is in possession only by his Tenant, shall state in his Appearance that he appears as Landlord; and such Person shall be at liberty to set up any Defence which a Landlord appearing in an Action of Ejectment has heretofore been allowed to set up, and no other.

Notice to defend for Part only.

CLXXIV. Any Person appearing to such Writ shall be at liberty to limit his Defence to a Part only of the Property mentioned in the Writ, describing that Part with reasonable Certainty in a Notice intituled in the Court and Cause, and signed by the Party appearing or his Attorney; such Notice to be served within Four Days after Appearance upon the Attorney whose Name is indorsed on the Writ, if any, and if none, then to be filed in the Master's Office; and an Appearance without such Notice confining the Defence to Part, shall be deemed an Appearance to defend for the whole.

Want of Certainty cured by Particulars.

CLXXV. Want of "reasonable Certainty" in the Description of the Property, or Part of it, in the Writ or Notice, shall not nullify them, but shall only be Ground for an Application to a Judge for better Particulars of the Land claimed or defended, which a Judge shall have Power to give in all Cases.

Defence by Persons not in possession.

CLXXVI. The Court or a Judge shall have Power to strike out or confine Appearances and Defences set up by Persons not in possession by themselves or their Tenants.

Judgment for Default of Appearance or Defence.

CLXXVII. In case no Appearance shall be entered into within the Time appointed, or if an Appearance be entered, but the Defence be limited to Part only, the Plaintiffs shall be at liberty to sign a Judgment that the Person whose Title is asserted in the Writ shall recover Possession of the Land, or of the Part thereof to which the Defence does not apply; which Judgment, if for all, may be in the Form contained in the Schedule (A.) to this Act annexed, marked No. 14., or to the like Effect, and if for Part, may be in the Form contained in the Schedule (A.) to this Act annexed, marked No. 15., or to the like Effect.

Issue how made up.

CLXXVIII. In case an Appearance shall be entered, an Issue may once be made up, without any Pleadings, by the Claimants or their Attorney, setting forth the Writ, and stating the Fact of the Appearance, with its Date, and the Notice limiting the Defence, if any, of each of the Persons appearing, so that it may appear for what Defence is made, and directing the Sheriff to summon a Jury; and such Issue, in case Defence is made for the whole, may be in the Form contained in Schedule (A.) to this Act annexed, marked No. 16., or to the like Effect, and in case Defence is made for Part, may be in the Form contained in the Schedule (A.) to this Act annexed, marked No. 15., or to the like Effect.

Special Case may be stated.

CLXXIX. By Consent of the Parties, and by Leave of a Judge, a Special Case may be stated according to the Practice heretofore used.

Trial of Issue.

CLXXX. The Claimants may, if no Special Case be agreed to, proceed to Trial upon the Issue, in the same Manner as in other Actions; and the Particulars of the Claim and Defence, if any, or Copies thereof, shall be annexed to the Record by the Claimants; and the Question at the Trial shall, except in the Cases hereafter mentioned, be, whether the Statement in the Writ of the Title of the Claimants is true or false, and, if true, then which of the Claimants is entitled, and whether to the whole or Part, and if to Part, then to which Part of the Property in question; and the Entry of the Verdict may be made in the Form contained in the Schedule (A.) to this Act annexed, marked No. 17., or to the like Effect, with such Modifications as may be necessary to meet the Facts.

Verdict when Title appears to have expired before Trial.

CLXXXI. In case the Title of the Claimant shall appear to have existed as alleged in the Writ, and at the Time of Service thereof, but it shall also appear to have expired before the Time of Trial, the Claimant shall, notwithstanding, be entitled to a Verdict according to the Fact that he was so entitled at the Time of bringing the Action and serving the Writ, and to a Judgment for his Cost of Suit.

Trial may be ordered to take place in any County.

CLXXXII. The Court or a Judge may, on the Application of either Party, order that the Trial shall take place in any County or Place other than that in which the Venue is laid; and such Order being suggested on the Record, the Trial may be had accordingly.

Nonappearance at Trial.

CLXXXIII. If the Defendant appears, and the Claimant does not appear at the Trial, the Claimant shall be non-suited; and if the Claimant appears, and the Defendant does not appear, the Claimant shall be entitled to recover as heretofore, without any Proof of his Title.

Special Verdict, &c.

CLXXXIV. The Jury may find a Special Verdict, or either Party may tender a Bill of Exceptions.

CLXXXV. Upon

CLXXXV. Upon a Finding for the Claimant, Judgment may be signed, and Execution issue for the Recovery of Possession of the Property, or such Part thereof as the Jury shall find the Claimant entitled to, and for Costs, within such Time, not exceeding the Fifth Day in Term after the Verdict, as the Court or Judge before whom the Cause is tried shall order; and if no such Order be made, then on the Fifth Day in Term after the Verdict, or within Fourteen Days after such Verdict, whichever shall first happen. Judgment upon Finding for Claimant.

CLXXXVI. Upon a Finding for the Defendants, or any of them, Judgment may be signed, and Execution issue for Costs against the Claimants named in the Writ, within such Time, not exceeding the Fifth Day in Term after the Verdict, as the Court or Judge before whom the Cause is tried shall order; and if no such Order be made, then on the Fifth Day in Term after the Verdict, or within Fourteen Days after such Verdict, whichever shall first happen. Judgment upon Finding for Defendant.

CLXXXVII. Upon any Judgment in Ejectment for Recovery of Possession and Costs, there may be either One Writ or separate Writs of Execution for the Recovery of Possession and for the Costs, at the Election of the Claimant. Execution for Recovery of Possession and Costs may be joint or separate.

CLXXXVIII. In case of such an Action being brought by some or One of several Persons entitled as Joint Tenants, Tenants in Common, or Coparceners, any Joint Tenant, Tenant in Common, or Coparcener in possession, may, at the Time of Appearance, or within Four Days after, give Notice in the same Form as in the Notice of a limited Defence, that he or she defends as such, and admits the Right of the Claimant to an undivided Share of the Property, (stating what Share,) but denies any actual Ouster of him from the Property, and may, within the same Time, file an Affidavit stating with reasonable Certainty that he or she is such Joint Tenant, Tenant in Common, or Coparcener, and the Share of such Property to which he or she is entitled, and that he or she has not ousted the Claimant; and such Notice shall be entered in the Issue in the same Manner as the Notice limiting the Defence, and upon the Trial of such an Issue the additional Question of whether an actual Ouster has taken place shall be tried. Defence by joint Tenants, Tenants in Common, or Coparceners.

CLXXXIX. Upon the Trial of such Issue as last aforesaid, if it shall be found that the Defendant is Joint Tenant, Tenant in Common, or Coparcener with the Claimant, then the Question whether an actual Ouster has taken place shall be tried, and unless such actual Ouster shall be proved the Defendant shall be entitled to Judgment and Costs; but if it shall be found either that the Defendant is not such Joint Tenant, Tenant in Common, or Coparcener, or that an actual Ouster has taken place, then the Claimant shall be entitled to such Judgment for the Recovery of Possession and Costs. Trial and Judgment in Ejectment against Joint Tenants, Tenants in Common, and Coparceners.

CXC. The Death of a Claimant or Defendant shall not cause the Action to abate, but it may be continued as herein-after mentioned. Action not to abate by Death.

CXCI. In case the Right of the deceased Claimant shall survive to another Claimant, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Action may proceed at the Suit of the surviving Claimant; and if such a Suggestion shall be made before the Trial, then the Claimant shall have a Verdict and recover such Judgment as aforesaid, upon its appearing that he was entitled to bring the Action either separately or jointly with the deceased Claimant. Proceedings upon Death before Trial, where Right survives.

CXCII. In case of the Death before Trial of One of several Claimants, whose Right does not survive to another or others of the Claimants, where the legal Representative of the deceased Claimant shall not become a Party to the Suit in the Manner herein-after mentioned, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Action may proceed at the Suit of the surviving Claimant for such Share of the Property as he is entitled to, and Costs. Proceedings upon Death before Trial, where Right does not survive.

CXCIII. In case of a Verdict for Two or more Claimants, if One of such Claimants die before Execution executed, the other Claimant may, whether the legal Right to the Property shall survive or not, suggest the Death in manner aforesaid, and proceed to Judgment and Execution for Recovery of Possession of the Entirety of the Property and the Costs; but nothing herein contained shall affect the Right of the legal Representative of the deceased Claimant, or the Liability of the surviving Claimant to such legal Representative; and the Entry and Possession of such surviving Claimant under such Execution shall be considered as an Entry and Possession on behalf of such legal Representative in respect of the Share of the Property to which he shall be entitled as such Representative, and the Court may direct Possession to be delivered accordingly. Upon Death of One of several Claimants having obtained a Verdict.

CXCIV. In case of the Death of a sole Claimant, or, before Trial, of One of several Claimants, whose Right does not survive to another or others of the Claimants, the legal Representative of such Claimant may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, and the Action shall thereupon proceed; and if such Suggestion be made before the Trial, the Truth of the Suggestion shall be tried thereat, together with the Title of the deceased Claimant, and such Judgment shall follow upon the Verdict in favour of or against the Person making such Suggestion, as herein-before provided with reference to a Judgment for or against such Claimant; and in case such Suggestion in the Case of a sole Claimant be made after Trial and before Execution executed by Delivery of Possession thereupon, and such Suggestion be denied by the Defendant within Eight Days after Notice thereof, or such further Time as the Court or a Judge may allow, then such Suggestion shall be tried; and if, upon the Trial thereof, a Verdict shall pass for the Person making such Suggestion, he shall be entitled to such Judgment as aforesaid for the Recovery of Possession, and for the Costs of and occasioned by such Suggestion; and in case of a Verdict for the Defendant such Defendant shall be entitled to such Judgment as aforesaid for Costs. Proceedings in case of Death of Claimant, where Right does not survive.

CXCV. In

Proceedings upon Death of One of several joint Defendants.

CXCV. In case of the Death, before or after Judgment, of One of several Defendants in Ejectment, who defend jointly, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Action may proceed against the surviving Defendant to Judgment and Execution.

Upon Death of all the Defendants in Ejectment before Trial.

CXCVI. In case of the Death of a sole Defendant, or of all the Defendants in Ejectment, before Trial, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Claimants shall be entitled to Judgment for Recovery of Possession of the Property, unless some other Person shall appear and defend within the Time to be appointed for that Purpose by the Order of the Court or a Judge, to be made upon the Application of the Claimants; and it shall be lawful for the Court or a Judge, upon such Suggestion being made and upon such Application as aforesaid, to order that the Claimants shall be at liberty to sign Judgment within such Time as the Court or Judge may think fit, unless the Person then in possession, by himself or his Tenant, or the legal Representative of the deceased Defendant, shall within such Time appear and defend the Action; and such Order may be served in the same Manner as the Writ; and in case such Person shall appear and defend the same, Proceedings may be taken against such new Defendant as if he had originally appeared and defended the Action; and if no Appearance be entered and Defence made, then the Claimant shall be at liberty to sign Judgment pursuant to the Order.

Upon Death of all Defendants in Ejectment after Verdict.

CXCVII. In case of the Death of a sole Defendant or of all the Defendants in Ejectment after Verdict, the Claimants shall nevertheless be entitled to Judgment as if no such Death had taken place, and to proceed by Execution for Recovery of Possession without Suggestion or Revivor, and to proceed for the Recovery of the Costs, in like Manner as upon any other Judgment for Money, against the legal Representatives of the deceased Defendant or Defendants.

Upon Death before Trial of Defendant in Ejectment, who defends separately for Part.

CXCVIII. In case of the Death before Trial of One of several Defendants in Ejectment, who defends separately for a Portion of the Property for which the other Defendant or Defendants do not defend, the same Proceedings may be taken as to such Portion as in the Case of the Death of a sole Defendant, or the Claimants may proceed against the surviving Defendants in respect of the Portion of the Property for which they defend.

Upon Death of Defendant defending separately for Property in respect of which others also defend.

CXCIX. In case of the Death before Trial of One of several Defendants in Ejectment, who defends separately in respect of Property for which surviving Defendants also defend, it shall be lawful for the Court or a Judge at any Time before the Trial to allow the Person at the Time of the Death in possession of the Property, or the legal Representative of the deceased Defendant, to appear and defend on such Terms as may appear reasonable and just, upon the Application of such Person or Representative; and if no such Application be made or Leave granted, the Claimant, suggesting the Death in manner aforesaid, may proceed against the surviving Defendant or Defendants to Judgment and Execution.

Claimant may discontinue by Notice.

CC. The Claimant in Ejectment shall be at liberty at any Time to discontinue the Action as to One or more of the Defendants, by giving to the Defendant or his Attorney a Notice headed in the Court and and Cause, and signed by the Claimant or his Attorney, stating that he discontinues such Action; and thereupon the Defendant, to whom such Notice is given, shall be entitled to and may forthwith sign Judgment for Costs in the Form contained in the Schedule (A.) to this Act annexed, marked No. 18., or to the like Effect.

Discontinuance of Action by One of several Claimants.

CCI. In case One of several Claimants shall be desirous to discontinue, he may apply to the Court or a Judge to have his Name struck out of the Proceedings, and an Order may be made thereupon upon such Terms as to the Court or Judge may seem fit, and the Action shall thereupon proceed at the Suit of the other Claimants.

Judgment for not proceeding to Trial after Notice.

CCII. If after Appearance entered the Claimant, without going to Trial, allow the Time, allowed for going to Trial by the Practice of the Court in ordinary Cases after Issue joined, to elapse, the Defendant in Ejectment may give Twenty Days Notice to the Claimant to proceed to Trial at the Sittings or Assizes next after the Expiration of the Notice; and if the Claimant afterwards neglects to give Notice of Trial for such Sittings or Assizes, or to proceed to Trial in pursuance of the said Notice given by the Defendant, and the Time for going to Trial shall not be extended by the Court or a Judge, the Defendant may sign Judgment in the Form contained in the Schedule (A.) to this Act annexed, marked No. 19., and recover the Costs of Defence.

Defendant may confess the Action.

CCIII. A sole Defendant or all the Defendants in Ejectment shall be at liberty to confess the Action as to the whole or Part of the Property, by giving to such Claimant a Notice headed in the Court and Cause, and signed by the Defendant or Defendants, such Signature to be attested by his or their Attorney; and thereupon the Claimant shall be entitled to and may forthwith sign Judgment and issue Execution for the Recovery of Possession and Costs in the Form contained in the Schedule (A.) to this Act annexed, marked No. 20., or to the like Effect.

Confession by One of several Defendants defending separately for Part.

CCIV. In case One of several Defendants in Ejectment, who defends separately for a Portion of the Property for which the other Defendant or Defendants do not defend, shall be desirous of confessing the Claimant's Title to such Portion, he may give a like Notice to the Claimant; and thereupon the Claimant shall be entitled to and may forthwith sign Judgment and issue Execution for the Recovery of Possession of such Portion of the Property, and for the Costs occasioned by the Defence relating to the same, and the Action may proceed as to the Residue.

Confession by One of several Defendants who defend for same Property.

CCV. In case One of several Defendants in Ejectment, who defends separately in respect of Property for which other Defendants also defend, shall be desirous of confessing the Claimant's Title, he may give a like Notice thereof; and thereupon the Claimant shall be entitled to and may sign Judgment against

such

such Defendant for the Costs occasioned by his Defence, and may proceed in the Action against the other Defendants to Judgment and Execution.

Formal Entry of Judgment on the Roll unnecessary for Purposes of Execution.

CCVI. It shall not be necessary before issuing Execution upon any Judgment under the Authority of this Act to enter the Proceedings upon any Roll, but an Incipitur thereof may be made upon Paper, shortly describing the Nature of the Judgment according to the Practice heretofore used, and Judgment may thereupon be signed, and Costs taxed, and Execution issued, according to the Practice heretofore used: Provided nevertheless, that the Proceedings may be entered upon the Roll whenever the same may become necessary for the Purpose of Evidence, or of bringing Error, or the like.

Effect of Judgment.

CCVII. The Effect of a Judgment in an Action of Ejectment under this Act shall be the same as that of a Judgment in the Action of Ejectment heretofore used.

Error and Bail in Error in Ejectment.

CCVIII. Error may be brought in like Manner as in other Actions upon any Judgment in Ejectment, after a Special Verdict found by the Jury, or a Bill of Exceptions, or by Consent after a Special Case stated, but, except in the Case of such Consent as aforesaid, Execution shall not be thereby stayed, unless the Plaintiff in Error shall, within Four clear Days after lodging the Memorandum alleging Error, or after the signing of the Judgment, whichever shall last happen, or before Execution executed, be bound unto the Claimant, who shall have recovered Judgment in such Action of Ejectment, in double the yearly Value of the Property, and double the Costs recovered by the Judgment, with Condition, that if the Judgment shall be affirmed by the Court of Error, or the Proceedings in Error be discontinued by the Plaintiff therein, then the Plaintiff in Error shall pay such Costs, Damages, and Sum or Sums of Money as shall be awarded upon or after such Judgment affirmed or Discontinuance; and it shall be lawful for the Court wherein Execution ought to be granted upon such Affirmation, or Discontinuance, upon the Application of the Claimant, to issue a Writ to inquire as well of the mesne Profits as of the Damage by any Waste committed after the first Judgment in Ejectment, which Writ may be tested on the Day on which it shall issue, and be returnable immediately after the Execution thereof; and upon the Return thereof Judgment shall be given, and Execution awarded for such mesne Profits and Damages, and also for Costs of Suit.

Tenants to give Notice of Ejectment to Landlord.

CCIX. Every Tenant to whom any Writ in Ejectment shall be delivered, or to whose Knowledge it shall come, shall forthwith give Notice thereof to his Landlord, or his Bailiff or Receiver, under Penalty of forfeiting the Value of Three Years improved or Rack Rent of the Premises, demised or holden in the Possession of such Tenant, to the Person of whom he holds, to be recovered by Action in any Court of Common Law having Jurisdiction for the Amount.

Proceedings in Ejectment by Landlord for Nonpayment of Rent.

CCX. In all Cases between Landlord and Tenant, as often as it shall happen that One Half Year's Rent shall be in arrear, and the Landlord or Lessor, to whom the same is due, hath Right by Law to re-enter for the Nonpayment thereof, such Landlord or Lessor shall and may, without any formal Demand or Re-entry, serve a Writ in Ejectment for the Recovery of the demised Premises, or in case the same cannot be legally served, or no Tenant be in actual Possession of the Premises, then such Landlord or Lessor may affix a Copy thereof upon the Door of any demised Messuage, or in case such Action in Ejectment shall not be for the Recovery of any Messuage, then upon some notorious Place of the Lands, Tenements, or Hereditaments comprised in such Writ in Ejectment, and such affixing shall be deemed legal Service thereof, which Service or affixing such Writ in Ejectment shall stand in the Place and Stead of a Demand and Re-entry; and in case of Judgment against the Defendant for Nonappearance, if it shall be made appear to the Court where the said Action is depending, by Affidavit, or be proved upon the Trial in case the Defendant appears, that Half a Year's Rent was due before the said Writ was served, and that no sufficient Distress was to be found on the demised Premises, countervailing the Arrears then due, and that the Lessor had Power to re-enter, then and in every such Case the Lessor shall recover Judgment and Execution, in the same Manner as if the Rent in arrear had been legally demanded, and a Re-entry made; and in case the Lessee or his Assignee, or other Person claiming or deriving under the said Lease, shall permit and suffer Judgment to be had and recovered on such Trial in Ejectment, and Execution to be executed thereon, without paying the Rent and Arrears, together with full Costs, and without proceeding for Relief in Equity within Six Months after such Execution executed, then and in such Case the said Lessee, his Assignee, and all other Persons claiming and deriving under the said Lease, shall be barred and foreclosed from all Relief or Remedy in Law or Equity, other than by bringing Error for Reversal of such Judgment, in case the same shall be erroneous, and the said Landlord or Lessor shall from thenceforth hold the said demised Premises discharged from such Lease; and if on such Ejectment a Verdict shall pass for the Defendant, or the Claimant shall be nonsuited therein, then in every such Case such Defendant shall have and recover his Costs; provided that nothing herein contained shall extend to bar the Right of any Mortgagee of such Lease, or any Part thereof, who shall not be in possession, so as such Mortgagee shall and do, within Six Months after such Judgment obtained and Execution executed, pay all Rent in arrear, and all Costs and Damages sustained by such Lessor or Person entitled to the Remainder or Reversion as aforesaid, and perform all the Covenants and Agreements which, on the Part and Behalf of the First Lessee, are and ought to be performed.

Lessee proceeding in Equity not to have Injunction or Relief without Payment of Rent and Costs.

CCXI. In case the said Lessee, his Assignee, or other Person claiming any Right, Title, or Interest, in Law or Equity, of, in, or to the said Lease, shall, within the Time aforesaid, proceed for Relief in any Court of Equity, such Person shall not have or continue any Injunction against the Proceedings at Law on such Ejectment, unless he does or shall, within Forty Days next after a full and perfect Answer shall be made by the Claimant in such Ejectment, bring into Court, and lodge with the proper Officer, such Sum and Sums of Money as the Lessor or Landlord shall in his Answer swear to be due and in arrear

arrear over and above all just Allowances, and also the Costs taxed in the said Suit, there to remain till the Hearing of the Cause, or to be paid out to the Lessor or Landlord on good Security, subject to the Decree of the Court; and in case such Proceedings for Relief in Equity shall be taken within the Time aforesaid, and after Execution is executed, the Lessor or Landlord shall be accountable only for so much and no more as he shall really and *bonâ fide*, without Fraud, Deceit, or wilful Neglect, make of the demised Premises from the Time of his entering into the actual Possession thereof; and if what shall be so made by the Lessor or Landlord happen to be less than the Rent reserved on the said Lease, then the said Lessee or his Assignee, before he shall be restored to his Possession, shall pay such Lessor or Landlord, what the Money so by him made fell short of the reserved Rent for the Time such Lessor or Landlord held the said Lands.

Tenant paying all Rent with Costs, Proceedings to cease.

CCXII. If the Tenant or his Assignee do or shall, at any Time before the Trial in such Ejectment, pay or tender to the Lessor or Landlord, his Executors or Administrators, or his or their Attorney in that Cause, or pay into the Court where the same Cause is depending, all the Rent and Arrears, together with the Costs, then and in such Case all further Proceedings on the said Ejectment shall cease and be discontinued; and if such Lessee, his Executors, Administrators, or Assigns, shall, upon such Proceedings as aforesaid, be relieved in Equity, he and they shall have, hold, and enjoy the demised Lands, according to the Lease thereof made, without any new Lease.

Ejectment by Landlord against Tenant holding over after Expiration of Term or Determination of Tenancy by Notice to quit.

CCXIII. Where the Term or Interest of any Tenant now or hereafter holding under a Lease or Agreement in Writing any Lands, Tenements, or Hereditaments for any Term or Number of Years certain, or from Year to Year, shall have expired or been determined either by the Landlord or Tenant by regular Notice to quit, and such Tenant, or any one holding or claiming by or under him, shall refuse to deliver up Possession accordingly, after lawful Demand in Writing made and signed by the Landlord or his Agent, and served personally upon or left at the Dwelling House or usual Place of Abode of such Tenant or Person, and the Landlord shall thereupon proceed by Action of Ejectment for the Recovery of Possession, it shall be lawful for him, at the Foot of the Writ in Ejectment, to address a Notice to such Tenant or Person requiring him to find such Bail, if ordered by the Court or a Judge, and for such Purposes as are herein-after next specified; and upon the Appearance of the Party on an Affidavit of Service of the Writ and Notice, it shall be lawful for the Landlord producing the Lease or Agreement, or some Counterpart or Duplicate thereof, and proving the Execution of the same by Affidavit, and upon Affidavit that the Premises have been actually enjoyed under such Lease or Agreement, and that the Interest of the Tenant has expired, or been determined by regular Notice to quit, as the Case may be, and that Possession has been lawfully demanded in manner aforesaid, to move the Court or apply by Summons to a Judge at Chambers for a Rule or Summons for such Tenant or Person to show Cause, within a Time to be fixed by the Court or Judge on a Consideration of the Situation of the Premises, why such Tenant or Person should not enter into a Recognizance by himself and Two sufficient Sureties in a reasonable Sum conditioned to pay the Costs and Damages which shall be recovered by the Claimants in the Action; and it shall be lawful for the Court or Judge upon Cause shown, or upon Affidavit of the Service of the Rule or Summons in case no Cause shall be shown, to make the same absolute in the whole or in part, and to order such Tenant or Person, within a Time to be fixed, upon a Consideration of all the Circumstances, to find such Bail, with such Conditions and in such Manner as shall be specified in the said Rule or Summons, or such Part of the same so made absolute; and in case the Party shall neglect or refuse so to do, and shall lay no Ground to induce the Court or Judge to enlarge the Time for obeying the same, then the Lessor or Landlord filing an Affidavit that such Rule or Order has been made and served and not complied with shall be at liberty to sign Judgment for Recovery of Possession and Costs of Suit in the Form contained in the Schedule (A.) to this Act annexed, marked No. 21., or to the like Effect.

Rule or Summons for the Tenant to give Bail.

On Rule or Summons absolute, if Tenant shall not conform, Judgment to be for the Landlord.

On Trial of any Ejectment between Landlord and Tenant, Juries to give Damages for mesne Profits down to the Verdict, or to a Day specified thereon.

CCXIV. Wherever it shall appear on the Trial of any Ejectment, at the Suit of a Landlord against a Tenant, that such Tenant or his Attorney hath been served with due Notice of Trial, the Judge before whom such Cause shall come on to be tried shall, whether the Defendant shall appear upon such Trial or not, permit the Claimant on the Trial, after Proof of his Right to recover Possession of the whole or of any Part of the Premises mentioned in the Writ in Ejectment, to go into Evidence of the mesne Profits thereof which shall or might have accrued from the Day of the Expiration or Determination of the Tenant's Interest in the same down to the Time of the Verdict given in the Cause, or to some preceding Day to be specially mentioned therein; and the Jury on the Trial finding for the Claimant shall in such Case give their Verdict upon the whole Matter, both as to the Recovery of the whole or any Part of the Premises, and also as to the Amount of the Damages to be paid for such mesne Profits; and in such Case the Landlord shall have Judgment within the Time herein-before provided, not only for the Recovery of Possession and Costs, but also for the mesne Profits found by the Jury: Provided always, that nothing herein-before contained shall be construed to bar any such Landlord from bringing any Action for the mesne Profits which shall accrue from the Verdict, or the Day so specified therein, down to the Day of the Delivery of Possession of the Premises recovered in the Ejectment.

On Trials after Bail found, Judge shall not stay the Execution except by Consent, or on Tenant's finding Security.

CCXV. In all Cases in which such Security shall have been given as aforesaid, if upon the Trial a Verdict shall pass for the Claimant, unless it shall appear to the Judge before whom the same shall have been had that the finding of the Jury was contrary to the Evidence, or that the Damages given were excessive, such Judge shall not, except by Consent, make any Order to stay Judgment or Execution, except on condition that within Four Days from the Day of the Trial the Defendant shall actually find Security, by the Recognizance of himself and Two sufficient Sureties, in such reasonable Sum as the Judge

Judge shall direct, conditioned not to commit any Waste, or Act in the Nature of Waste, or other wilful Damage, and not to sell or carry off any standing Crops, Hay, Straw, or Manure produced or made (if any) upon the Premises, and which may happen to be thereupon, from the Day on which the Verdict shall have been given to the Day on which Execution shall finally be made upon the Judgment, or the same be set aside, as the Case may be: Provided always, that the Recognizance last above mentioned shall immediately stand discharged and be of no Effect, in case Proceedings in Error shall be brought upon such Judgment, and the Plaintiff in Error shall become bound in the Manner herein-before provided.

Bail in Error to discharge such Security.

CCXVI. All Recognizances and Securities entered into as last aforesaid may and shall be taken respectively in such Manner and by and before such Persons as are provided and authorized in respect of Recognizances of Bail upon Actions and Suits depending in the Court in which any such Action of Ejectment shall have been commenced; and the Officer of the same Court with whom Recognizances of Bail are filed shall file such Recognizances and Securities, for which respectively the Sum of Two Shillings and Sixpence, and no more, shall be paid; but no Action or other Proceeding shall be commenced upon any such Recognizance or Security after the Expiration of Six Months from the Time when Possession of the Premises, or any Part thereof, shall actually have been delivered to the Landlord.

Recognizances to be taken as other Recognizances of Bail;

Actions on them limited.

CCXVII. In all Actions of Ejectment hereafter to be brought in any of Her Majesty's Courts at *Westminster* by any Landlord against his Tenant, or against any Person claiming through or under such Tenant, for the Recovery of any Lands or Hereditaments in any County, except *London* or *Middlesex*, where the Tenancy shall expire, or the Right of Entry into or upon such Lands or Hereditaments shall accrue to such Landlord, in or after *Hilary* or *Trinity* Terms respectively, it shall be lawful for the Claimant in any such Action, at any Time within Ten Days after such Tenancy shall expire, or Right of Entry accrue as aforesaid, to serve a Writ in Ejectment in the Form contained in the Schedule (A.) to this Act annexed, marked No. 13., except that it shall command the Persons to whom it is directed to appear within Ten Days after Service thereof in the Court in which such Action may be brought; and the like Proceedings shall be thereupon had as herein-before provided, save that it shall be sufficient to give at least Six clear Days Notice of Trial to the Defendant before the Commission Day of the Assizes at which such Ejectment is intended to be tried; and any Defendant in such Action may, at any Time before the Trial thereof, apply to a Judge by Summons to stay or set aside the Proceedings, or to postpone the Trial until the next Assizes; and it shall be lawful for the Judge, in his Discretion, to make such Order in the said Cause as to him shall seem expedient.

Landlord to recover Possession of Lands, &c. after Service of Writ in Ejectment.

CCXVIII. Nothing herein contained shall be construed to prejudice or affect any other Right of Action or Remedy which Landlords may possess in any of the Cases herein-before provided for, otherwise than herein-before expressly enacted.

Saving of former Remedies.

CCXIX. Where an Action of Ejectment shall be brought by any Mortgagee, his Heirs, Executors, Administrators, or Assignees, for the Recovery of the Possession of any mortgaged Lands, Tenements, or Hereditaments, and no Suit shall be then depending in any of Her Majesty's Courts of Equity in that Part of *Great Britain* called *England*, for or touching the foreclosing or redeeming of such mortgaged Lands, Tenements, or Hereditaments, if the Person having Right to redeem such mortgaged Lands, Tenements, or Hereditaments, and who shall appear and become Defendant in such Action, shall, at any Time pending such Action, pay unto such Mortgagee, or, in case of his Refusal, shall bring into Court, where such Action shall be depending, all the Principal Monies and Interest due on such Mortgage, and also all such Costs as have been expended in any Suit at Law or in Equity upon such Mortgage (such Money for Principal, Interest, and Costs to be ascertained and computed by the Court where such Action is or shall be depending, or by the proper Officer by such Court to be appointed for that Purpose), the Monies so paid to such Mortgagee, or brought into such Court, shall be deemed and taken to be in full Satisfaction and Discharge of such Mortgage, and the Court shall and may discharge every such Mortgagor or Defendant of and from the same accordingly; and shall and may, by Rule of the same Court, compel such Mortgagee, at the Costs and Charges of such Mortgagor, to assign, surrender, or reconvey such mortgaged Lands, Tenements, and Hereditaments, and such Estate and Interest as such Mortgagee has therein, and deliver up all Deeds, Evidences, and Writings in his Custody, relating to the Title of such mortgaged Lands, Tenements, and Hereditaments, unto such Mortgagor, who shall have paid or brought such Monies into the Court, his Heirs, Executors, or Administrators, or to such other Person or Persons as he or they shall for that Purpose nominate or appoint.

In Ejectment by Mortgagee, the Mortgagor's rendering the Principal, Interest, and Costs in Court shall be deemed a full Satisfaction, and the Court may compel the Mortgagee to re-convey.

CCXX. Nothing herein contained shall extend to any Case where the Person, against whom the Redemption is or shall be prayed, shall (by Writing under his Hand, or the Hand of his Attorney, Agent, or Solicitor, to be delivered before the Money shall be brought into such Court of Law, to the Attorney or Solicitor for the other Side,) insist, either that the Party praying a Redemption has not a Right to redeem, or that the Premises are chargeable with other or different Principal Sums, than what appear on the Face of the Mortgage or shall be admitted on the other Side; or to any Case where the Right of Redemption to the mortgaged Lands and Premises in question in any Cause or Suit shall be controverted or questioned by or between different Defendants in the same Cause or Suit; or shall be any Prejudice to any subsequent Mortgage or subsequent Incumbrance, anything herein contained to the contrary thereof in anywise notwithstanding.

Not to extend to Cases where the Right of Redemption is controverted, or the Money due not adjusted; or to prejudice any subsequent Mortgage.

CCXXI. The several Courts and the Judges thereof respectively shall and may exercise over the Proceedings the like Jurisdiction as heretofore exercised in the Action of Ejectment, so as to ensure a Trial of the Title, and of actual Ouster, when necessary, only, and for all other Purposes for which

Jurisdiction of Courts and Judges.

such Jurisdiction may at present be exercised; and the Provisions of all Statutes not inconsistent with the Provisions of this Act, and which may be applicable to the altered Mode of Proceeding, shall remain in force and be applied thereto.

Amendment.

'And whereas the Power of Amendment now vested in the Courts and the Judges thereof is insuffi-'cient to enable them to prevent the Failure of Justice by reason of Mistakes and Objections of Form:' Be it enacted as follows:

Amendment.

CCXXII. It shall be lawful for the Superior Courts of Common Law, and every Judge thereof, and any Judge sitting at Nisi Prius, at all Times to amend all Defects and Errors in any Proceeding in Civil Causes, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend, or not; and all such Amendments may be made with or without Costs, and upon such Terms as to the Court or Judge may seem fit; and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made.

Power to Judges to make Rules and frame Writs and Proceedings.

And in order to enable the Courts and Judges to carry this Act thoroughly into effect, and to enable them from Time to Time to make Rules and Regulations and to frame Writs and Proceedings for that Purpose, be it enacted as follows:

General Rules may be made by the Judges.

CCXXIII. It shall be lawful for the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, from Time to Time to make all such General Rules and Orders for the effectual Execution of this Act, and of the Intention and Object hereof, and for fixing the Costs to be allowed for and in respect of the Matters herein contained, and the Performance thereof, and for apportioning the Costs of Issues, and for the Purpose of enforcing Uniformity of Practice in the Allowance of Costs in the said Courts, and of ensuring as far as may be practicable an equal Division of the Business of Taxation amongst the Masters of the said Courts, as in their Judgment shall be necessary or proper, and for that Purpose to meet from Time to Time as Occasion may require: and it shall further be lawful for the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, from Time to Time to exercise all the Powers and Authority given to them by an Act of Parliament passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to enable the Judges of the Common Law at* Westminster *to alter the Forms of Pleading*, with respect to any Matter herein contained relative to Practice or Pleading, anything in this Act to the contrary notwithstanding; and the Provisions of the said last-mentioned Act as to the Rules, Orders, or Regulations made in pursuance thereof shall be held applicable to any Rules, Orders, or Regulations which shall be made in pursuance of this Act: Provided that nothing herein contained shall be construed to restrain the Authority or limit the Jurisdiction of the said Courts or the Judges thereof to make Rules or Orders, or otherwise to regulate and dispose of the Business therein.

13 & 14 Vict. c. 16.

New Forms of Writs and other Proceedings.

CCXXIV. Such new or altered Writs and Forms of Proceedings may be issued, entered, and taken, as may by the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, be deemed necessary or expedient for giving Effect to the Provisions herein-before contained, and in such Forms as the Judges of such Courts respectively shall from Time to Time think fit to order; and such Writs and Proceedings shall be acted upon and enforced in such and the same Manner as Writs and Proceedings of the said Courts are now acted upon and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Writ or Proceeding, the Form of which shall be in any Manner altered in pursuance of this Act, shall nevertheless be of the same force and virtue as if no Alteration had been made therein, except so far as the Effect thereof may be varied by this Act.

Rules may be made by each Court for Government of its Officers.

CCXXV. It shall and may be lawful to and for the Judges of each of the said Courts from Time to Time to make such Rules and Orders for the Government and Conduct of the Ministers and Officers of their respective Courts, in and relating to the Distribution and Performance of the Duties and Business to be done and performed in the Execution of this Act, as such Judges may think fit and reasonable: Provided always, that no additional Charge be thereby imposed on the Suitors.

Effect of Injunction.

'And whereas it is expedient that Injunctions and Orders to stay Proceedings should be rendered 'more effectual:' Be it enacted as follows:

Injunctions and Orders to stay Proceedings to have a specific Effect.

CCXXVI. In case any Action, Suit, or Proceeding in any Court of Law or Equity shall be commenced, sued, or prosecuted, in disobedience of and contrary to any Writ of Injunction, Rule, or Order of either of the Superior Courts of Law or Equity at *Westminster*, or of any Judge thereof, in any other Court than that by or in which such Injunction may have been issued, or Rule or Order made, upon the Production to any such other Court or Judge thereof of such Writ of Injunction, Rule, or Order, the said other Court (in which such Action, Suit, or Proceeding may be commenced, prosecuted, or taken), or any Judge thereof, shall stay all further Proceedings contrary to any such Injunction, Rule, or Order; and thenceforth all further and subsequent Proceedings shall be utterly null and void to all Intents and Purposes: Provided always, that nothing herein contained shall be held to diminish, alter, abridge, or vary the Liability of any Person or Persons commencing, suing, or prosecuting any such Action, Suit, or Proceeding contrary to any Injunction, Rule, or Order of either of the Courts aforesaid, to any Attachment, Punishment, or other Proceeding to which any such Person or Persons are, may, or shall be liable in Cases of Contempt of either of the Courts aforesaid, in regard to the commencing, suing, or prosecuting such Action, Suit, or Proceeding.

And

And be it enacted as follows:

Interpretation of Terms.

CCXXVII. In the Construction of this Act the Word "Court" shall be understood to mean any One of the Superior Courts of Common Law at *Westminster* in which any Action is brought; and the Word "Judge" shall be understood to mean a Judge or Baron of any of the said Courts; and the Word "Master" shall be understood to mean a Master of any of the said Courts; and the Word "Action" shall be understood to mean any Personal Action brought by Writ of Summons in any of the said Courts; and no Part of the United Kingdom of *Great Britain* and *Ireland*, nor the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, or *Sark*, nor any Islands adjacent to any of them, being Part of the Dominions of Her Majesty, shall be deemed to be "beyond the Seas" within the Meaning of this Act: And wherever in this Act, in describing or referring to any Person or Party, Matter or Thing, any Word importing the Singular Number or Masculine Gender is used, the same shall be understood to include and shall be applicable to several Persons and Parties as well as One Person or Party, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Matters and Things as well as One Matter or Thing, unless it otherwise be provided, or there be something in the Subject or Context repugnant to such Construction.

Her Majesty may direct all or Part of this Act to extend to any Court of Record.

CCXXVIII. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act or of the Rules to be made in pursuance thereof shall apply to all or any Court or Courts of Record in *England* or *Wales*, and within One Month after such Order shall have been made and published in the *London Gazette* such Provisions and Rules respectively shall extend and apply in manner directed by such Order; and any such Order may be in like Manner from Time to Time altered or annulled.

Certain of the Provisions of this Act to extend and apply to the Court of Common Pleas at Lancaster and the Court of Pleas at Durham.

CCXXIX. 'And whereas it is expedient to apply the Provisions of this Act, with the requisite Modi-'fications, to the Superior Courts of the Counties Palatine of *Lancaster* and *Durham* respectively:' All the Enactments and Provisions of this Act with respect to Writs for the Commencement of Personal Actions, except such as relate to the Teste thereof in the Name of a Judge, to concurrent Writs, and to the Service of Writs elsewhere than in the Counties Palatine of *Lancaster* and *Durham* respectively, and Proceedings against Parties residing out of the Jurisdiction of the said Courts; and all the Provisions of this Act with respect to the Appearance of the Defendant and Proceedings of the Plaintiff in default of Appearance; and with respect to the Joinder of Parties to Actions and Joinder of Causes of Action; and with respect to the Determination of Questions raised by Consent of the Parties without pleading; and with respect to the Language and Form of Pleadings, and Provisions as to Pleadings, Profert, Oyer, setting out of Documents; and with regard to the Time and Manner of declaring; and as to Pleas and subsequent Pleadings, and incident thereto; and Examples and Forms of Pleading and Causes of Action; and with respect to Judgment by Default, and the Mode of ascertaining the Amount to be recovered thereupon and incident thereto; and all the Provisions of this Act with respect to Juries and Jury Process; and with respect to the Admission of Documents; and with respect to the Expenses of Execution and the remaining in Force and Renewal of Execution, the discharging of Parties from Execution, and charging in Execution Persons in Prison; and with respect to Proceedings for the Revival of Judgments and other Proceedings by and against Persons not Parties to the Record; and with respect to the Effect of Death, Marriage, and Bankruptcy upon the Proceedings in an Action; and with respect to the Proceedings upon Motions to arrest the Judgment and for Judgment Non obstante veredicto; and with respect to Proceedings in Error subject to the Proviso herein-after contained; and all the Provisions of this Act with respect to the Action of Ejectment, and incident thereto; and with respect to the Power of Amendment by Courts and the Judges thereof, shall extend and apply to the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham*, and Actions and Proceedings therein respectively.

Powers given by this Act to the Judges of the Superior Courts at Westminster to make Rules, &c. may be exercised by Judges of the Court of Common Pleas at Lancaster and Court of Pleas at Durham as to those Courts.

CCXXX. All the Powers given by this Act to the Judges of the said Superior Courts at *Westminster* to make Rules and Regulations for the Execution of this Act, and to frame Writs and Proceedings for that Purpose; and to the Judges of the said respective Courts to make Rules or Orders for the Government and Conduct of the Ministers and Officers thereof; and all other Powers by this Act given to or vested in the Judges of the said Superior Courts at *Westminster* to be exercised by more than One of them, except the Powers and Authority given by the said Act of Parliament passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to enable the Judges of the Courts of Common Law at* Westminster *to alter the Forms of Pleading*, shall and may be exercised by the respective Judges of the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham*, being Judges of One of the said Common Law Courts at *Westminster*, or any Two of them, with respect to the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively, and the Ministers and Officers thereof, and Matters and Proceedings therein, within the Jurisdiction of the same Courts respectively; and all Powers under this Act exercisable by any One Judge of the Superior Courts at *Westminster*, shall and may be exercisable by One Judge of the said Superior Courts of the said Counties Palatine, being also a Judge of One of the said Courts at *Westminster*, as to Matters and Proceedings in the said Superior Courts of the said Counties Palatine.

Judges may make Rules for applying other Provisions of this Act to

CCXXXI. It shall and may be lawful to and for the Judges of each of the said Courts of Common Pleas at *Lancaster* and Pleas at *Durham*, being Judges of One of the Superior Courts at *Westminster*, or any Two of them, from Time to Time to make Rules and Orders for applying any of the other Provisions of this Act to the said respective Superior Courts of the said Counties Palatine, and Matters

Court of Common Pleas at Lancaster and Court of Pleas at Durham.

and Proceedings therein and Parties thereto, with such Modifications and Alterations with reference to the Constitution and peculiar Circumstances of such Court, as they may think fit and reasonable; and for modifying any of the Provisions hereby applied to such last-mentioned Courts respectively with reference to such Constitution and peculiar Circumstances; and from Time to Time to rescind, amend, or alter such Rules or Orders; and that such Rules or Orders, subject to such Power of Rescission, Amendment, and Alteration, shall have the same Force as if the same were made by and embodied in this Act.

Provisions as to Masters of Courts at Westminster to apply to Prothonotaries of Courts at Lancaster and Durham, and their Deputies, &c.

CCXXXII. Provided always, that all the Provisions of this Act applicable to Masters of the said Courts at *Westminster* shall apply to the respective Prothonotaries of the Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham*, and their respective Deputies, who may singly exercise, with reference to Matters and Proceedings in the last-mentioned Courts respectively, the Powers hereby given to any One or more of the Masters of the Superior Courts at *Westminster*; and that such respective Officers shall record the Proceedings of Trials of Causes depending in the said respective Courts, and draw up and return Posteas on Records from the Superior Courts at *Westminster*, tried in the said Counties Palatine respectively, and officiate at the Trial of such Causes therein as heretofore.

As to Proceedings in Error.

CCXXXIII. Provided also, as to Proceedings in Error, that the Court of Queen's Bench shall still be the Court of Error from the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham*; and that it shall be sufficient to transmit to the said Court of Queen's Bench a Transcript of the Record of any Judgment or Proceedings in those Courts on which Error is alleged; and that the Judgment of the Court of Queen's Bench thereon shall be certified by One of the Masters of the said Court of Queen's Bench on the said Transcript, or by Rule of Court, as the said Court may direct; and that thereupon such Judgment shall be entered on the original Record in the said respective Courts of Common Pleas at *Lancaster* and Pleas at *Durham*; and such further Proceedings as may be necessary thereon shall be awarded by the said respective Courts, subject to the Right of either Party to allege Errors in the said Judgment in the said Court of Queen's Bench, and proceed thereon as provided by this Act in the Case of Errors alleged in Actions depending in that Court.

Certain Provisions of 4 & 5 W. 4. c. 62. and 2 & 3 Vict. c. 16. repealed.

CCXXXIV. From the Time when this Act shall commence and take effect so much of a certain Act of Parliament passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Practice and Proceedings in the Court of Common Pleas of the County Palatine of* Lancaster, and so much of a certain other Act of Parliament passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for improving the Practice and Proceedings of the Court of Pleas of the County Palatine of* Durham *and* Sadberge, as relate to the Duration of Writs; and to Alias and Pluries Writs, and to the Proceedings necessary for making the First Writ in any Action available to prevent the Operation of any Statute whereby the Time for the Commencement of any Action may be limited, shall be repealed, except so far as may be necessary for supporting any Writs that have been issued before the Commencement of this Act, and any Proceedings taken or to be taken thereon; but that the other Provisions of the said last-mentioned Acts of Parliament, so far as they are not altered by or inconsistent with the Provisions of this Act, shall remain in force.

Short Title of Act.

CCXXXV. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Common Law Procedure Act, 1852."

Not to extend to Ireland or Scotland.

CCXXXVI. Nothing in this Act shall extend to *Ireland* or *Scotland*, except in the Cases herein specially mentioned.

SCHEDULE (A.) referred to in the foregoing Act.

No. 1.

Writ where the Defendant resides within the Jurisdiction.

VICTORIA, by the Grace of God, *&c.*

To *C.D.* of in the County of

We command you, That within Eight Days after the Service of this Writ on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of in an Action at the Suit of *A.B.*; and take notice, that in default of your so doing the said *A.B.* may proceed therein to Judgment and Execution. Witness, *&c.*

Memorandum to be subscribed on the Writ.

N.B.—This Writ is to be served within (*Six*) Calendar Months from the Date thereof, or, if renewed, from the Date of such Renewal, including the Day of such Date, and not afterwards.

Indorsement to be made on the Writ before Service thereof.

This Writ was issued by *E.F.* of Attorney for the said Plaintiff, *or* this Writ was issued in Person by *A.B.*, who resides at [*mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence, if any such.*]

Indorsement to be made on the Writ after Service thereof.

This Writ was served by *X.Y.* on *L.M.* [the Defendant *or* One of the Defendants], on *Monday* the Day of 18 .

(Signed) *X.Y.*

No. 2.

No. 2.

Writ where the Defendant, being a British Subject, resides out of the Jurisdiction.

VICTORIA, by the Grace of God, *&c.*

To *C.D.* of in the County of

We command you, That within [*here insert a sufficient Number of Days within which the Defendant might appear, with reference to the Distance he may be at from England*] Days after the Service of this Writ on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of in an Action at the Suit of *A.B.*; and take notice, that in default of your so doing the said *A.B.* may, by Leave of the Court or a Judge, proceed therein to Judgment and Execution. Witness, *&c.*

Memorandum to be subscribed on the Writ.

N.B.—This Writ is to be served within (*Six*) Calendar Months from the Date thereof, or, if renewed, from the Date of such Renewal, including the Day of such Date, and not afterwards.

Indorsement to be made on the Writ before the Service thereof.

This Writ is for Service out of the Jurisdiction of the Court, and was issued by *E.F.* of Attorney for the said Plaintiff, *or* this Writ was issued in Person by *A.B.*, who resides at [*mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence, if any such.*]

The Indorsement required by the 8th Section should be made on this Writ, but should allow the Defendant the Time limited for Appearance to pay the Debt and Costs.

No. 3.

Writ where the Defendant, not being a British Subject, resides out of the Jurisdiction.

VICTORIA, by the Grace of God, *&c.*

To *C.D.* late of in the County of

We command you, That within [*here insert a sufficient Number of Days within which the Defendant might appear, with reference to the Distance he may be at from England*] Days after Notice of this Writ is served on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of in an Action at the Suit of *A.B.*; and take notice, that in default of your so doing the said *A.B.* may, by Leave of the Court or a Judge, proceed therein to Judgment and Execution. Witness, *&c.*

Memorandum to be subscribed on the Writ.

N.B.—Notice of this Writ is to be served within (*Six*) Calendar Months from the Date thereof, including the Day of such Date, and not afterwards.

Indorsements as in other Cases.

NOTICE of the foregoing Writ.

To *G.H.* late of [*Brighton in the County of Sussex*], *or* now residing at [*Paris in France*].

Take notice, That *A.B.* of in the County of England, has commenced an Action at Law against you *C.D.* in Her Majesty's Court of Queen's Bench, by a Writ of that Court, dated the Day of A.D. 18 ; and you are required, within Days after the Receipt of this Notice, inclusive of the Day of such Receipt, to defend the said Action, by causing an Appearance to be entered for you in the said Court to the said Action; and in default of your so doing the said *A.B.* may, by Leave of the Court or a Judge, proceed thereon to Judgment and Execution.

[*Here state Amount of Claim as required by 8th Section, but allowing the Defendant the Time limited for Appearance to pay Debt and Costs.*]

(Signed) *A.B.* of *&c.*
or
E.F. of *&c.*
Attorney for *A.B.*

No. 4.

Special Indorsement.

[*After the Indorsement required by the 8th Section of this Act, this special Indorsement may be inserted.*]

The following are the Particulars of Plaintiff's Claim:

		£	s.	d.
1849.—June 20.	Half Year's Rent to this Day of House and Premises in——— Street, Westminster	25	10	0
Sept. 12.	Ten Sacks of Flour at 40*s.*	20	0	0
Dec. 1.	Money received by Defendant	17	0	0
		62	10	0
	Paid	15	0	0
	Balance due	£47	10	0

Or,

Or,

To Butchers Meat supplied between the 1st of January 1849 and the 1st of January 1850 £52
Paid - - - - 20
Balance - - - £32

[*If any Account has been delivered, it may be referred to, with its Date, or the Plaintiff may give such a Description of his Claim as in a Particular of Demand, so as to prevent the Necessity of an Application for further Particulars.*]

Or,

£50 Principal and Interest due on a Bond dated the Day of conditioned for the Payment of 100*l.*

Or,

£90 Principal and Interest due on a Covenant contained in a Deed dated the Day of to pay 100*l.* and Interest.

Or,

A Penalty of 100*l.* under the Statute 55 Geo. III. c. 137.

Or,

£85 on a Bill of Exchange for 100*l.*, dated the 2d February 1849, accepted *or* drawn, *or* indorsed by the Defendant.

Or,

£50 on a Guarantee dated the 1st of January 1850, whereby the Defendant guaranteed the due Payment by *E.F.* of Goods supplied or to be supplied to him.

[*To any of the above may be added, in Cases where Interest is payable,* "the Plaintiff also claims "Interest on £ of the above Sum from the Date of the Writ until Judgment."]

N.B.—Take notice, That if a Defendant served with this Writ within the Jurisdiction of the Court, do not appear according to the Exigency thereof, the Plaintiff will be at liberty to sign final Judgment for any Sum not exceeding the Sum above claimed [with Interest at the Rate specified], and the Sum of £ for Costs, and Issue Execution at the Expiration of Eight Days from the last Day for Appearance.

No. 5.

In the Queen's Bench:

On the Day of A.D. 1850.

[*Day of signing the Judgment.*]

England to wit. } *A.B.* in his own Person [*or*, by his Attorney] sued out a Writ of Summons against *C.D.*, indorsed according to the "Common Law Procedure Act, 1852," as follows:

[*Here copy special Indorsement.*]

And the said *C.D.* has not appeared: Therefore it is considered that the said *A.B.* recover against the said *C.D.* £ together with £ for Costs of Suit.

No. 6.

In the Queen's Bench:

The Day of in the Year of our Lord 18 .

Yorkshire to wit. } Whereas *A.B.* has sued *C.D.*, and affirms and denies.

[*Here state the Question or Questions of Fact to be tried.*]

And it has been ordered by the Hon. Mr. Justice , according to "The Common Law Procedure Act, 1852," that the said Question shall be tried by a Jury: Therefore let the same be tried accordingly.

No. 7.

Form of Rule or Summons where a Judgment Creditor applies for Execution against a Judgment Debtor.

[*Formal Parts as at present.*]

C.D. show Cause why *A.B.* [*or as the Case may be*] should not be at liberty to enter a Suggestion upon the Roll in an Action wherein the said *A.B.* was Plaintiff and the said *C.D.* was Defendant, and wherein the said *A.B.* obtained Judgment for £ against the said *C.D.* on the Day of , that it manifestly appears to the Court that the said *A.B.* is entitled to have Execution of the said Judgment, and to issue Execution thereupon, and why the said *C.D.* should not pay to the said *A.B.* the Costs of this Application, to be taxed.

[*Note.—The above Form may be modified so as to meet the Case of an Application by or against the Representative of a Party to the Judgment.*]

No. 8.

No. 8.

Form of Suggestion that the Judgment Creditor is entitled to Execution against the Judgment Debtor.

And now on the Day of it is suggested and manifestly appears to the Court, that the said *A.B.* [*or C.D.*, as Executor of the last Will and Testament of the said *A.B.* deceased, *or as the Case may be,*] is entitled to have Execution of the Judgment aforesaid against the said *E.F.* [*or* against *G.H.*, as Executor of the last Will and Testament of the said *E.F.*, *or as the Case may be*]: Therefore it is considered by the Court that the said *A.B.* [*or C.D.*, as such Executor as aforesaid, *or as the Case may be,*] ought to have Execution of the said Judgment against the said *E.F.* [*or* against *G.H.*, as such Executor as aforesaid, *or as the Case may be.*]

No. 9.

Form of Writ of Revivor.

VICTORIA, by the Grace of God, *&c.*, to *E.F.* of greeting.

We command you that, within Eight Days after the Service of this Writ upon you, inclusive of the Day of such Service, you appear in our Court of to show Cause why *A.B.* [*or C.D.*, as Executor of the last Will and Testament of the said *A.B.* deceased, *or as the Case may be,*] should not have Execution against you [*if against a Representative, here insert,* as Executor of the last Will and Testament of deceased, *or as the Case may be*] of a Judgment whereby the said *A.B.* [*or as the Case may be*] on the Day of in the said Court recovered against you [*or as the Case may be*] £ ; and take notice, that in default of your so doing the said *A.B.* [*or as the Case may be*] may proceed to Execution.

Witness, *&c.*

No. 10.

In the Queen's Bench:

The Day of in the Year of our Lord 18 .

[*The Day of lodging Note of Error.*]

A.B. and *C.D.*

The Plaintiff [*or* Defendant] says that there is Error in Law in the Record and Proceedings in this Action; and the Defendant [*or* Plaintiff] says that there is no Error therein.

(Signed) *A.B.*, Plaintiff.
[*or C.D.*, Defendant.]
[*or E.F.*, Attorney for Plaintiff *or* Defendant].

No. 11.

The Day of in the Year of our Lord 18 .

[*The Day of making the Entry on the Roll.*]

The Plaintiff [*or* Defendant] says that there is Error in the above Record and Proceedings, and the Defendant [*or* Plaintiff] says there is no Error therein.

No. 12.

In the Queen's Bench:

The Day of in the Year of our Lord 18 .

[*The Day of lodging Note of Error.*]

A.B. and *C.D.* in Error.

The Plaintiff [*or* Defendant] says that there is Error in Fact in the Record and Proceedings in this Action, in the Particulars specified in the Affidavit hereunto annexed.

(Signed) *A.B.*, Plaintiff.
[*or C.D.*, Defendant.]
[*or E.F.*, Attorney for Plaintiff] [*or* Defendant].

No. 13.

EJECTMENT.

Form of Writ.

VICTORIA, *&c.*, to *X.*, *Y.*, *Z.*, and all Persons entitled to defend the Possession of [*describe the Property with reasonable Certainty*] in the Parish of in the County of to the Possession whereof *A.*, *B.*, and *C.*, some or One of them, claim to be [*or* to have been on and since the Day of A.D.] entitled, and to eject all other Persons therefrom: These are to will and command you, or such of you as deny the alleged Title, within Sixteen Days after Service hereof, to appear in Our Court of to defend the said Property, or such Part thereof as you may be advised; in default whereof Judgment may be signed, and you turned out of Possession.

Witness, *&c.*

No. 14.

No. 14.

Judgment in Ejectment in case of Nonappearance.

In the Queen's Bench:

The Day of 18 .

[*Date of Writ.*]

Lancashire to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court in these Words; that is to say,

VICTORIA, by the Grace of God [*here copy the Writ*]; and no Appearance has been entered or Defence made to the said Writ: Therefore it is considered that the said [*here insert the Names of the Persons in whom Title is alleged in the Writ*] do recover Possession of the Land in the said Writ mentioned, with the Appurtenances.

No. 15.

In the Queen's Bench:

On the Day of A.D. 18 .

Cumberland to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words; that is to say,

VICTORIA, by the Grace of God [*here copy the Writ*]; and *C.D.* has, on the Day of appeared by his Attorney [*or* in Person] to the said Writ, and has defended for a Part of the Land in the Writ mentioned; that is to say [*here state the Part*], and no Appearance has been entered or Defence made to the said Writ, except as to the said Part: Therefore it is considered that the said *A.B.* [*the Claimant*] do recover Possession of the Land in the said Writ mentioned, except the said Part, with the Appurtenances, and that he have Execution thereof forthwith; and as to the rest, let a Jury come, *&c.*

No. 16.

In the Queen's Bench:

On the Day of A.D. 18 .

Cumberland to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words; that is to say,

VICTORIA, by the Grace of God [*here copy the Writ*]; and *C.D.* has, on the Day of appeared by his Attorney [*or* in Person], to the said Writ, and defended for the whole of the Land therein mentioned: Therefore let a Jury come, *&c.*

No. 17.

Afterwards on the Day of A.D. before and Justices of our Lady the Queen assigned to take the Assizes in and for the within County, come the Parties within mentioned; and a Jury of the said County being sworn to try the Matters in question between the said Parties, upon their Oath say, that *A.B.* [*the Claimant*] within mentioned, on the Day of A.D. was, and still is, entitled to the Possession of the Land within mentioned, as in the Writ alleged: Therefore, *&c.*

No. 18.

In the Queen's Bench:

On the Day of 18 .

[*Date of Writ.*]

Lancashire to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words; that is to say,

VICTORIA, by the Grace of God [*here copy the Writ*]; and *C.D.* has, on the Day of appeared by his Attorney [*or* in Person] to the said Writ, and *A.B.* has discontinued the Action: Therefore it is considered that the said *C.D.* be acquitted, and that he recover against the said *A.B.* £ for his Cost of Defence.

No. 19.

In the Queen's Bench:

The Day of 18 .

[*Date of Writ.*]

Lancashire to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words; that is to say,

VICTORIA, by the Grace of God [*here copy the Writ*]; and *C.D.* has, on the Day of appeared by his Attorney [*or* in Person] to the said Writ, and *A.B.* has failed to proceed to Trial, although duly required so to do: Therefore it is considered that the said *C.D.* be acquitted, and that he recover against the said *A.B.* £ for his Costs of Defence.

No. 20.

No. 20.

In the Queen's Bench:

The Day of 18 .

[*Date of Writ.*]

Lancashire to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, in these Words; that is to say,

VICTORIA, by the Grace of God [*here copy the Writ*]; and *C.D.* has, on the Day of appeared by his Attorney [*or* in Person] to the said Writ, and the said *C.D.* has confessed the said Action [*or* has confessed the said Action as to Part of the said Land, that is to say, *here state the Part*]: Therefore it is considered that the said *A.B.* do recover Possession of the Land in the said Writ mentioned [*or* of the said Part of the said Land], with the Appurtenances, and £ for Costs.

No. 21.

In the Queen's Bench:

The Day of A.D. 18 .

[*Date of Writ.*]

Yorkshire to wit. } On the Day and Year above written, a Writ of our Lady the Queen issued forth of this Court, with a Notice thereunder written, the Tenor of which Writ and Notice follows in these Words; that is to say,

[*Here copy the Writ and Notice, which latter may be as follows:*]

"Take notice, That you will be required, if ordered by the Court or a Judge, to give Bail by yourself "and Two sufficient Sureties, conditioned to pay the Costs and Damages which shall be recovered in "this Action."]

And *C.D.* has appeared by his Attorney [*or* in Person] to the said Writ, and has been ordered to give Bail, pursuant to the Statute, and has failed so to do: Therefore it is considered that the said [*here insert Name of Landlord*] do recover Possession of the Land in the said Writ mentioned, with the Appurtenances, together with £ for Costs of Suit.

SCHEDULE (B.)

FORMS OF PLEADINGS.

STATEMENTS OF CAUSES OF ACTION.

On Contracts.

1. Money payable by the Defendant to the Plaintiff for [*these Words* Money payable, *&c., should precede Money Counts like* 1 *to* 14, *but need only be inserted in the first*] Goods bargained and sold by the Plaintiff to the Defendant.
2. Work done and Materials provided by the Plaintiff for the Defendant at his Request.
3. Money lent by the Plaintiff to the Defendant.
4. Money paid by the Plaintiff for the Defendant at his Request.
5. Money received by the Defendant for the Use of the Plaintiff.
6. Money found to be due from the Defendant to the Plaintiff on Accounts stated between them.
7. A Messuage and Lands sold and conveyed by the Plaintiff to the Defendant.
8. The Goodwill of a Business of the Plaintiff, sold and given up by the Plaintiff to the Defendant.
9. The Defendant's Use, by the Plaintiff's Permission, of Messuages and Lands of the Plaintiff.
10. The Defendant's Use, by the Plaintiff's Permission, of a Fishery of the Plaintiff.
11. Fines payable by the Defendant as Tenant of Customary Tenements of the Manor of to the Plaintiff as Lord of the said Manor, for the Admission of the Defendant into the said Customary Tenements.
12. The Hire of [*as the Case may be*], by the Plaintiff let to hire to the Defendant.
13. Freight for the Conveyance by the Plaintiff for the Defendant at his Request of Goods in Ships.
14. The Demurrage of a Ship of the Plaintiff kept on Demurrage by the Defendant.
15. That the Defendant on the Day of A.D., by his Promissory Note, now over-due, promised to pay to the Plaintiff £ *Two* Months after Date, but did not pay the same.
16. That one *A.*, on, *&c.* [*Date*], by his Promissory Note, now over-due, promised to pay to the Defendant, or Order, £ [*Two*] Months after Date; and the Defendant indorsed the same to the Plaintiff; and the said Note was duly presented for Payment, and was dishonoured, whereof the Defendant had due Notice, but did not pay the same.
17. That the Plaintiff, on, *&c.* [*Date*], by his Bill of Exchange, now over-due, directed to the Defendant, required the Defendant to pay to the Plaintiff £ *Two* Months after Date; and the Defendant accepted the said Bill, but did not pay the same.

18. That the Defendant, on, &c. [*Date*], by his Bill of Exchange, directed to *A.*, required *A.* to pay to the Plaintiff £ [*Two*] Months after Date; and the said Bill was duly presented for Acceptance, and was dishonoured, of which the Defendant had due Notice, but did not pay the same.

19. That the Plaintiff and Defendant agreed to marry one another, and a reasonable Time for such Marriage has elapsed, and the Plaintiff has always been ready and willing to marry the Defendant, yet the Defendant has neglected and refused to marry the Plaintiff.

20. That the Plaintiff and Defendant agreed to marry one another on a Day now elapsed, and the Plaintiff was ready and willing to marry the Defendant on that Day, yet the Defendant neglected and refused to marry the Plaintiff.

21. That the Defendant, by warranting a Horse to be then sound and quiet to ride, sold the said Horse to the Plaintiff, yet the said Horse was not then sound and quiet to ride.

22. That the Plaintiff and the Defendant agreed by Charter-party, that the Plaintiff's Ship called the "Ariel" should with all convenient Speed sail to *R.*, or so near thereto as she could safely get, and that the Defendant should there load her with a full Cargo of Tallow or other lawful Merchandise, which she should carry to *H.*, and there deliver, on Payment of Freight £ per Ton, and that the Defendant should be allowed Ten Days for loading, and Ten for Discharge, and Ten Days for Demurrage, if required, at £ per Day; and that the Plaintiff did all Things necessary on his Part to entitle him to have the agreed Cargo loaded on board the said Ship at *R.*, and that the Time for so doing has elapsed, yet the Defendant made default in loading the agreed Cargo.

23. That the Plaintiff let to the Defendant a House, No. 401, Piccadilly, for Seven Years, to hold from the Day of A.D. at £ a Year, payable quarterly, of which Rent Quarters are due and unpaid.

24. That the Plaintiff by Deed let to the Defendant a House, No. 401, Piccadilly, to hold for Seven Years from the Day of A.D. , and the Defendant by the said Deed covenanted with the Plaintiff well and substantially to repair the said House during the said Term [*according to the Covenant*], yet the said House was during the said Term out of good and substantial Repair.

For Wrongs independent of Contract.

25. That the Defendant broke and entered certain Land of the Plaintiff, called the Big Field, and depastured the same with Cattle.

26. That the Defendant assaulted and beat the Plaintiff, gave him into Custody to a Policeman, and caused him to be imprisoned in a Police Office.

27. That the Defendant debauched and carnally knew the Plaintiff's Wife.

28. That the Defendant converted to his own Use, or wrongfully deprived the Plaintiff of the Use and Possession of the Plaintiff's Goods; that is to say, Iron, Hops, Household Furniture [*or as the Case may be*].

29. That the Defendant detained from the Plaintiff his Title Deeds of Land called Belmont in the County of ; that is to say, [*describe the Deeds*].

30. That the Plaintiff was possessed of a Mill, and by reason thereof was entitled to the Flow of a Stream for working the same, and the Defendant, by cutting the Bank of the said Stream, diverted the Water thereof away from the said Mill.

31. That the Plaintiff was the first and true Inventor of a certain new Manufacture, that is to say, of "certain Improvements in the Manufacture of Sulphuric Acid," and thereupon Her Majesty Queen Victoria, by Letters Patent under the Great Seal of England, granted the Plaintiff the sole Privilege to make, use, exercise, and vend the said Invention within England for the Term of Fourteen Years from the Day of A.D. , subject to a Condition that the Plaintiff should within Six Calendar Months next after the Date of the said Letters Patent cause to be enrolled in the High Court of Chancery an Instrument in Writing under his Hand and Seal, particularly describing and ascertaining the Nature of his said Invention, and in what Manner the same was to be and might be performed, and the Plaintiff did within the Time prescribed fulfil the said Condition, and the Defendant during the said Term did infringe the said Patent Right.

32. That the Defendant falsely and maliciously spoke and published of the Plaintiff the Words following; that is to say, "he is a Thief;"

[*if there be any special Damage, here state it with such reasonable Particularity as to give Notice to the Defendant of the peculiar Injury complained of; for instance,*]

whereby the Plaintiff lost his Situation as Gamekeeper in the Employ of *A.*

33. That the Defendant falsely and maliciously printed and published of the Plaintiff in a Newspaper called " " the Words following; that is to say, "he is a regular Prover under Bankruptcies," the Defendant meaning thereby that the Plaintiff had proved and was in the habit of proving fictitious Debts against the Estates of Bankrupts, with the Knowledge that such Debts were fictitious.

COMMENCEMENT OF PLEA.

34. The Defendant by his Attorney [*or* in Person] says [*here state the Substance of the Plea*].

35. And for a Second Plea the Defendant says [*here state the Second Plea*].

Pleas

Pleas in Actions on Contracts.

36. That he never was indebted as alleged.

[*This Plea is applicable to Declarations like those numbered* 1 *to* 14.]

37. That he did not promise as alleged.

[*This Plea is applicable to other Declarations on Simple Contracts, not on Bills and Notes, such as those numbered* 19 *to* 22. *It would be unobjectionable to use* "did not warrant," "did not agree," *or any other appropriate Denial.*]

38. That the alleged Deed is not his Deed.

39. That the alleged Cause of Action did not accrue within Six Years [*state the Period of Limitation applicable to the Case*] before this Suit.

40. That before Action he satisfied and discharged the Plaintiff's Claim by Payment.

41. That the Plaintiff at the Commencement of this Suit was, and still is, indebted to the Defendant in an Amount equal to the Plaintiff's Claim, for [*here state the Cause of Set-off, as in a Declaration; see Forms ante*], which Amount the Defendant is willing to set off against the Plaintiff's Claim.

42. That *after the alleged Claim accrued, and before this Suit,* the Plaintiff by Deed released the Defendant therefrom.

Pleas in Actions for Wrongs independent of Contract.

43. That he is not guilty.

44. That he did what is complained of by the Plaintiff's Leave.

45. That the Plaintiff first assaulted the Defendant, who thereupon necessarily committed the alleged Assault in his own Defence.

46. That the Defendant, at the Time of the alleged Trespass, was possessed of Land the Occupiers whereof for Twenty Years before this Suit enjoyed as of Right and without Interruption a Way on Foot and with Cattle from a public Highway over the said Land of the Plaintiff to the said Land of the Defendant, and from the said Land of the Defendant over the said Land of the Plaintiff to the said public Highway, at all Times of the Year, for the more convenient Occupation of the said Land of the Defendant, and that the alleged Trespass was a Use by the Defendant of the said Way.

47. That the Defendant, at the Time of the alleged Trespass, was possessed of Land, the Occupiers whereof for Thirty Years before this Suit enjoyed as of Right and without Interruption Common of Pasture over the said Land of the Plaintiff for all their Cattle, levant and couchant, upon the said Land of the Defendant, at all Times of the Year, as to the said Land of the Defendant appertaining, and that the alleged Trespass was a Use by the Defendant of the said Right of Common.

REPLICATIONS.

48. The Plaintiff takes Issue upon the Defendant's 1st, 2d, &c. Pleas.

49. The Plaintiff as to the Second Plea says [*here state the Answer to the Plea as in the following Forms*].

50. That the alleged Release is not the Plaintiff's Deed.

51. That the alleged Release was procured by the Fraud of the Defendant.

52. That the alleged Set-off did not accrue within Six Years before this Suit.

53. That the Plaintiff was possessed of Land whereon the Defendant was trespassing and doing Damage, whereupon the Plaintiff requested the Defendant to leave the said Land, which the Defendant refused to do; and thereupon the Plaintiff gently laid his Hands on the Defendant in order to remove him, doing no more than was necessary for that Purpose, which is the alleged First Assault by the Plaintiff.

54. That the Occupiers of the said Land did not for Twenty Years before this Suit enjoy as of Right and without Interruption the alleged Way.

NEW ASSIGNMENT.

55. The Plaintiff, as to the and Pleas, says, that he sues not for the Trespasses therein admitted, but for Trespasses committed by the Defendant in Excess of the alleged Rights, and also in other Parts of the said Land and on other Occasions, and for other Purposes than those referred to in the said Pleas.

[*If the Plaintiff replies and new assigns, the new Assignment may be as follows:*]

56. And the Plaintiff, as to the and Pleas, further says, that he sues not only for the Trespasses in those Pleas admitted, but also for, *&c.*

[*If the Plaintiff replies and new assigns to some of the Pleas, and new assigns only to the other, the Form may be as follows:*]

57. And the Plaintiff, as to the and Pleas, further says, that he sues not for the Trespasses in the Pleas [*the Pleas not replied to*] admitted, but for the Trespasses in the Pleas [*the Pleas replied to*] admitted, and also for, *&c.*

CAP. LXXVII.

An Act to abolish the Office of Lord Chancellor's Secretary of Bankrupts, and to regulate the Office of Chief Registrar of the Court of Bankruptcy. [30th *June* 1852.]

'WHEREAS it is expedient that the Office of the Lord Chancellor's Secretary of Bankrupts should 'be abolished, and that certain Regulations should be made with respect to the Office of the 'Chief Registrar of the Court of Bankruptcy:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Office of Secretary of Bankrupts abolished.

I. From and after the Commencement of this Act the Office of the Lord Chancellor's Secretary of Bankrupts shall be abolished.

Appointment of the Chief Registrar of the Court of Bankruptcy.

II. From and after the Commencement of this Act *John Campbell* Esquire, One of the Registrars of the Court of Bankruptcy, shall be the Chief Registrar of the said Court, and he and his Successors in Office shall perform all the Duties that have hitherto been performed by the Lord Chancellor's Secretary in Bankruptcy.

Vacancies in Office of Chief Registrar to be filled up from the Registrars.

III. On the Resignation, Removal, or Death of the Chief Registrar of the Court of Bankruptcy for the Time being, the Vacancy thereby occasioned shall be filled up by such One of the Registrars of the said Court for the Time being as the Lord Chancellor shall in that Behalf direct.

Declaration of Insolvency to be filed in Office of Chief Registrar;

IV. From and after the Commencement of this Act, all Declarations of Insolvency and Minutes of Resolutions required to be filed in the Office of the Lord Chancellor's Secretary of Bankrupts by any Acts or Act of Parliament now in force shall be filed in the Office of the Chief Registrar of the Court of Bankruptcy, and shall thereupon have the same Effect and Operation as if they had been filed in the Office of the Lord Chancellor's Secretary of Bankrupts under the Provisions of such Acts or Act.

as also Certificates of unclaimed Dividends.

V. The Certificates by the One hundred and ninety-second Section of "The Bankrupt Law Consolidation Act, 1849," directed to be filed in the Office of the Lord Chancellor's Secretary of Bankrupts, shall, from and after the Commencement of this Act, be filed in the Office of the Chief Registrar of the Court of Bankruptcy.

Certified Copy of Declaration of Insolvency to be Evidence.

VI. A Copy of a Declaration of Insolvency or of such Minute of Resolution filed in the Office of such Chief Registrar under this Act, purporting to be certified by such Chief Registrar or any of his Clerks as a true Copy, shall be received as Evidence of such Declaration or Minute of Resolution respectively having been filed.

Retiring Allowance to Mr. Robert Brown.

VII. 'And whereas *Robert Brown*, One of the Clerks in the Office of such Chief Registrar, is now 'of the Age of Seventy-nine Years, and has been in such Office since the Establishment of a Court in 'Bankruptcy in the Year One thousand eight hundred and thirty-one, and in consequence of his Age 'he is now desirous of retiring from his Office:' Be it therefore enacted, That from and after the Commencement of this Act the said *Robert Brown* shall cease to hold his said Office, and there shall thenceforth be paid to him during his Life the annual Sum of Two hundred Pounds, which annual Sum shall be charged upon the Monies and Securities standing to the Credit of the Account intituled "The Chief Registrar's Account," and shall be payable and paid at such Times as the Lord Chancellor shall by any Order or Orders from Time to Time direct, together with a proportionate Part thereof for the Time which shall have elapsed from the last Payment thereof to the Day of the Death of the said *Robert Brown*.

Appointment of Chief Clerk in the Office of the Chief Registrar.

VIII. From and after the Commencement of this Act, *Edward William Smith*, heretofore the Chief Clerk in the Office of the Lord Chancellor's Secretary of Bankrupts, shall be the Chief Clerk in the Office of the Chief Registrar of the Court of Bankruptcy, and shall continue to receive his present Salary of Five hundred Pounds *per Annum* so long as he shall hold such Office of Chief Clerk; and on his Resignation, Removal, or Death, and on the Resignation, Removal, or Death of any of his Successors, it shall be lawful for the Lord Chancellor to appoint a fit and proper Person to supply such Vacancy; and every such future Chief Clerk shall receive the net yearly Salary of Three hundred Pounds, which shall be charged upon the Monies and Securities standing to the Credit of the Account intituled "The Chief Registrar's Account," and shall be payable and paid at such Times and in like Manner as the Salaries of the Registrars of the Court of Bankruptcy are now paid.

All Acts done since Death of late Chief Registrar made valid.

IX. All Acts, Matters, and Things which, since the Death of the late Chief Registrar of the Court of Bankruptcy, have been done and performed in the Office of the Chief Registrar of the said Court, or which, though actually done and performed by some other Officer or Person, ought to have been done and performed by the Chief Registrar, shall be as valid and effectual as if there had been a Chief Registrar of the said Court, and as if such Acts, Matters, and Things had been done and performed by him or under his Authority.

Present Registrar to continue.

X. The Registrar now in attendance upon the Lords Justices of the Court of Appeal sitting in Bankruptcy shall continue to attend their Lordships on the Hearing of such Appeals; and all Appeals to the said Lords Justices, and all Affidavits and Documents to be used on the Hearing of any such Appeal, shall be entered in the Office of such Registrar.

Office of Clerk of Inrolments abolished, and Duties transferred to Office

XI. From and after the Commencement of this Act, the Office of Clerk of Inrolments in the Court of Bankruptcy shall be abolished; and the Duties of the said Office, and the Clerk at present employed therein, and all Records, Proceedings, Books, Papers, and Documents in the Office of the said Clerk of Inrolments shall be transferred to the Office of the Chief Registrar in *Basinghall Street*, such Records, Proceedings,

Proceedings, Books, Papers, and Documents to be there kept as Records of the Court, all Persons being at liberty to search for any of the Matters so kept of Record. of Chief Registrar.

XII. The present Clerk of Inrolments in the Court of Bankruptcy shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Months after the passing of this Act; and it shall be lawful for the said Commissioners, in such Manner as they shall think fit, to inquire what was the Nature of the said Office, and what was the Tenure thereof, and what were the lawful Salary and Emoluments in respect of which such Compensation should be allowed; and the said Commissioners shall award such Compensation, if any, as they shall think just, and such Compensation shall be charged upon the Monies and Securities standing to the Credit of the Account entitled "The Chief Registrar's Account," and shall be payable and paid at such Times as the Lord Chancellor shall by any Order or Orders from Time to Time direct. Compensation to Clerk of Inrolments.

XIII. In the Construction of this Act the Expression "Lord Chancellor" shall mean and include the Lord High Chancellor of *Great Britain*, and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being. Interpretation of Terms.

XIV. This Act shall commence from and after the First Day of *June* One thousand eight hundred and fifty-two. Commencement of Act.

CAP. LXXVIII.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in *Pimlico* and in the Neighbourhood of *Buckingham Palace*.

[30th *June* 1852.]

'WHEREAS certain Houses and Hereditaments situated in *Pimlico* in the City of *Westminster* and 'County of *Middlesex* were some Time since purchased with Monies produced by the Sale of 'Portions of the Hereditary Land Revenues of the Crown, and conveyed to the Crown as Part of the 'Hereditary Revenues thereof, and such Purchases were made with a view to the Improvement of the 'great and increasing Thoroughfare near the Entrance into *Saint James's Park* at *Buckingham Gate*, 'and having reference not only to the Situation of *Buckingham Palace* but to public Convenience in 'connexion with the Access to the Houses of Parliament and Courts of Law along the *Bird Cage Walk* 'and *Great George Street*, and for the like Purpose the House No. 16, *James Street*, was also in like 'Manner purchased, and with a view to effectuate the aforesaid Objects a Portion of the Buildings so 'purchased, comprising the Houses Nos. 1 to 11 inclusive in *Stafford Row*, with some back Cottages 'and Stables adjoining, have already been pulled down: And whereas, in connexion with the aforesaid 'Improvements, and also for the Improvement of the Royal Mews belonging to *Buckingham Palace*, 'and the widening of the Streets adjoining thereto, there are certain Houses and Buildings in *King's 'Row* and *Arabella Row*, which are Part of the Hereditary Revenues of the Crown, and which it is 'desirable should be pulled down, and the Sites thereof appropriated for the Purposes aforesaid, and 'there are certain other Houses and Hereditaments which it is also desirable to purchase and pull down, 'and to appropriate the Sites thereof or Part thereof for the Purposes aforesaid: And whereas a Plan 'hath been prepared by the Commissioners of Her Majesty's Works and Public Buildings of the said 'Houses and Hereditaments, on which Plan the Houses and Hereditaments so purchased as aforesaid 'are coloured Purple, and the said Buildings and Premises in *King's Row* and *Arabella Row* are 'coloured Brown, and the Houses and Hereditaments which it is desirable to purchase are coloured Red, 'and such Plan has been signed in Duplicate by the First Commissioner of Her Majesty's Works and 'Public Buildings, and One of such Plans has been deposited in the Office of such Commissioners, and 'the other in the Office of Land Revenue Records and Inrolments: And whereas, for the Purpose of 'carrying out the aforesaid Improvements, and for providing the necessary Funds to effectuate the same, 'it is expedient that the Commissioners of Her Majesty's Works and Public Buildings should have such 'Powers as are after set forth:' Now therefore may it please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, herein-after styled "the Commissioners," to sell or exchange such Portions of the said Hereditaments so purchased as aforesaid, or which may be purchased or taken under the Provisions of this Act, and coloured Purple and Red on the said Plan as aforesaid, as shall not in the Opinion of the Commissioners be considered necessary for effectuating the aforesaid Improvements or the Purposes of this Act, such Sales and Exchanges being made on such Terms and Conditions in all respects whatsoever as the Commissioners may think fit; and any Hereditaments taken in exchange shall be conveyed as after directed with respect to Hereditaments to be purchased under the Powers of this Act; and the Monies to arise from any such Sale or Exchange as aforesaid, and also the Monies which have arisen from the Sale of the Materials of the Houses Nos. 2 to 11, both inclusive, in *Stafford Row*, shall be applied for the Purposes of this Act. Commissioners of Public Works and Buildings empowered to sell or exchange Hereditaments deemed not necessary.

II. It shall be lawful for the Commissioners, out of the Monies at their Disposal under this Act, to purchase the Houses and Buildings on or near the West Side of *Stafford Place*, and certain other small Houses and Buildings at the East End of *William Street* leading into *James Street* aforesaid, coloured Red on the aforesaid Plan, or any of them, which they shall consider necessary for the Purposes of this Act, Power to purchase Property near Stafford Place.

Act, and to cause the same to be conveyed to Her Majesty, Her Heirs and Successors, as Part of the Hereditary Land Revenues of Her Crown, but subject to the Provisions of this Act.

Power to pull down certain Houses and Buildings.

III. It shall be lawful for the Commissioners to pull down any of the Houses and Buildings shown on the said Plan, and coloured Purple and Brown, and those coloured Red when purchased or acquired, and the Sites whereof may be required for the Purposes of this Act, and to sell the Materials of the Buildings so pulled down, and apply the Monies to arise from such Sale, and also to receive by their Collector or other Officer in that Behalf appointed or to be appointed, and in the Name of Her Majesty, the Rents and Profits of the said Houses and Buildings until sold or pulled down, and to apply the same for the Purposes of this Act.

Power to form a new Road to communicate with the Victoria Road.

IV. It shall be lawful for the Commissioners to make and form a new Road or Street in continuation Westwards of *James Street* into the *Victoria Road*, and for that Purpose to appropriate such Parts of the Sites of the aforesaid Buildings so to be pulled down or already pulled down, or any other Lands, subject to the Provisions of this Act, and to lay out and appropriate, for the Purpose of widening and improving the adjoining Thoroughfares, and for the Improvement of *Buckingham Palace*, or the Gardens, Grounds, or Outbuildings belonging thereto, the Sites of certain other Portions of the aforesaid Buildings so pulled down or to be pulled down, and such Lands as aforesaid.

Power to improve the King's Road.

V. It shall be lawful for the Commissioners to appropriate any Part of the Site of the Houses coloured Brown on the said Plan to the widening and improving of the *King's Road* and *Arabella Row*, and to appropriate the Residue thereof to the Enlargement of the Royal Mews and the private Grounds of *Buckingham Palace*, and also to appropriate the Sites of the said Houses and Buildings at the East End of *William Street* coloured Red on the said Plan, or some Portions thereof, to the Purpose of improving and widening the Thoroughfare leading from *James Street* to *William Street*; and the Lands appropriated under this Act either to the Improvement of the said Palace or the Gardens or Grounds thereof, or to the Enlargement or Improvement of the Royal Mews, under the Powers of this Act, shall form Part of the said Palace, and be held therewith as Part thereof, and as Part of the Hereditary Land Revenues of the Crown.

Power to purchase Leasehold and other Interests.

VI. The Commissioners may, out of the Monies at their Disposal under this Act, purchase any Leasehold or other Interest now subsisting in any of the said Hereditaments so shown on the said Plan and coloured Purple as aforesaid, and cause the same to be surrendered or assigned to Her Majesty, Her Heirs and Successors, or to a Trustee for Her Majesty, Her Heirs and Successors, as Part of the Hereditary Land Revenues of the Crown, but subject to the Purposes of this Act.

Power to lease Hereditaments.

VII. The Commissioners shall have Power to lease or agree to lease any Part of the said Hereditaments so respectively coloured Purple and Red, or the Sites thereof or of any Part thereof, not wanted for the aforesaid Purposes, and not sold under the Powers of this Act, either for building or otherwise, in such Manner as the Commissioners may think proper, by which Leases the Rents shall be reserved to and the Covenants entered into with Her Majesty, Her Heirs, Successors, and Assigns; and such Leases shall be inrolled in the Office of Land Revenue Records and Inrolments, and the Counterparts of such Leases shall be delivered over to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues; and from and after such Inrolment and Delivery the said Hereditaments so leased shall be and remain under the Management and Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, as Part and Parcel of the Possessions and Land Revenues of the Crown.

Monies payable to the Commissioners of Works and Buildings to be paid over to the Paymaster General.

VIII. All Monies payable to the Commissioners on any Sale or otherwise under the Provisions of this Act, including the Monies which have arisen from the Sale of such Materials as aforesaid, shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same; and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Commissioners to pay Expense already incurred.

IX. It shall be lawful for the Commissioners, out of the Monies at their Disposal under this Act, to pay the Expenses already incurred in the aforesaid Improvements by forming and diverting Roads, and laying down or altering Sewers, Pipes, or Fences, or in anywise incidental to any such Works.

The Chief Commissioner or any Two Commissioners may act.

X. All Acts hereby authorized to be done by the Commissioners of Her Majesty's Works and Public Buildings may be done by the First Commissioner of Her Majesty's Works and Public Buildings, or by any Two of such Commissioners.

Deeds not subject to Stamp Duty.

XI. No Deed or other Instrument made or entered into by or with the Commissioners of Her Majesty's Works and Public Buildings for the Purposes of this Act shall be subject or liable to any Stamp Duty imposed by any Act now in force, or to be imposed by any future Act, unless the same be specially subjected thereto by such future Act.

No Sales, &c. to be made without Consent of Treasury.

XII. No Sale, Purchase, Lease, or Exchange shall be made by the Commissioners under the Authority of this Act without the Consent of the Commissioners of Her Majesty's Treasury.

CAP. LXXIX.

An Act to amend and further extend the Acts for the Inclosure, Exchange, and Improvement of Land. [30th *June* 1852.]

'WHEREAS Acts were passed in the Sessions of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred and eighteen, in the Ninth and Tenth Years of Her Majesty, Chapter Seventy, in the Tenth and Eleventh Years of Her Majesty, Chapter One hundred and eleven, in the Eleventh and Twelfth Years of Her Majesty, Chapter Ninety-nine, in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-three, and in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-three: And whereas it is expedient that the Provisions of the said Acts should be amended and further extended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 8 & 9 Vict. c. 118. 9 & 10 Vict. c. 70. 10 & 11 Vict. c. 111. 11 & 12 Vict. c. 99. 12 & 13 Vict. c. 83. 14 & 15 Vict. c. 53.

No Lands to be inclosed without the previous Authority of Parliament.

I. Notwithstanding the Provisions in the said firstly-recited Act, it shall not be lawful for the Inclosure Commissioners after the passing of this Act to give Notice of their Intention to proceed with the Inclosure of any Lands without the previous Direction of Parliament, and no Land shall be inclosed under the said recited Acts and this Act without the previous Authority of Parliament in each particular Case, as in the said firstly-recited Act provided with reference to Waste Land of any Manor on which the Tenants of such Manor have Rights of Common, and other Lands therein particularly mentioned.

Outfall Drains.

II. For the Purpose of obtaining or improving the Outfall of any Drain or Watercourse in Land to be inclosed, the Valuer acting in the Matter of such Inclosure shall be deemed to be the Person interested under the Provisions of the Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her Majesty, Chapter Thirty-eight, in the Land to be inclosed; and it shall be lawful for such Valuer to direct by his Award by whom and in what Manner such Outfall shall be maintained and repaired; and it shall be lawful for such Valuer to set out and make and also to provide for the proper Repair, Cleansing, and Maintenance of Drains, Watercourses, Embankments, Tunnels, Bridges, and any other necessary Works in or over any Land other than the Land the Subject Matter of such Inclosure, notwithstanding such Land may not be in the Parish or respective Parishes in which the Land to be inclosed may be situate: Provided always, that the same Consent shall be required as if the said Land had been in the Parish or respective Parishes in which the Land to be inclosed is situate; provided also, that when such Inclosure is completed the Valuer shall cease to be deemed the Person interested as aforesaid.

Drains, &c. may be made in Lands out of the Parish in which the Lands to be inclosed are situate.

Remedy in case of Nonpayment of Expenses.

III. The Service of the Notice by the said first-recited Act required to be given by the Valuer, that the Proportion of Expenses payable by any Person is in arrear, and requiring Payment thereof, may be effected in such Manner as is therein directed, or by leaving the same with the Agent of the Person liable to pay such Proportion of Expenses, or at the usual Place of Abode of such Agent; and if the Proportion of Expenses so in arrear, together with lawful Interest and Two Shillings and Sixpence for the Costs of the Preparation and Service of such Notice as aforesaid, shall not be paid on the Expiration of Thirty Days after Service of such Notice, it shall be lawful for the Valuer to recover the same in such Manner as the Proportion of Expenses and Interest are by the said firstly-recited Act authorized to be raised, or, with the Approbation of the Commissioners, to sell the whole or such Part of the Allotment made to such Person so in arrear as shall be sufficient to defray such Expenses, Interest, and Costs, and the Expenses of making and completing such Sale.

Sale of Land directed to be inclosed.

IV. After the Determination of the Claims in the Matter of any Inclosure, and before the Valuer shall have divided and allotted the Lands to be inclosed, it shall be lawful for the Commissioners, upon the Application in Writing of Persons, the aggregate Amount of whose Interests in the Land proposed to be inclosed shall not be less in Value than Two Thirds of the whole Interest in such Land, and who shall not be less in Number than Two Thirds of the Persons whose Claims have been allowed by the Valuer, and also upon the Application in Writing of the other Persons (if any) whose Consents may be necessary under the Provisions of the herein-before firstly-recited Act, in case the said Commissioners shall be of opinion that the Sale of such Lands in whole or in part, but so nevertheless that the Land so proposed to be sold shall not exceed Fifty Acres, would be expedient, by an Order under their Seal, to authorize the Sale thereof in whole or in part, and thereupon all the Provisions of the said firstly-recited Act as to the Sale of Land for the Expenses of an Inclosure, the Conveyance thereof, and the Receipt of the Purchase Money shall be applicable to the Sale of such Land: Provided also, that before any such Sale shall be made, it shall be approved of by the Persons whose Claims have been allowed by the Valuer, at a Meeting convened by the Commissioners for the Purpose of considering the same, and the Majority present at such Meeting shall bind the Minority and all absent Parties.

Meeting to consent to Sale.

Meeting of Persons interested to determine Appropriation of Surplus.

V. After the making of such Order as aforesaid, and of a Sale in pursuance of such Order, the Commissioners shall call a Meeting, in such Manner and with such Notice as to them shall seem fit, of all Persons whose Claims have been allowed by the Valuer, and at such Meeting the Majority in respect of Interest present at such Meeting shall determine, by Resolutions to be passed at such Meeting, how any Surplus of such Purchase Monies as may remain unappropriated after the Payment of all such Expenses as the Commissioners may certify as proper Expenses in the Matter of such Inclosure and in the Proceedings attendant thereon or incident thereto or to the Sale of such Lands shall be appropriated; and it shall

shall be lawful for such Meeting, by Resolutions to be passed in the Manner aforesaid, to appropriate such Surplus of such Purchase Monies to the Endowment of Schools, the Construction or Maintenance of Bridges, Highways, Schoolhouses, Drains, Watercourses, or any other Works or Objects whatever of public Utility, and to provide in what Manner such Monies shall be expended, invested, or managed for the Purposes to which such Monies are so appropriated by such Resolutions.

Resolutions to be confirmed by Commissioners.

VI. Provided that no Resolutions passed at any such Meeting shall be of any Force or Effect until or unless the same shall be confirmed and allowed by the said Commissioners under their Seal.

Second Meeting may be held.

VII. If the said Commissioners shall vary or disallow any Resolutions so passed as aforesaid, they shall, as soon as conveniently may be, call a Second Meeting of Persons whose Claims have been allowed by the Valuer, which Second Meeting shall be attended by an Assistant Commissioner, who shall preside thereat; and at such Second Meeting the Resolutions passed at the First Meeting may, by a like Majority of the Persons present interested in respect of Value, be varied, altered, or rescinded, and other Resolutions may be passed for appropriating such Surplus Monies for the Purposes herein-before mentioned; provided that such Resolutions shall in like Manner be of no Force or Effect unless confirmed and allowed by the said Commissioners under their Seal.

Appropriation of Surplus if Resolutions disallowed.

VIII. In case the said Commissioners shall disallow the Resolutions passed at such Second Meeting, or if at any Meeting so to be called as aforesaid no Resolutions to the Effect aforesaid shall be passed, then such Surplus of such Purchase Monies shall be expended from Time to Time in lieu or in aid of the Rate for the Maintenance or Repair of the Highways of the Parish or Parishes within which such Land liable to be inclosed is situate, and in case the said Lands shall be situate in more than One Parish then the Division of such Surplus Monies between the said Parishes shall be proportioned to the Quantity of the Land liable to be inclosed which is situate within each Parish.

Award to be made.

IX. After the Confirmation of such Resolutions as aforesaid the said Commissioners or an Assistant Commissioner shall frame an Award, in such Manner and with all such Formalities as are required by the said first-recited Act for a final Inclosure Award, and thereby, after reciting the Sums allowed by the said Commissioners, and paid for Expenses incurred in the Matter of the Inclosure, and in the Proceedings attendant thereon or incident thereto, or to the Sale of such Lands, or to the Improvement thereof for Purposes of Sale or otherwise, shall award and direct the Appropriation of the Surplus Monies, if any, in such Manner as to carry out the true Intent and Meaning of any Resolutions passed and confirmed as herein-before mentioned, or in default of any such confirmed Resolutions, then of the Appropriation of such Surplus in the Manner herein-before provided by this Act.

Award not to be impeached.

X. After the Confirmation of any Instrument purporting to be an Award made and confirmed under the Provisions of this Act, such Instrument shall be unimpeachable, and shall be in all respects valid and operative as an Award for all the Purposes aforesaid.

Sales how to be made.

XI. The whole of the said Expenses, Interest, and Costs, or so much and such Parts thereof as shall be unpaid, or shall not have been recovered under the Provisions of the said firstly-recited Act, in case the Valuer shall have proceeded for the Recovery thereof as therein authorized, may be raised by such Sales, which shall be made by the Valuer, with the Approbation of the said Commissioners, in the same Manner and subject to the same Regulations as are in the said firstly-recited Act prescribed in respect of the Sale of Part of the Land subject to be inclosed towards defraying the Expenses of the Inclosure; and every Part of an Allotment for which the full Purchase Money shall be paid shall be conveyed by the Commissioners, at the Expense of the Purchaser, as he shall appoint, and shall be inclosed, and held by such Purchaser in Severalty, and any such Conveyance may be to the Effect set forth in the Schedule to the said Act, and shall be Evidence of the Regularity of the Sale in pursuance of which such Conveyance shall be made: Provided always, that nothing herein contained shall enable the Commissioners to convey any Allotments set out as Copyhold or Customary as Freehold, but such Copyhold or Customary Allotments shall be held by the Purchaser thereof by, under, and subject to the same Rents, Suits, and Services as such Allotments would have been held in case no such Sale had been made.

Application of Purchase Money.

XII. The Receipt of the Commissioners shall be a sufficient Discharge to the Purchaser for the said Purchase Money; and such Purchase Money shall be applied by the Commissioners in or towards defraying the Costs, Interest, and Expenses for raising which such Sale shall have been made, and the Surplus (if any) shall be paid to or for the Benefit of the Parties whose Allotments, or any Part thereof, shall have been sold; and the Shares of such of them as shall be Tenants in Fee Simple, free from Incumbrances, shall be paid to them respectively, and the Shares of the other Proprietors of such surplus Money shall be applied and disposed of in such and the same Manner as the Surplus of any Monies arising from the Sale of Part of an Allotment for raising Money for Expenses is by the said firstly-recited Act directed to be applied and disposed of.

Obtaining Possession of Encroachments.

XIII. When any Person by whom any Encroachment or Inclosure, of whatever Value, which under the said firstly-recited Act shall be deemed to be Parcel of the Land subject to be inclosed, shall be actually occupied, shall neglect or refuse to quit and deliver up Possession of the same, or any Part thereof, to the Valuer acting in the Matter of the Inclosure, within One Calendar Month next after the Determination of Claims under the said firstly-recited Act, the Possession thereof may be recovered by such Valuer, under the Provisions of the Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her Majesty, Chapter Seventy-four, in such and the same Manner as if such Occupier of an Encroachment or Inclosure were the Tenant of a House, Land, or Corporeal Hereditament the Possession of which is recoverable under such last-mentioned Act, whose Term or Interest had ended, and the Valuer were the Landlord of the said Premises: Provided always, that the

Form

Form of Notice of Valuer's Intention to apply to Justices to recover Possession, "Complaint before Two Justices," and "Warrant to Peace Officer to take and give Possession," set forth in the Schedule to this Act, shall be substituted for the Forms set forth in the Schedule to the said last-mentioned Act; and all Costs and Expenses incurred by the Valuer in the Recovery of the Possession of Encroachments or Inclosures, or incident thereto or arising therefrom, shall be deemed Expenses in the Matter of such Inclosure. Expenses.

XIV. Notwithstanding the Provisions in the said firstly-recited Act with reference to the fencing of Allotments for Exercise and Recreation, and of Town Greens and Village Greens allotted for such Purposes, it shall be lawful for the Commissioners, by an Order under their Seal, in such Cases as they shall see fit, to direct that such Allotments, Town Greens, and Village Greens respectively shall be distinguished by Metes and Bounds, but not fenced. Village Greens and Allotments for Exercise and Recreation shall not be fenced in certain Cases.

XV. The Valuer in the Matter of any Inclosure shall, within One Calendar Month next after the Division of the Land to be inclosed and staking out of the Allotments, send to the Office of the Commissioners his Report, with such a Map thereunto annexed as is required by the said firstly-recited Act, unless such Time be extended by the Commissioners by an Order under their Seal; and it shall not be lawful for the Valuer to direct the Allotments to be entered upon by the Persons for whom the same shall be intended until he shall be authorized so to do by an Order under the Seal of the Commissioners. Report to be sent to Commissioners in One Month from staking out Allotments.

XVI. Fruit Trees standing and growing upon any Land to be inclosed shall not be dealt with as Timber Trees and other Trees are by the said firstly-recited Act directed to be dealt with, but shall be allotted and go along with the Land whereon they respectively stand, and shall be deemed the Property of the several Persons to whom the same Land shall be respectively allotted; and in estimating the Value of such Allotments the Valuer shall make such Allowance for the increased Value of the Land by reason of the Fruit Trees standing and growing thereon as he shall deem just and reasonable. As to the Allotment of Fruit Trees.

XVII. In any Case of Division of intermixed Land, Exchange, or Partition in which it shall appear to the Commissioners from the Number of Persons interested in the Subject Matter of the Division, Exchange, or Partition, or the Nature of their Interests, that the Direction in the said recited Acts that a Copy of the Order under the Seal of the Commissioners shall be delivered to each of the Parties upon whose Application such Order shall be made are inapplicable, it shall be lawful for them, instead of delivering a Copy of such Order to each of such Parties, to direct by an Order under their Seal that Copies shall be deposited in such and the same Manner as Copies of an Award in the Matter of an Inclosure under the said Acts are directed to be deposited, and thereupon all the Provisions in the said firstly-recited Act relating to the Deposit, Custody, and Inspection of Copies of such Awards, and for the furnishing of Copies of and Extracts therefrom, shall be applicable to Copies of such Orders of Division, Exchange, and Partition respectively: Provided always, that the Commissioners shall, upon the Request and at the Cost of any Person upon whose Application such Order was made, furnish him with a Copy of the Order sealed with their Seal. Deposit of Orders of Exchange and Partition in certain Cases.

XVIII. Notwithstanding the Provisions of the firstly-recited Act, it shall be lawful for the Valuer, with the Approbation of the Commissioners, by his Award in the Matter of any Inclosure, to direct that the first half-yearly Payment of a Rentcharge payable out of an Allotment for the Labouring Poor shall be made on any First Day of *July* or First Day of *January*, not being less than Six Months nor more than Three Years from the Confirmation of such Award; and in default of such Direction the first half-yearly Payment of such Rentcharge shall be made as directed by the said firstly-recited Act. Commencement of Rentcharge out of Labouring Poor Allotments.

XIX. It shall be lawful for the Valuer, in pursuance of Instructions duly given in that Behalf, to sell any Rentcharge payable out of Allotments for the Labouring Poor for the Purpose of raising all or any Part of the Expenses of the Inclosure; and such Rentcharge shall be sold and conveyed in such and the same Manner as if the same were Land sold under the said firstly-recited Act for Payment of the Expenses incident to an Inclosure. Rentcharge may be sold towards Expenses.

XX. Upon the hearing of any Claim to a Right of Common or other Right in the Matter of an Inclosure, the Claimant shall have the full Benefit of the Provisions of the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-one, and of the Fifty-fourth Section of the firstly-recited Act, without any special Reference being made thereto in such Claim. 8 & 9 Vict. c. 118. s. 54. need not be specially referred to in Claims.

XXI. Where any Allotment has been made in trust or otherwise under any Inclosure Award for any public or parochial Purpose, or for the Benefit of the Inhabitants or others within any Parish or Manor, and it shall appear to the said Commissioners to be no longer necessary, convenient, or suitable for the Purposes for which the same shall have been made, it shall be lawful for the Commissioners, upon the Application in Writing of the Churchwardens and Overseers of the Poor of the Parish in which such Allotment is situated, or the Trustees for the Time being of such Allotment, and of the Person interested in any Land or other Subject Matter of Exchange under the said recited Acts or either of them which he may be willing to give in Exchange for such Allotment, in case they shall be of opinion that such Exchange would be mutually beneficial, to cause to be framed, and to confirm, an Order of Exchange of such Allotment for such other Land or other Subject Matter of an Exchange as aforesaid, and all the Provisions of the said recited Acts applicable to Exchanges shall extend and be applicable to any such Applications for Exchange: Provided always, that it shall be lawful thereby to declare any new Trusts, if the same shall have been approved of by a Majority of the Persons for whose Benefit such Allotment as aforesaid was set out present at a Meeting convened by the Commissioners for the Purpose of considering the same. Allotments set out under Local Acts may be exchanged.

Application of Compensation for Common Rights paid under the Lands Clauses Consolidation Act, 1845.

XXII. Where any Money shall have been or may hereafter be paid to a Committee under "The Lands Clauses Consolidation Act, 1845," or under any Railway or other special Act by which Money may have been directed or authorized to be paid to a Committee, as Compensation for the Extinction of Commonable or other Rights, or for Lands being Common Lands or in the Nature thereof, the Right to the Soil of which may have belonged to the Commoners, and such Committee shall be of opinion that the Provisions of such Act for the Apportionment thereof cannot be satisfactorily carried into effect, such Committee may make Application in Writing to the Commissioners to call a Meeting of the Persons interested in such Compensation Money for the Appointment of Trustees of such Compensation Money and for the Investment thereof, and for the Application of the Interest and annual Produce thereof to such Purposes for the Benefit of the Persons interested therein as the Commissioners shall approve; and if the said Commissioners shall think fit to proceed with such Application they shall call a Meeting accordingly, and the Decision of the Majority in Number and the Majority in respect of Interest of the Persons present at such Meeting shall bind the Minority and all absent Parties: Provided always, that if no Instructions shall be resolved upon, or in case the Commissioners shall deem such Instructions unjust or unreasonable, they may, by an Order under their Seal, give such Instructions for the Investment of such Compensation Money and for the Application of the Income thereof as they shall think fit; and such Order under the Seal of the Commissioners, or the Order approving of such Instructions as aforesaid, shall contain Provisions for the Appointment of new Trustees from Time to Time, and Copies of such Order shall be deposited and kept in like Manner as Copies of an Award are by the firstly herein-before recited Act directed to be deposited and kept, and the said Committee shall be absolutely discharged from all Liability in respect of such Compensation Money upon Payment thereof to the said Trustees, who shall, out of such Money, in the first place pay and discharge all Expenses which may be incurred by the said Commissioners in respect of or in any way incident to such Application and Order, and apply or invest the Surplus thereof in such Manner as shall by such Order be authorized or directed.

In Cases of Boundary Appeal, Commissioners may order Production of Maps, &c.

Costs of Appeal.

XXIII. The said Commissioners, or any Assistant Commissioner specially appointed by them, in Cases of Appeal to a Jury on Questions of Boundary, may, if they or he shall see fit, order the Production of any Terriers, Maps, Plans, and Surveys, or Copies thereof, touching the Matter in question; and all Costs, Charges, and Expenses properly incurred by the said Commissioners and Assistant Commissioner, or by the Valuer, or any other Person or Persons, in supporting the Award and Decision of the said Commissioners or of the Assistant Commissioner, and incidental thereto, including the Costs, Charges, and Expenses of producing, and of the making or procuring and producing Office or other Copies or Extracts of Maps, Surveys, or other Documents, shall be included in the Costs of such Appeal, and be payable and recoverable in like Manner as if the same were Expenses of Witnesses under the firstly herein-before recited Act.

Extending Provisions of firstly-recited Act as to Bond in Cases of Boundary Appeal.

XXIV. The Provisions of the said firstly-recited Act, whereby a Bond with Two sufficient Sureties is directed to be entered into by any Person requiring a Jury to be summoned to try any Question relating to Boundaries for Payment of the Costs and Expenses therein mentioned, shall extend to and include all Costs, Charges, and Expenses which may be properly incurred by the said Commissioners and Assistant Commissioner, or by the Valuer, or any other Person or Persons in supporting the Award and Decision of the said Commissioners or of the Assistant Commissioner, and incidental thereto, in case such Decision and Award shall be confirmed by the Jury summoned to try the same under the said Act.

Power to recover Costs in Cases of feigned Issue.

XXV. Where any Determination of the Commissioners or Assistant Commissioner shall be removed by Writ of Certiorari under the Provisions of the said firstly-recited Act into Her Majesty's Court of Queen's Bench, and the same shall be confirmed, such Court may make such Rules and Orders therein as to the Costs, Charges, and Expenses incurred therein, or in any feigned Issues thereon, by the Commissioners, or by the Person or Persons supporting the same, as may appear just and reasonable, notwithstanding the same may exceed the Amount of the Recognizance required by the said Act to be entered into, and the like Execution may be had for the same, as if such Costs had been recovered upon a Judgment of Record of the said Court.

Costs incurred by Commissioners to be deemed Part of Inclosure Expenses in certain Cases.

XXVI. In every Case of such Removal by Certiorari of the Determination of the Commissioners or Assistant Commissioner, and in every Case of feigned Issue to which the said Commissioners or Assistant Commissioner shall be a Party, the Costs, Charges, and Expenses incurred by them or him in supporting the Determination or Award in dispute, as well as the Amount of any Costs paid by them or him to any other Party or Parties pursuant to the Decision of the said Court, shall be deemed to be Part of the Expenses of the Inclosure to which such Determination or Award shall relate, and shall be paid by such Parties and in such Proportions as the said Commissioners or Assistant Commissioner shall direct, subject nevertheless to the Provisions herein-before contained.

Fee to Clerk of the Peace upon the Deposit of Copy of Inclosure Award.

XXVII. 'And whereas it is doubtful whether any or what Fee is payable to the Clerk of the Peace 'upon the Deposit with him of a Copy of an Inclosure Award under the Provisions of the said firstly-'recited Act:' Be it enacted, That the Fee upon such Deposit shall be the Sum of Ten Shillings and no more.

The Word "Parish" to include District having separate Surveyor of Highways.

XXVIII. 'And whereas by the said fifthly-recited Act Power is given to the Valuer in the Matter of 'any Inclosure to declare by his Award how much and which Part of any of the Lands to be allotted and 'divided or dealt with by such Award, or of any Roads passing over or through the same or any Part 'thereof, shall be and be deemed to be situate in any Parish or Parishes in which any of the Land so to 'be divided, allotted, or dealt with shall be situated:' Be it enacted, That the Words "Parish" or "Parishes"

"Parishes" herein-before recited shall include and also be intended to mean District or Districts having a separate Surveyor or Surveyors of the Highways.

Confirmed Awards and Orders may be corrected.

XXIX. In case of any fraudulent or other Error or Omission in any Award or Order confirmed by the Commissioners, the said Commissioners may, by an Order under their Hands and Seal, by Indorsement or otherwise, correct such Error or supply such Omission, and such Order shall be ingrossed, and, where not indorsed as aforesaid, be deposited with the original Award or Order, and shall thenceforth be and be deemed to be Part thereof to all Intents and Purposes; and all the Expenses incident thereto shall be paid by the Party (if any) who shall have requested the Commissioners to make and execute the same, or by his Executors or Administrators.

Copy of Map may be annexed to the Award.

XXX. The Commissioners may, if they shall think fit, direct the Valuer to annex to his Award, in substitution for the Map referred to by his Report, a Copy thereof, of which the Accuracy shall be certified under their Seal.

Land held under separate Titles, &c. by the same Person may be partitioned.

XXXI. Any Person interested in any Land or other Subject Matter of Partition in undivided Shares held under separate Titles, or for distinct and separate Interests, or subject to separate Charges or Incumbrances, may effect a Partition of the same in such and the same Manner as if different Persons had been interested therein.

Power to effect Partitions and Exchanges where Parties interested in Land, Subject Matter of Partition, and also in the Entirety of any Land.

XXXII. Where any Person or Persons interested in any undivided Parts or Shares of any Land or other Subject Matter of Partition, within the Meaning and Intent of the said recited Acts, or any of them, and also interested in the Entirety of any Land or other Subject Matter of Exchange within the Meaning and Intent of the said recited Acts or any of them, shall be desirous at One and the same Time of effecting a Partition and Exchange thereof, it shall be lawful for such Persons so desirous of effecting such Partition and Exchange to agree between themselves to effect the Partition and Exchange, in such a Manner and in such Proportions as they shall think fit, so that the Land to be allotted to such Person or Persons in Severalty, by means of such Partition, together with the Land to be taken in Exchange by such Person or Persons, shall be a fair equivalent in Value for the Land so to be allotted in Severalty to and the Land to be taken in Exchange by the other Person or Persons; and the Commissioners may, upon the Application in Writing of the Persons so interested, direct Inquiries whether such Arrangement would be beneficial to the Owners of such Lands and such undivided Parts or Shares respectively, and in case they shall be of opinion that such Arrangement would be beneficial, and that the Terms thereof are just and reasonable, they shall, unless Notice of Dissent be given in the Manner provided by the said several recited Acts, cause to be framed and confirmed an Order of Partition and Exchange, with a Map or Plan thereunto annexed, in which Order shall be specified and shown the Lands allotted and awarded to each Party under the said Arrangement; before making such Order of Partition and Exchange, the Commissioners shall ascertain, and shall in such Order specify, what Portions of the Lands so to be awarded and allotted to each or any Party is equivalent in Value to the undivided Part or Share of such Party in the Lands partitioned, and the said Portions so ascertained and specified shall be taken and deemed to be so awarded and allotted under the Partition; and the said Commissioners shall also ascertain, and shall in such Order specify, what Portion of the Lands so to be awarded and allotted to each or any Party is equivalent in Value to the Land given in Exchange by such Party, and such Portion so ascertained and specified shall be deemed to be so awarded and allotted by way of Exchange; and the Land awarded and allotted by such Order to each Party shall be held in the following Manner, *viz.*, so much thereof as by the said Order shall be awarded and allotted under the Partition shall be and enure to, for, and upon the same Uses, Trusts, Intents, and Purposes, and subject to the same Conditions, Charges, and Incumbrances, as the undivided Part or Share of the Party would have stood limited or been subject to in case the said Order had not been made, and so much of the said Land as by the said Order shall be awarded and allotted by way of Exchange shall be and enure to, for, and upon the same Uses, Trusts, Intents, and Purposes, and subject to the same Conditions, Charges, and Incumbrances, as the Land given in Exchange would have stood limited or been subject to in case such Order had not been made.

Penalty where Stock found on regulated Pastures.

XXXIII. Any Person having any Stock or Animals on any regulated Pasture contrary to the Regulations of such Pasture, on being convicted thereof before Two Justices of the Peace having Jurisdiction in the County or Place shall forfeit and pay for and in respect of each Head of Stock or Animal found in such regulated Pasture such Sum of Money, not exceeding Five Pounds, as such Justices shall think proper to inflict, by way of Penalty, and such Sum shall be paid to the Field Reeve, to be applied by him in aid of the Rates by the firstly herein-before recited Act authorized to be raised on the Owners of Stints in regulated Pastures; and the Provisions of the Act of the Seventh and Eighth Years of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to malicious Injuries to Property*, concerning the Prosecution of Offenders punishable on Summary Conviction under such Act, and the Form of such Conviction, and concerning the Cases of a Summary Conviction under such Act, where the Sum which shall be forfeited for the Amount of Injury done shall not be paid, and all other Provisions of such Act consequent upon or in relation to such Proceedings and Conviction, shall be applicable to the Offences under this Act, and the Prosecution and Conviction for the same respectively, save that any Matter by the said Act directed to be done by the Justices shall be done by Two Justices as aforesaid: Provided always, that no Remedy which any Field Reeve might otherwise have under the firstly herein-before recited Act, or otherwise, shall be in any Manner prejudiced or affected by the Provision last herein-before contained.

Short Title.

XXXIV. In citing this Act, the said recited Acts, and the Acts passed in pursuance of the Annual or any Special Reports of the Commissioners, or any or either of them, in other Acts of Parliament, in Conveyances, Documents, and legal Instruments, it shall be sufficient to use the Expression, "The Acts for the Inclosure, Exchange, and Improvement of Land."

This Act to be deemed Part of recited Acts.

XXXV. This Act shall be taken to be a Part of the said recited Acts, and be construed therewith.

SCHEDULE to which this Act refers.

FORM No. 1.

NOTICE of Valuer's Intention to apply to Justices to recover Possession where there are Buildings, Fences, or Erections.

I of in the County of the Valuer acting in the Matter of the Inclosure of situate in the of in the County of hereby give you Notice, that the Encroachment [*or* Inclosure, *as the Case may be,*] from the said Lands to be inclosed [*shortly describing it*] situate now in your Possession, is, with the Residue of the said Lands, about to be divided, allotted, and inclosed, and that you are at liberty, within Two Calendar Months from the Service of this Notice, to take down and remove all Buildings, Fences, and other Erections now standing on the said Encroachment [*or* Inclosure], and to convert the Materials thereof to your own Use.

And I further give you Notice, that, unless peaceable Possession of the said Premises be given to me on or before the Expiration of Two Calendar Months from the Service of this Notice, I shall on the Day of next at of the Clock of the same Day at apply to Her Majesty's Justices of the Peace acting for the District of [*being the District, Division, or Place in which the said Premises or any Part thereof is situate,*] in Petty Sessions assembled, to issue their Warrant directing the Constables of the said District to enter and take Possession of the said Premises, and to eject any Person therefrom.

Dated this Day of .

(Signed) Valuer.

To .

FORM No. 2.

NOTICE of Valuer's Intention to apply to Justices to recover Possession where there are no Buildings, Fences, or Erections.

I of in the County of the Valuer acting in the Matter of the Inclosure of situate in the of in the County of , hereby give you Notice, that, unless peaceable Possession of the Encroachment [*or* Inclosure, *as the Case may be,*] from the said Lands to be inclosed [*shortly describing it*], situate now in your Possession, be given to me on or before the Expiration of Seven clear Days from the Service of this Notice, I shall on the Day of next at of the Clock of the same Day at apply to Her Majesty's Justices of the Peace acting for the District of [*being the District, Division, or Place in which the said Premises or any Part thereof is situate,*] in Petty Sessions assembled, to issue their Warrant directing the Constables of the said District to enter and take Possession of the said Premises, and to eject any Person therefrom.

Dated this .

(Signed) Valuer.

To .

FORM No. 3.

COMPLAINT BEFORE THE JUSTICES.

THE Complaint of the Valuer acting in the Matter of the Inclosure of situate in the of in the County of made before us, Two of Her Majesty's Justices of the Peace acting for the District of in Petty Sessions assembled, who saith that is in the Occupation of an Encroachment [*or* Inclosure] from the said Lands to be inclosed, consisting of and that on the Day of he determined the Claims in the Matter of the said Inclosure, and that on the Day of being more than One Calendar Month from the Determination of the said Claims, the said did serve on [*Person in possession of Encroachment or Inclosure*] a Notice in Writing of his Intention to apply to recover Possession of the said Premises (a Duplicate of which Notice is hereto annexed), by giving, *&c.* [*describing the Mode in which the Service was effected*], and that notwithstanding the said Notice the said refused [*or* neglected] to deliver up Possession of the said Premises, and still detains the same.

(Signed)

Taken the Day of before us,

(Signed)

A Duplicate of the Notice of Intention to apply is to be annexed to this Complaint.

FORM No. 4.

WARRANT TO PEACE OFFICERS TO TAKE AND GIVE POSSESSION.

WHEREAS [*set forth the Complaint*]: We, Two of Her Majesty's Justices of the Peace in Petty Sessions assembled, acting for the of do authorize and command you on any Day within Days from the Date hereof [*except on Sunday, Christmas Day, and Good Friday, to be added, if necessary,*] between the Hours of Nine in the Forenoon and Four in the Afternoon to enter (by Force, if needful,) and with or without the Aid of the Valuer, or any other Person or Persons whom you may think requisite to call to your Assistance into and upon the said Encroachment or Inclosure, and to eject thereout any Person, and of the said Encroachment or Inclosure full and peaceable Possession to deliver to the said [*the Valuer*].

Given under our Hands and Seals, this Day of

To and all other
Constables and Peace Officers
acting for the
District of

CAP. LXXX.

An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court.

[30th *June* 1852.]

'WHEREAS Proceedings before the Masters in Ordinary of the High Court of Chancery are attended with great Delay and Expense, and it is expedient that the Business now disposed of in the 'Office of such Masters should be transacted by and under the more immediate Direction and Control of 'the Judges of the said Court:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Office of Masters in Ordinary in Chancery abolished.

I. The Office of Master in Ordinary of the High Court of Chancery shall be and the same is hereby abolished, but reserving and subject to the Execution by the present Masters in Ordinary of the said Court, as such, of the Duties herein-after provided for; and until they are released under this Act they shall, for the Performance of such Duties, continue to have all the Powers conferred upon them by any Act of Parliament, or otherwise vested in them.

Vacancies in Office of Masters not to be filled up.

II. No Vacancy which has already occurred or may hereafter occur in the Office of Master in Ordinary of the said Court shall be filled up, nor shall any future Accountant General be made or become One of the Masters in Ordinary.

Two of the Masters in Ordinary released from their Duties on First Day of Michaelmas Term, 1852, &c.

III. On the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two *James William Farrer* Esquire and *William Brougham* Esquire, Two of the Masters in Ordinary of the said Court, shall be released from their Duties as such Masters; and as often thereafter as, in the Judgment of the Lord Chancellor, from the State of Business in the said Court, any other Master or Masters can be spared, it shall be lawful for the Lord Chancellor to release any such Master or Masters at such Time or Times as to him shall seem meet: Provided always, that nothing in this Act contained shall extend to release, or to authorize the Lord Chancellor to release, any of the Masters from Attendance upon the House of Lords without the Order of the House: Provided also, that if, from the Nature of any particular Matter or Matters depending before either of the said Masters herein-before respectively named, it shall in the Opinion of the Lord Chancellor be desirable that such Matter or Matters should be worked out by or before the same Master before whom the same shall be depending, it shall be lawful for the Lord Chancellor to direct such Master to continue the Prosecution of such Matter or Matters, and such Master shall prosecute the same accordingly, in the same Manner and with the same Powers in every respect as if he had not been released from his Duties under this Act.

Proviso as to certain Matters depending before the said Masters.

Option to Masters to retire according to Seniority, &c.

IV. Every Master to be released by the Lord Chancellor shall have the Option to retire tendered to him according to his Seniority in Office; and if any such Master shall, for One Calendar Month after such Option tendered to him, neglect or decline to avail himself thereof, then the Lord Chancellor may tender the like Option to the next in succession in Seniority in Office, and so *toties quoties;* but when the Lord Chancellor shall be of opinion that the Services of none of the Masters are any longer necessary for the due Execution of the Business of the said Court, it shall be lawful for him to release every remaining Master.

Power to Lord Chancellor to release remaining Masters.

Masters Salaries and Compensation Allowance continued by way of Retiring Pensions, &c.

V. Each One of the Masters to be so released on the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two shall nevertheless continue entitled to receive during his Life, by way of Retiring Pension, the full Amount of his Salary as such Master, including the Amount of the Compensation Allowance payable to him as such Master; and every Master who may be so released subsequently to the same First Day of *Michaelmas* Term One thousand eight hundred and fifty-two shall also continue entitled to receive by way of Retiring Pension the full Amount of his Salary as such Master.

Retiring Pensions, &c. to be paid in the same Manner as present Salaries.

VI. The Salaries or Retiring Pensions and Compensation Allowances payable to the Masters so to be released shall continue to be payable out of the same Funds, on the Days, and in the same Manner in all respects, as their present Salaries and Compensation Allowances respectively.

VII. In

Power to Masters to summon Parties, &c., and to settle and wind up Proceedings before them.

VII. In order as expeditiously as may be to wind up all the Causes, Matters, and Things which may from Time to Time be depending before or have been referred to the Masters in Ordinary of the said Court, it shall be lawful for every Master, at any Time after the passing of this Act, to summon as he shall deem fit all or any of the Parties to any Cause, Matter, or Thing so depending, or their Solicitors, and thereupon to proceed with such Cause, Matter, or Thing, and give such Directions and make such Order as he may think necessary for the Purpose of settling and winding up the same; but any such Order shall be subject to be discharged or varied by the Court upon Application made for that Purpose; and the Master shall be at liberty to proceed for the Purposes aforesaid in the Absence of any of the Parties or Solicitors neglecting or refusing to attend the Summons.

Power to Court, upon Master's Report or Certificate, to make Order for Prosecution or final Disposal of any Suit, &c.

VIII. In case the Master shall be unable, by reason of the Conduct of Parties, or otherwise, to finally dispose of any Cause, Matter, or Thing, he shall be at liberty to dispose of any Part thereof within his Power, and to report or certify on the whole of the Case; and upon such Report or Certificate the Court shall make such Order as it shall think proper on all or any of the Parties, for the further Prosecution of the Suit or Matter, or for the final Disposal thereof, and for the Payment of the Costs thereof, including any of the Costs which may have been incurred by reason of the Conduct of the Parties.

On Neglect of Parties to bring Master's Report before the Court, Solicitor to Suitors Fee Fund to do so.

IX. In the event of the Parties in any Cause, Matter, or Thing, or their Solicitors, refusing or neglecting, within a Time to be fixed by the Master, to bring the Master's Report or Certificate before the Court, the same may, by Direction of the Master, be brought before the Court by the Solicitor for the Time being to the Suitors Fund; and the Court is hereby empowered to order Payment of the Costs and Expenses of the Solicitor to the Suitors Fund out of such of the Funds in the Cause, Matter, or Thing, or by such Parties, as to the Court shall seem just; and in case Payment thereof cannot be obtained by any of the Means aforesaid, the same, by the Direction of the Court, may be paid out of the Suitors Fund.

No fresh References, except in Cases already before Masters, and in Matters under Winding-up Acts.

Until all the Masters are released from their Duties, those remaining shall prosecute Business depending.

Power now vested in Masters reserved to them for such Purposes.

X. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two no Reference shall be made to any of the Masters in Ordinary of the said Court, except in Cases in which, from some previous Reference made in the Cause or Matter, or in some other Cause or Matter connected therewith, the Court may think it expedient to make such Reference, and except in Matters arising under the Joint Stock Companies Winding-up Acts, 1848 and 1849: Provided always, that until all the Masters in Ordinary of the said Court shall have been removed by Resignation, Death, or otherwise, or have been released from their Duties under this Act, such of the Masters in Ordinary of the said Court as shall for the Time being remain in Office, and shall not be released from their Duties under this Act, shall prosecute all the Business which on the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two shall be depending before the Masters, and also all the References which before the said First Day of *Michaelmas* Term One thousand eight hundred and fifty-two shall have been made under Decrees or Orders of the Court, or which on or after the same First Day of *Michaelmas* Term shall be made in relation to such excepted Matters as aforesaid; and the same, if necessary, shall be distributed amongst such remaining Masters in such Manner as the Lord Chancellor shall direct; and the Powers and Authorities now vested in them are hereby reserved to them for the Purpose of executing and performing all the Duties, Matters, and Things which may be still referred to them, or which they may be lawfully called upon to perform.

Power to Master of the Rolls and Vice Chancellors to sit at Chambers for the Despatch of Business, &c.

XI. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two it shall be lawful for the Master of the Rolls and the Vice Chancellors for the Time being and they are hereby required to sit at Chambers for the Despatch of such Part of the Business of the said Court as can, without Detriment to the Public Advantage arising from the Discussion of Questions in open Court, be heard in Chambers, according to the Directions herein-after in that Behalf specified or referred to; and the Times at and during which they respectively shall so sit shall be from Time to Time fixed by them respectively.

Lord Chancellor to provide Chambers for Master of the Rolls and Vice Chancellors.

XII. The Chamber Business of the Master of the Rolls and of every Vice Chancellor shall be carried on in conjunction with his Court Business; but as no Rooms are attached to the Courts of the Vice Chancellors in which such Chamber Business can be transacted, it shall be lawful for the Lord Chancellor to cause Chambers to be provided for every of them respectively for that Purpose until Courts with proper Rooms attached can be provided for them.

Judges to have same Power and Jurisdiction as in open Court.

XIII. The Master of the Rolls and every of the Vice Chancellors respectively when sitting in Chambers shall have the same Power and Jurisdiction in respect of the Business to be brought before them, as if they were respectively sitting in open Court.

Orders made in Chambers to be ordinarily drawn up by Judges Clerks.

XIV. The Orders made by the Master of the Rolls and Vice Chancellors respectively when sitting in Chambers shall ordinarily be drawn up there by their respective Clerks, to be appointed as herein-after mentioned, but with Power to each of such Judges to direct any of such Orders to be drawn up by the Registrar of the said Court in like Manner as Orders made by a Judge of the said Court in open Court are drawn up, for which Purpose the Registrars of the said Court shall, when required, attend the Master of the Rolls and the Vice Chancellors respectively when sitting at Chambers in such Order and Manner as shall be found most convenient for furthering the Business of the said Court, and as the Lord Chancellor, with the Concurrence of the Master of the Rolls and Vice Chancellors, or any Two of them, shall from Time to Time by any General Order direct.

Orders so made to have same Force as Orders of Court, &c.

XV. All Orders of the Master of the Rolls or of any Vice Chancellor, made by him at Chambers, shall have the Force and Effect of Orders of the Court of Chancery, and such Orders may be signed and enrolled in like Manner.

XVI. It

Judges to appoint Two Chief Clerks to each Court.

XVI. It shall be lawful for the Master of the Rolls, and every of the Vice Chancellors for the Time being, respectively, with the Approbation of the Lord Chancellor, to appoint Two Chief Clerks each to be respectively attached to each such Judge and his Successors in Office, for the Purpose of assisting in the general Business of each Court, and the Causes and Matters belonging thereto, and on any Vacancy in such Office of Chief Clerk to supply such Vacancy.

Chief Clerk to Judges to have been Chief Clerks to Masters in Ordinary, or Solicitors or Attornies of 10 Years Practice.

XVII. No Person shall be appointed Chief Clerk to the Master of the Rolls or any Vice Chancellor unless he shall have been Chief Clerk to One of the Masters in Ordinary of the said Court, or have been admitted on the Roll of Solicitors or Attornies in One of the Courts at *Westminster Hall*, and practised as such Solicitor or Attorney for the Period of Ten Years at least immediately preceding his Appointment: Provided always, that *George Whiting* and *Henry Leman*, the present Chief Clerks of the said Masters hereby released as aforesaid, and *Charles Pugh*, Chief Clerk in the Office of the Master now vacant, shall on the said First Day of *Michaelmas* Term One thousand eight hundred and fifty-two become and they are hereby appointed Chief Clerks of Three of the said Equity Judges, and their respective Successors in Office.

Power to Judges to appoint Junior Clerks.

XVIII. It shall be lawful for the Judge of each Court to appoint a Junior Clerk to each Chief Clerk of his Court, and on any Vacancy in such Office to supply such Vacancy.

Power to Lord Chancellor to remove any Officer appointed under this Act engaging in other Employment or accepting any Fee or Emolument whatever other than his Salary.

XIX. If any Person who shall accept any Office under this Act shall engage in any other Employment whatever whilst he holds such Office, or shall receive any Sum of Money or Benefit other than his Salary and what may be allowed or directed to be taken by him under any Act of Parliament or Order of the said Court or of the Lord Chancellor, for any Act done or pretended to be done, or any Attendance given or pretended to be given, either with or without the Consent or Direction or pretended Consent or Direction of the Judge, in relation to or arising out of any Proceeding in his Office, or in any Office of or connected with the Court of Chancery, or if such Person, being or having been a Solicitor or Attorney, shall directly or indirectly receive or secure to himself any continuing Benefit from any Business or Firm in which he may have been engaged previously to his Appointment to such Office, the Person so offending may be removed from his Office by Order of the Lord Chancellor, and shall be rendered incapable of afterwards holding any Office, Situation, or Employment in the said Court.

Solicitors appointed to Office under this Act to be struck off the Rolls.

XX. Every Solicitor or Attorney who shall be appointed to and shall accept any Office under this Act shall cease to be an Attorney or Solicitor, and shall forthwith procure himself to be struck off the Roll of Solicitors of the High Court of Chancery, and off the Roll of any of Her Majesty's Courts of Record at *Westminster* on which his Name may be.

Chief Clerks to hold Office during good Behaviour;

XXI. Every such Chief Clerk shall hold his Office during his good Behaviour, and so long as he shall personally give his Attendance upon his Duties, and shall conduct himself honestly and faithfully in the Execution of the Duties of his Office, but subject to the Power herein-after contained to remove any Chief Clerk for any Cause which the Lord Chancellor and Judges removing may think sufficient.

and Clerks during Pleasure.

XXII. Every such Junior Clerk shall hold his Office at the Pleasure of the Judge to whose Court he shall be attached.

Clerks to be under Control of Judges;

XXIII. Such Chief Clerks and Junior Clerks shall be respectively under the Control of the Judge to whose Court they shall respectively be attached, and shall attend at such Places, during such Times, and for such Hours in each Day, and perform such Duties, as such Judge shall from Time to Time direct.

and subject to Penalties, &c. imposed by 3 & 4 W. 4. c. 94. as respects Chancery Officers.

XXIV. Every Chief Clerk and every Junior Clerk to be appointed under this Act shall be subject and liable to such and the same Prohibitions, Prosecutions, Penalties, and Punishments, as are by an Act passed in the Session holden in the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Ninety-four, imposed and directed with respect to Persons holding any Office, Situation, or Employment in the said Court of Chancery, or under any of the Judges or Officers thereof, in the same Manner as if the Enactments therein contained relating to such Officers of the said Court respectively were here repeated.

Lord Chancellor, with Consent of Judges, may remove Chief Clerks.

XXV. It shall be lawful for the Lord Chancellor, with the Concurrence of the Master of the Rolls and Vice Chancellors for the Time being, or any Two of them, by any Order to remove any Chief Clerk to be appointed under this Act from his Office, without stating any Cause for such Removal.

Business to be disposed of in Chambers by the Judges.

XXVI. The Business to be disposed of by the Master of the Rolls and Vice Chancellors respectively while sitting at Chambers shall consist of such of the following Matters as the Judge shall from Time to Time think may be more conveniently disposed of in Chambers than in open Court; *videlicet*, Applications for Time to plead, answer, or demur; for Leave to amend Bills or Claims; for enlarging Publication; and also Applications for the Production of Documents; Applications relating to the Conduct of Suits or Matters; Applications as to the Guardianship and Maintenance of Infants; Matters connected with the Management of Property; and such other Matters as each such Judge may from Time to Time see fit, or as may from Time to Time be directed by any General Order of the Lord Chancellor.

Judges may adjourn from open Court to Chambers, and vice versâ.

XXVII. It shall be lawful for the Master of the Rolls and every of the Vice Chancellors respectively when sitting in open Court to adjourn for Consideration in Chambers any Matter which, in the Opinion of such Judge, may be more conveniently disposed of in Chambers, or, when sitting in Chambers, to direct any Matter to be heard in open Court which he may think ought to be so heard.

Proceeding before Judges at Chambers to be by Summons.

XXVIII. The Mode of proceeding before the Master of the Rolls and Vice Chancellors respectively at Chambers shall be by Summons, and as near as may be according to the Form now adopted by the Judges of the Superior Courts of Common Law when sitting at Chambers.

Power to the Judges to direct

XXIX. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two the Master of the Rolls and the Vice Chancellors respectively shall have the sole Power (subject to any Rules

what Matters, &c. shall be heard and investigated by themselves, and what by their Chief Clerks.

Rules which may be made by the Lord Chancellor with the Advice and Assistance of them or any Two of them) to order what Matters and Things shall be investigated by and before their respective Chief Clerks, either with or without their Direction, during their Progress, and what Matters and Things shall be heard and investigated by themselves; and particularly, if the Judge shall so direct, his Chief Clerks respectively shall take Accounts, and make such Inquiries as have usually been prosecuted before the Chief Clerks of the present Masters; and the Judge shall give such Aid and Directions in every or any such Account or Inquiry as he may think proper, but subject nevertheless to the Right herein-after provided for the Suitor to bring any particular Point before the Judge himself.

Suitor may bring any Point before Judge.

Chief Clerks may issue Advertisements and Summonses, administer Oaths, &c. as Judge shall direct.

XXX. Each Chief Clerk shall, for the Purpose of any Proceedings directed by the Master of the Rolls or any Vice Chancellor to be taken before him, have full Power to issue Advertisements, to summon Parties and Witnesses, to administer Oaths, to take Affidavits and Acknowledgments, other than Acknowledgments by married Women, to receive Affirmations, and, when so directed by the Judge to whose Court he is attached, to examine Parties and Witnesses either upon Interrogatories or *vivâ voce*, as such Judge shall direct.

Parties, &c. not attending liable to Process of Contempt and to Penalties for false swearing, &c.

XXXI. Parties and Witnesses so summoned shall be bound to attend in pursuance of any such Summons, and shall be liable to Process of Contempt, in like Manner as Parties or Witnesses are now liable thereto in case of Disobedience to any Order of the said Court, or in case of Default in Attendance, in pursuance of any Order of the said Court, or of any Writ of Subpœna ad testificandum; and all Persons swearing or affirming before any such Chief Clerk shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing or affirming contained therein as if the Matters sworn or affirmed had been sworn and affirmed before any Person now by Law authorized to administer Oaths, to take Affidavits, and to receive Affirmations.

Result of Proceedings before Chief Clerk to be embodied in Form of short Certificate, &c.

XXXII. The Directions to be given by the Master of the Rolls or any Vice Chancellor for or touching any Proceedings before his Chief Clerk shall require no particular Form, but the Result of such Proceedings shall be stated in the Shape of a short Certificate to the Judge, and shall not be embodied in a formal Report, unless in any Case the Judge shall see fit so to direct; and when the Judge shall approve of such Certificate or Report he shall sign the same in testimony of his adopting the same.

No Exceptions to lie to Certificate, &c.

XXXIII. No Exceptions shall lie to any Certificate or Report of the Chief Clerk, although signed and adopted by the Judge; but any Party shall, either during the Proceedings before such Chief Clerk, or within such Time after such Proceedings shall have been concluded, and before the Certificate or Report shall have been signed and adopted, as the Lord Chancellor shall by any General Order direct, be at liberty to take the Opinion of the Judge upon any particular Point or Matter arising in the Course of the Proceedings, or upon the Result of the whole Proceeding when it is brought by the Chief Clerk to a Conclusion.

Parties may take Opinion of Judge on any particular Point.

Certificate, &c., signed and adopted by Judge, binding on all Parties, unless discharged or varied.

XXXIV. When any Certificate or Report of the Chief Clerk shall have been signed and adopted by the Judge the same shall be filed in like Manner as Reports are now filed, and shall thenceforth be binding on all the Parties to the Proceedings, unless discharged or varied, either at Chambers or in open Court, according to the Nature of the Case, upon Application by Summons or Motion within such Time as shall be prescribed in that Behalf by any General Order of the Lord Chancellor; and nothing herein contained shall prejudice or affect the Power of the Court at any Time to open any such Certificate or Report upon the same or the like Grounds as any Report of a Master of the said Court which has been absolutely confirmed may now be opened.

Sections 13, 14, and 15. of 3 & 4 W. 4. c. 94. repealed.

XXXV. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two, the Thirteenth, Fourteenth, and Fifteenth Sections of the Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, Chapter Ninety-four, shall be repealed.

All Powers possessed by Masters to be exercised by Judges.

XXXVI. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two all or any of the Powers, Authorities, and Jurisdiction given to the Masters in Ordinary of the said Court by any Act or Acts then in force may be exercised by the Master of the Rolls and Vice Chancellors respectively.

Power to Judges to exercise the Powers given by Sections 7, 8, and 9. of this Act, and to dispose of any Cause, &c. in open Court.

XXXVII. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two the Powers given to the Masters in Ordinary of the said Court, and to the Court, by Sections Seven, Eight, and Nine of this Act, may be exercised by the Master of the Rolls and Vice Chancellors respectively with respect to Causes, Matters, and Things which may be depending before them respectively in Chambers; and if and when any such Judge shall be of opinion that any Cause, Matter, or Thing so depending ought to be finally disposed of, unless the Parties or some of them can show good Cause to the contrary, he shall direct the same to stand in his Paper in open Court, giving such Notice thereof, if any, as he shall deem right, and proceed to dispose thereof accordingly.

Power to Lord Chancellor, with Advice, &c. of Judges, to make Rules and Orders for regulating the Mode of Procedure at Chambers, Payment of Fees, &c.

XXXVIII. It shall be lawful for the Lord Chancellor, with the Advice and Consent of the Master of the Rolls and Vice Chancellors, or any Two of them, and they are hereby required, forthwith to make and issue General Rules and Orders for regulating the Times and Form and Mode of Procedure before the Master of the Rolls and Vice Chancellors respectively, sitting at Chambers, and their respective Chief Clerks, and generally the Practice of the said Court in respect of the Matters to which this Act relates, and for regulating the Fees and Allowances to Solicitors of the said Court in respect to such Matters, and also for regulating the Fees to be payable by Suitors of the said Court to the Officers thereof in respect of the Business to be conducted before the Master of the Rolls and Vice Chancellors respectively sitting at Chambers, and their respective Chief Clerks; and such Rules and Regulations may

may from Time to Time be rescinded, altered, varied, or added to by the like Authority; and all such Rules and Regulations as aforesaid shall take effect as General Orders of the said Court: Provided always, that no greater Amount of Fees shall be payable by the Suitors of the said Court to the Officers thereof, in respect of the Business to be conducted before the Master of the Rolls and the Vice Chancellors respectively sitting at Chambers, and their respective Chief Clerks, than is now levied in respect of similar or analogous Business in the Masters Offices.

Business in Masters' Offices to be conducted in the same Manner as similar Business is conducted by Judges, &c.

XXXIX. From and after the said First Day of *Michaelmas* Term One thousand eight hundred and fifty-two the Course of Practice and Proceeding in the Offices of the Masters in Ordinary of the said Court, so far as the same may be inconsistent with the Rules and Regulations to be so as aforesaid made by the Lord Chancellor with such Advice and Consent as aforesaid, shall be abolished; and the Masters in Ordinary of the said Court shall, with reference to the Proceedings before them, adopt all such Rules and Regulations, and shall conduct the Business of their respective Offices, as nearly as may be, in the Manner in which similar Business shall be conducted by the Master of the Rolls and Vice Chancellors respectively, save only that the Master, instead of communicating directly with the Judge, is to report shortly the Result of his Inquiries to the Court.

Power to Judges at Chambers to take Opinion of Conveyancing Counsel in certain Matters.

Parties may object to such Opinion, which may be disposed of in Chambers or open Court.

XL. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two it shall be lawful for the Court or for any Judge thereof when sitting at Chambers to receive and act upon the Opinion of Conveyancing Counsel in actual Practice, to be nominated as herein-after mentioned, in all Cases in which, according to the present Practice of the Court and of the Master's Office, it has been usual for the Master to require or receive the Opinion of Conveyancing Counsel for his Aid and Assistance in the Investigation of the Title to an Estate, with a view to an Investment of Money in the Purchase or on Mortgage thereof, or with a view to a Sale thereof, or in the Settlement of a Draft of a Conveyance, Mortgage, Settlement, or other Instrument, or otherwise, and in such other Cases as the Lord Chancellor shall by any General Order direct; but it shall be competent for any Party to object to any Opinion of any such Counsel when he shall deem it open to Objection, and thereupon the Point in dispute shall be disposed of by the Court, or by the Judge sitting in Chambers, according to the Nature of the Case.

Lord Chancellor may nominate not less than Six Conveyancing Counsel of Ten Years Practice.

XLI. It shall be lawful for the Lord Chancellor to nominate any Number of Conveyancing Counsel in actual Practice, not less than Six, who shall have practised as such for Ten Years at least, to be the Conveyancing Counsel upon whose Opinion the Court, or any Judge thereof, may act in any of the Cases last before mentioned, and to supply Vacancies in such List from Time to Time, and to distribute the Business among such Counsel in such Order and Manner as to the Lord Chancellor shall seem fit.

Power to obtain the Assistance of Accountants, Merchants, &c.

XLII. It shall be lawful for the said Court, or any Judge thereof, in such Way as they may think fit, to obtain the Assistance of Accountants, Merchants, Engineers, Actuaries, or other scientific Persons, the better to enable such Court or Judge to determine any Matter at issue in any Cause or Proceeding, and to act upon the Certificate of such Persons.

Taxing Master to regulate Fees to Conveyancing Counsel, &c.

XLIII. The Allowances in respect of Fees to such Conveyancing Counsel, Accountants, Merchants, Engineers, Actuaries, and other scientific Persons shall be regulated by the Taxing Master of the said Court, subject to an Appeal to the Judge to whose Court the Cause or Matter shall be attached, whose Decision shall be final.

Salary of 1,200*l.* to be paid to each Chief Clerk, and 250*l.* to each Junior Clerk, with Power to Lord Chancellor to increase the same to 1,500*l.* and 300*l.* respectively.

XLIV. There shall be paid to every Chief Clerk of the Master of the Rolls and Vice Chancellors respectively the net yearly Salary of One thousand two hundred Pounds, and to every Junior Clerk to be appointed under this Act the net yearly Salary of Two hundred and fifty Pounds; and it shall be lawful for the Lord Chancellor from Time to Time by any Order to direct that the Salary of any such Chief Clerk as aforesaid may be increased from Time to Time until the same shall amount to the net yearly Sum of One thousand five hundred Pounds, and to direct that the Salary of such Junior Clerk may be increased to the net yearly Sum of Three hundred Pounds: Provided always, that no such Increase shall be made to any such Chief Clerk until he shall have been in Office for Three Years, nor to such Junior Clerk until he shall have been in Office Five Years, nor in either Case without a Certificate from the Judge to whose Court such Chief Clerk or Junior Clerk shall be attached, that he has conducted himself in such Office to the entire Satisfaction of such Judge: Provided also, that the Salary to such Chief Clerk shall not be increased at any One Period by any greater Amount than the Sum of One hundred Pounds.

Pensions to Chief and Junior Clerks in Cases of permanent Infirmity.

XLV. It shall be lawful for the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, by any Order made on a Petition presented to him for that Purpose, to order (if he shall think fit) to be paid to any Person executing the Office of Chief Clerk or Junior Clerk to the Master of the Rolls or any of the Vice Chancellors, who shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and shall be desirous of resigning the same, an Annuity not exceeding Two Third Parts of the yearly Salary which such Person shall be entitled to at the Time of presenting such Petition, to be paid and payable at the same Times and out of the same Funds as Compensations under this Act are directed to be paid.

On Retirement of Masters, their Chief Clerks to be entitled to Retiring Pensions of same Amount as Salary.

XLVI. It shall be lawful for every Person who on the First Day of *Hilary* Term One thousand eight hundred and fifty-two held the Office of Chief Clerk to any of the Masters in Ordinary of the said Court of Chancery, and who is not hereby appointed a Chief Clerk to the Master of the Rolls or to One of the Vice Chancellors under the Authority of this Act, upon the Master to whom he shall be such Chief Clerk being released from the Duties as such Master under the Authority of this Act, or upon the Death or Resignation of any such Master previously to his being so released, to continue to be entitled to receive

receive during his Life, by way of Retiring Pension, the full Amount of his Salary as such Chief Clerk, such Salary to be paid and payable out of such Funds and in such Manner as herein-after in that Behalf directed.

Compensation to Junior Clerks on Retirement of Masters.

XLVII. It shall be lawful for any Person who on the said First Day of *Hilary* Term One thousand eight hundred and fifty-two held the Office of Junior Clerk to any Master in Ordinary of the said Court of Chancery hereby released, or who shall be released by the Lord Chancellor under the Authority of this Act, to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury for the Time being, at any Time after the Master in whose Office he shall have been employed shall have been released; and such Commissioners are hereby required, within the Space of Six Calendar Months after every such Claim shall be made, by Examination upon Oath or otherwise, which Oath they and every of them are and is hereby authorized to administer, to inquire whether any, and, if any, what Compensation ought to be made to such Person claiming such Compensation; and in all Cases in which it shall appear to the said Commissioners that Compensation ought to be granted, it shall be lawful for the said Commissioners, by Warrant under their Hands, to order and direct that such annual Compensation shall be made to the Persons claiming such Compensations as aforesaid, or any of them, as to the said Commissioners in their Discretion shall seem just and reasonable; and all such Compensations shall be paid and payable out of such Funds and in such Manner as herein-after in that Behalf directed: Provided always, that an Account of all such Compensation shall, within Fourteen Days next after the same shall be so granted, be laid on the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the meeting of the Parliament then next following.

Salaries, &c. to be paid quarterly out of the Suitors' Fee Fund Account.

XLVIII. Except as herein otherwise provided, all Salaries under this Act shall grow due from Day to Day, but shall be payable, under an Order of the Lord Chancellor, on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time by any Order direct, and shall be paid to the Parties entitled thereto, or their respective Executors or Administrators, out of the Fund standing in the Name of the Accountant General of the Court of Chancery, to the Account intituled "The Suitors' Fee Fund Account," but subject and without Prejudice to the Payment of all Salaries and other Sums of Money by any former Act or Acts now in force directed or authorized to be paid thereout.

Payment of Compensations to be made quarterly out of Parliamentary Securities.

XLIX. Except as herein otherwise provided, all Compensations under this Act shall grow due from Day to Day, but shall be payable on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time by any Order direct, and shall be paid to the Parties entitled thereto, or their respective Executors or Administrators, out of the Interest and Dividends of the Government or Parliamentary Securities now or hereafter to be placed in the Name of the Accountant General of the Court of Chancery to the Two Accounts, intituled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," or either of them, by the Governor and Company of the Bank of *England*, by virtue of any Order or Orders of the Lord Chancellor to be made from Time to Time for that Purpose, without any Draft from the Accountant General, but subject and without Prejudice to the Payment of all Salaries and other Sums of Money by any former Act or Acts now in force directed or authorized to be paid thereout.

On Appointment of Masters or Clerks to Office or Employment under the Crown, the Retiring Pension or Compensation under this Act to be regulated by the Salary, &c. of such Office or Employment.

L. If at any Time hereafter any of the Masters in Ordinary of the said Court, or any of their Chief or Junior Clerks, shall be appointed to and shall accept any Office or Employment connected with any Court of Law or Equity, or under the Crown, or in any Public Department under the Crown, and if the Salary attached to such Office or Employment, or any Retiring Pension or Allowance in respect thereof, shall equal or exceed in Amount the Retiring Pension or Compensation payable to such Master or such Clerk under this Act, such last-mentioned Retiring Pension or Compensation shall, during the Continuance of such Master or such Clerk in such Office or Employment, or so long as he shall be in the Receipt of any Retiring Pension or Allowance in respect thereof equal to or greater than his Retiring Pension or Compensation under this Act, cease to be payable to such Master or such Clerk, as the Case may be; and if the Salary attached to such Office, or the Retiring Pension or Allowance in respect thereof, shall be less than the Amount of such Master's Retiring Pension or such Clerk's Compensation under this Act, such Retiring Pension or Compensation under this Act shall be reduced by the Amount of such Salary or of such Retiring Pension or Allowance, as the Case may be.

Appropriation of the Masters' Offices in Southampton Buildings.

LI. Such of the Masters' Offices in *Southampton Buildings*, *Chancery Lane*, as shall not be assigned by the Lord Chancellor as Chambers for the Master of the Rolls and Vice Chancellors respectively, or shall not be required for the Masters, shall be appropriated to any other Purposes connected with the Court of Chancery as the Lord Chancellor may from Time to Time direct, or the same may be let as Chambers, and the Rent thereof paid to the Suitors' Fund; and when all the Masters have resigned, died, or have been released under this Act, the Offices may be sold by Order of the Lord Chancellor, and the Proceeds of such Sale paid to the Suitors' Fund, in such Manner and to such particular Account as the Lord Chancellor shall by any Order direct; and it shall be lawful for the Lord Chancellor by any Order to direct that the Premises so to be sold, and the Fee Simple and Inheritance thereof, shall vest in the Purchaser or Purchasers of the same, his or their Heirs and Assigns, or as he or they shall direct; and such Order shall have the Effect of vesting the same accordingly, without any Conveyance or other

Assurance

Assurance from Her Majesty, in whom the same are now vested by virtue of an Act passed in the Thirty-second Year of the Reign of King *George* the Third, Chapter Forty-two.

Power to Her Majesty to appoint a Vice Chancellor as Successor to Sir G. J. Turner.

LII. 'And whereas by an Act passed in the Fifth Year of the Reign of Her present Majesty, Session 'One, Chapter Five, Her Majesty was by Section Nineteen empowered to appoint, by Letters Patent 'under the Great Seal, Two fit Persons to be additional Judges Assistant to the Lord Chancellor in the 'Discharge of the judicial Functions of his Office, each of such additional Judges to be called Vice 'Chancellors; and by Section Twenty-one it was provided, that nothing therein contained should 'authorize the Appointment of a Successor to the Vice Chancellor secondly appointed under the 'Authority of the said Act: And whereas by an Act passed in the Session holden in the Fourteenth 'and Fifteenth Years of the Reign of Her present Majesty, Chapter Four, Her Majesty was by Section 'One empowered to appoint, by Letters Patent under the Great Seal, a fit Person to be an additional 'Judge Assistant to the Lord Chancellor, in discharge of the judicial Functions of his Office, in the 'Place of the Right Honourable Sir *James Wigram* Knight, who was the Vice Chancellor secondly 'appointed under the Authority of the said Act of the Fifth Year of Her Majesty, and who had resigned 'the Office of Vice Chancellor to which he had been so appointed: And whereas the Right Honourable 'Sir *George James Turner* Knight is the Vice Chancellor appointed under the said last-mentioned Act: 'And whereas by Section Nine of the same Act it was provided, that nothing therein contained should 'authorize the Appointment of a Successor to the Vice Chancellor appointed under the Authority 'thereof: And whereas by virtue of this Act additional Duties will devolve upon the Judges of the said 'Court, and it is expedient that any Vacancy which may occur in the said Office of Vice Chancellor 'should be supplied:' Be it therefore enacted, That it shall be lawful for Her Majesty, from Time to Time when and as any Vacancy shall occur in the Office of Vice Chancellor now held by the said Sir *George James Turner*, by the Death, Resignation, or Removal from Office of the said Sir *George James Turner*, or his Successor for the Time being, it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to appoint a fit Person, being or having been a Barrister of Fifteen Years Standing at the least, to supply such Vacancy.

Such Vice Chancellor to have same Power, &c. as Sir G. J. Turner has.

LIII. The Vice Chancellor to be appointed under this Act shall have all the same Powers and Privileges, and the same Rank, and shall be subject to the same Provisions, Duties, and Observances, as the said Sir *George James Turner* shall, at or immediately before his Death, Resignation, or Removal from Office, have or be subject to under the said Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Four, and this Act, or any other Act or Acts then in force, excepting that, as between himself and the other Vice Chancellors or Vice Chancellor for the Time being, he shall have Rank and Precedence next after the Vice Chancellors or Vice Chancellor, if any, who may be senior to him in Appointment to Office.

Officers and Attendants to the Vice Chancellor.

LIV. Such Vice Chancellor shall have a Secretary, Usher, and Trainbearer, to be from Time to Time appointed and removed by him at his Pleasure; and the Secretaries, Registrars, and other Officers appointed to attend the Lord Chancellor shall attend such Vice Chancellor when sitting for the Lord Chancellor, and also when sitting in his separate Court or in Chambers, as Circumstances shall require, and as the Lord Chancellor shall order and direct.

Salaries of Vice Chancellor and his Officers to be as at present.

LV. The Salary of such Vice Chancellor, and the Salaries of his Secretary, Usher, and Trainbearer, shall be of the same Amounts, and paid out of the same Funds, and in like Manner, as the Salaries of the said Sir *George James Turner*, his Secretary, Usher, and Trainbearer, respectively, shall be payable at or immediately before his Death, Resignation, or Removal from Office.

Her Majesty may grant Retiring Pension to Vice Chancellor so appointed.

LVI. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to grant to any Person executing the Office of Vice Chancellor in pursuance of this Act, on his Resignation of or his ceasing to execute his Office, an Annuity of the same Amount, after the same Period of Service, under the same Circumstances, subject to the same Conditions, and payable out of the same Fund, as the Annuity authorized to be granted to each of the Vice Chancellors appointed under the said Act of the Fifth Year of Her present Majesty, Chapter Five.

Lord Chancellor may appoint Courtkeepers.

LVII. It shall be lawful for the Lord Chancellor to appoint One or more Person or Persons, removable at Pleasure, for the Purpose of keeping Order in the Court of the Vice Chancellor to be appointed under this Act; and the Salary of the Person or Persons appointed or to be appointed, under this Act or under any Act or Acts now in force, to keep Order in the Court of the Vice Chancellor to be appointed under the Authority of this Act, shall be of such Amount, not exceeding the yearly Sum of Eighty Pounds, as the Lord Chancellor may think reasonable; and such Salary shall be paid to each such Person so to be appointed, out of the same Funds, and at the same Time, and in like Manner as the Salaries of like Persons have heretofore been paid.

Rights and Establishments of the present Masters to continue until released in pursuance of this Act.

LVIII. Nothing herein contained shall in anywise prejudice or affect the Title of the present Masters in Ordinary of the said Court to the Salaries payable to them as such Masters unless and until they shall be respectively released under this Act, or the Power of the Lord Chancellor to order a Retiring Allowance to any of them or any of their Clerks who may be or become afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and who shall be desirous of resigning the same; and every of the present Masters in Ordinary of the said Court, until released under this Act, shall have the same Establishment of Clerks, whose Salaries and Compensations shall be payable out of the same Funds as the Salaries and Compensations of their Clerks are now payable; and all the Expenses attending the Establishment of the Masters Offices shall be paid in like Manner as such Expenses are now paid.

Nothing to affect Rights, &c. of Accountant General as a Master in Ordinary.

LIX. Nothing herein contained shall prejudice or affect the Rights, Duties, or Privileges of the Accountant General of the said Court of Chancery as a Master in Ordinary of the said Court, or any Salary or other Payment payable to the said Accountant General as such Master in Ordinary, or his Right or Title to any Retiring Allowance under any Act or Acts of Parliament now in force, nor shall the said Accountant General be called upon or required to do or perform any Duties or Services as such Master in Ordinary, other than such as are now usually performed by him.

The retiring Lord Chancellor may deliver written Judgments within Six Weeks after his Resignation.

LX. 'Whereas it has frequently happened that after Cases have been fully heard by the Lord Chancellor in the Court of Chancery and are standing for Judgment, the Lord Chancellor has delivered up the Great Seal without being able, by reason of other urgent public Business, to deliver Judgment therein, and much Inconvenience and Expense to the Parties has been thereby occasioned:'

For Remedy thereof be it enacted, That in every such Case it shall be lawful for the Person who has so delivered up the Great Seal, within Six Weeks after he shall have delivered up the same, to give in to the Registrar of the said Court a written Judgment therein, signed by him; and a Decree or Order, as the Case may require, shall be drawn up in pursuance of such Judgment; and every such Decree or Order shall have the same Force and Effect as if the Judgment in pursuance whereof it is drawn up had been given in open Court the Day before he shall have so delivered up the Great Seal.

Construction of Terms.

LXI. In the Construction of this Act the Expression "Her Majesty" shall mean the Sovereign for the Time being; and the Expression "Lord Chancellor" shall mean also and include the Lord Chancellor, Lord Keeper and Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

CAP. LXXXI.

An Act to consolidate and amend the Statutes relating to the Assessment and Collection of County Rates in *England* and *Wales*. [30th *June* 1852.]

'WHEREAS it is expedient that the Laws relating to the assessing and Collection of County Rates should be amended, and that the Statutes now in force relating to that Subject should be consolidated into One Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Repeal of 12 G. 2. c. 29. 13 G. 2. c. 18. 37 G. 3. c. 65. 55 G. 3. c. 51. 56 G. 3. c. 49. 57 G. 3. c. 94. 1 & 2 G. 4. c. 85. 1 W. 4. c. xlviii. 4 & 5 W. 4. c. 48. 8 & 9 Vict. c. 111. 12 & 13 Vict. c. 65.

I. That from and after the passing of this Act so much of an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the more easy assessing, collecting, and levying of County Rates*, as provides the Mode of assessing and collecting County Rates, and so much of an Act passed in the Thirteenth Year of His said late Majesty, intituled *An Act to continue several Laws therein mentioned, for punishing such Persons as shall wilfully or maliciously pull down or destroy Turnpikes, for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable*, and for other Purposes, as extended the Powers of Justices of the Peace of Counties touching County Rates to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves, and an Act passed in the Thirty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for empowering the Justices of the Peace for the County of* Middlesex, *at their General or Quarter Sessions of the Peace, to make a fair and equal County Rate for the said County*, and an Act passed in the Fifty-fifth Year of the Reign of His said Majesty, intituled *An Act to amend an Act of His late Majesty King* George *the Second, for the more easy assessing, collecting, and levying of County Rates*, except as to the Provision in the said Act, Clause Seventeen, relating to the Allowance to the County Treasurer, and an Act passed in the Fifty-sixth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to explain and amend an Act passed in the last Session of Parliament, for the more easy assessing, collecting, and levying of County Rates*, and an Act passed in the Fifty-seventh Year of His said late Majesty, intituled *An Act to amend an Act of the last Session of Parliament, for the more easy assessing of County Rates*, and an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to explain and amend several Acts relating to the assessing, levying, and collecting the County Rates*, and an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the several Acts now in force for the assessing, collecting, and levying of County Rates, so far as the same relate to the County of* Middlesex, and an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to regulate the Expenditure of County Rates and Funds in aid thereof*, and an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend the Laws relating to the assessing of County Rates*, and also so much of the Act passed in the Session of Parliament held in the Twelfth and Thirteenth Years of Her Majesty, intituled *An Act to provide a more convenient Mode of levying and collecting County Rates, County Police Rates, and District Police Rates in Parishes situated partly within and partly without the Limits of Boroughs which are not liable to such Rates*, as provided that the Overseers of Parishes or Places separately maintaining its own Poor and divided in the Manner in the said Act mentioned, should collect the County Rates leviable on the Part of the Parish or Place not comprised within the Borough, shall be and the same are hereby repealed, save and except so far as they or any of them repeal any other Act, and save also so far as they or any of them provide for or relate to any Matter or Thing other than the County Rate.

II. From

Justices at Sessions to appoint Committees for preparing a Basis or Standard for assessing County Rates.

II. From and after the passing of this Act, it shall be lawful for Her Majesty's Justices of the Peace of every County in *England* and *Wales*, assembled at their General or Quarter Sessions of the Peace or at any Adjournment thereof, from Time to Time, as often as they may deem it necessary, to appoint any Number of Justices, not exceeding Eleven in Number nor less than Five, to be a Committee for the Purpose of preparing a Basis or Standard for fair and equal County Rates, such Basis or Standard to be founded and prepared rateably and equally according to the full and fair annual Value of the Property, Messuages, Lands, Tenements, and Hereditaments rateable to the Relief of the Poor in every Parish, Township, Borough, or Place, whether parochial or extra-parochial, within the respective Limits of the said Justices Commissions, or which in any Place within such Limits not maintaining its own Poor would be liable to be rated for the Relief of the Poor if such last-mentioned Place were a Parish, or of altering and amending such Basis or Standard from Time to Time as Circumstances may require; provided that in Counties containing or which may hereafter contain more than Eleven Petty Sessional Districts or Divisions, the Committee so appointed may be extended to a Number equal to the Number of Petty Sessional Divisions, in order that One Justice may be selected from the Justices usually acting in each such Petty Sessional Division, if the same shall appear convenient in the Opinion of the Justices appointing such Committee.

Meetings of Committee.

III. The Committee so appointed shall hold their First Meeting after their Appointment at such Time and Place as shall be fixed by the said Court of General or Quarter Sessions, and their subsequent Meetings at such Times and Places as they shall themselves appoint for carrying this Act into execution; and at every Meeting of the said Committee, if Three or more Members thereof are present, they shall be competent to act, as fully and effectually as if all the Members of the said Committee were present.

Committee may appoint a Clerk.

IV. Such Committee may from Time to Time, as they may see fit, appoint a Clerk to assist them in the Execution of their Duties under the Provisions of this Act, and may at any Time remove such Clerk, and appoint another in his Stead.

Committees may require Returns of the annual Value of the Property in any Parish liable to be assessed, with the Date of the last Valuation.

V. For the Purpose of preparing such Basis or Standard for fair and equal County Rates the said Committee, by their Order in Writing, to be signed by their Clerk, may from Time to Time, as often as they may deem it necessary, direct the Overseers of the Poor, Constables, Assessors, and Collectors of public Rates of or for any Parish, Township, Borough, or Place within the County, and all other Persons having the Custody or Management of any public or parochial Rates or Valuations of any such Parish, Township, or Place, to make Returns in Writing to the said Committee, at such Times and Places as they may appoint, of the Amount of the full and fair annual Value of the whole or of any Part of the Property within the Parish, Township, or Place liable to be assessed toward the County Rate, together with the Date of the last Valuation for the Assessment of such Parish, and the Name of the Surveyor, or if no Surveyor, then the Name or Names of the Person or Persons by whom and the Manner in which the said Valuation was made; and the Overseers of the Poor required to make any such Return in respect of any Parish, Township, or Place maintaining its own Poor, and the Constable or other Person required to make any such Return in respect of any Place not maintaining its own Poor, shall, before they present the same to the said Committee, lay the same before a Vestry Meeting of the Parish, Township, or Place for which they act, or, where no Vestry Meeting is held, before some other Meeting of the Inhabitants of such Place, if any such there be, at which the public Business of such Place is commonly transacted.

Such Returns to be laid before a Vestry Meeting previous to their being presented to the Committee.

Meaning of "full and fair annual Value."

VI. For the Purposes of preparing any such Basis or Standard for assessing any County Rate, the Words "full and fair annual Value" shall be taken to mean the net annual Value of any Property as the same is or may be required by Law to be estimated for the Purpose of assessing the Rates for the Relief of the Poor.

Committees empowered to inspect Rates, Assessments, Valuations, &c.

VII. The said Committee may from Time to Time, as often as they may deem it necessary, by their Order in Writing, signed as aforesaid, require the said Overseers of the Poor, Constables, Assessors, Collectors, and any other Persons whomsoever, to appear before them, when and where and as often as the said Committee may deem expedient, and to produce all parochial and other Rates, Assessments, Valuations, Apportionments, and other Documents in their Custody or Power relating to the Value of or Assessment on all or any of the Property within the several Parishes and Places aforesaid which may be liable to be assessed toward the County Rate, and to be examined on Oath, and answer such Questions as the said Committee may put to them respectively touching the said Rates, Assessments, Valuations, or Apportionments, or the Value of the Property aforesaid; and the said Committee shall be authorized and empowered to administer such Oath, and to examine the Parties upon Oath as aforesaid; and moreover it shall be lawful for such Committee in the like Cases from Time to Time to cause Copies of the total Amount assessed in each Parish, Township, or Place in respect of any Aids or Taxes payable to Her Majesty, Her Heirs or Successors, and the total Amount of the Valuation of the Property on which such Assessments were made in any Year then elapsed, to be made out by the Clerk to the Commissioners of each District within the Limits of the Jurisdiction of such Justices. 55 G. 3. c. 51.

Penalty on Overseers or others refusing to attend or produce Documents.

VIII. Every Overseer of the Poor, Constable, Assessor, Collector, or other Person so required to make Returns, or to appear as aforesaid, who shall, without any reasonable Excuse, neglect to make such Returns in Writing as aforesaid, or wilfully make any false Return, and every Person who shall neglect or refuse to appear when required so to do as aforesaid, or to be sworn or examined, or to produce such Documents as herein-before provided, shall forfeit a Sum not exceeding Twenty Pounds, to be prosecuted for and recovered by Order of the said Committee before any Two of Her Majesty's Justices of the Peace.

IX. That

Committees may cause new Valuations to be made.

IX. That the said Committee may from Time to Time, and so often as they may think fit, by their Order in Writing, to be signed as aforesaid, direct that the whole or any Part of any Parish, Township, or Place within the County shall be valued, and may appoint One or more Person or Persons to make such Valuation; and the Person or Persons so appointed may at all reasonable Times, and with or without Assistants, enter upon, view, examine, survey, and measure all and any Lands, Houses, or other Property within such Parish, Township, or Place liable to be assessed toward the County Rate, in order to ascertain the Value at which the same ought respectively to be charged.

If Parish Officers, &c. neglect to make Returns, or make false Returns, Expenses of Valuations to be paid by Parishes.

X. If any Overseers or other Persons neglect to make any such Return in Writing as aforesaid, or wilfully make any false Return or Statement of the Amount of the full and fair annual Value of the Property within the Parish, Township, or Place liable to be assessed towards the County Rate, any Court of General or Quarter Sessions of the Peace, upon the Report of the said Committee, may order that the whole of the Expenses incurred by the said Committee in ascertaining the Amount of the full and fair annual Value of the same shall be charged upon the Parish, Township, or Place of which the Overseers or other Persons have been guilty of such Neglect or Misconduct as aforesaid, in addition to the Proportion of the County Rate to be paid by such Parish, Township, or Place; and such Expenses shall be raised, levied, and collected by such and the like Ways and Means as County Rate can or may be raised, levied, and collected, and shall be paid therewith, due Distinction being made, in the Case of every such additional Assessment, between the Sum or Sums charged for any such Expenses and the Sum or Sums assessed for the County Rate.

Costs of Valuations directed by Committee.

XI. In any Case where any Committee appointed as aforesaid have directed the whole or any Part of any Parish, Township, or Place to be valued, and where, in the Basis or Standard of Rate afterwards allowed and confirmed by any Court of Quarter Session upon the Report of such Committee, such Parish, Township, or Place is rated on a Sum greater than the Sum set forth in the Returns made to such Committee by the Overseers of the Poor, Constable, or other Person required to make such Return in any Place not maintaining its own Poor, if there be no Appeal made, and prosecuted with Success against the Basis or Standard for the Rate on such Parish, Township, or Place, at the Quarter Session holden next after such Confirmation or Allowance of such Basis or Standard, the Justices of the Peace at such Session shall order the Overseers, Constable, or other Person as aforesaid of such Parish, Township, or Place to pay the Amount of the Expenses incurred in making such Valuation; and in any such Case as aforesaid, if there be an Appeal to the Justices of the Peace at any Quarter Session against such Basis or Standard, on the Ground that such Parish, Township, or Place is rated on a Sum beyond the fair annual Value of the Property therein, and if on such Appeal such Basis or Standard is confirmed as to such Parish, Township, or Place, or if it be not reduced to or below the Sums set forth in the Returns made to such Committee as aforesaid, the Justices of the Peace at such Session shall order the Overseers, Constable, or other Person as aforesaid of such Parish, Township, or Place to pay the Amount of the Expenses incurred in making the Valuation under the Direction of the Committee; and such Expenses shall be raised, levied, and collected by such and the like Ways and Means as County Rate can or may be raised, levied, and collected, and shall be paid therewith, due Distinction being made, in the Case of every such additional Assessment, between the Sums charged for or on account of any such Expenses and the Sum or Sums assessed as and for the County Rate.

Allowances and Compensation to Persons employed in the Execution of this Act.

XII. The said Committee from Time to Time may make such Allowances and Compensations to their Clerk, and to the Overseers, Constables, Collectors, Surveyors, and other Persons employed in the Execution of this Act, as to them shall appear reasonable and proper, which, together with the Costs of printing and other Expenses necessarily incurred by the said Committee in or about the preparing or amending any such Basis or Standard for County Rates, shall be paid, by an Order of the Court of General or Quarter Sessions of the Peace, out of the County Stock.

When Committee have prepared a Basis for a County Rate differing in Value from the preceding, they shall cause it to be printed and distributed to the acting Justices, &c.

Such Basis to be submitted to Vestry.

XIII. When and so soon as the Committee appointed as aforesaid have prepared any such Basis or Standard of County Rate in which the total Amount of the annual Value of the Property in any Parish or Place within the County is estimated at a greater or less Amount than in the last-preceding Basis or Standard, they shall cause such last prepared Basis or Standard to be printed in such Form as they may think proper, and shall forthwith cause to be sent, by the General Post or otherwise, One Copy of the same to every acting Justice of the Peace for the County, and to the Overseers of the Poor, Constables, or other Persons charged with the Collection or Levy of the County Rate in every Parish and Place within such County; and such Overseers of the Poor, Constables, or other Persons shall, within Twenty-one Days after the Receipt of such Copy, call a Vestry or other Meeting of such Parish or Place, and shall submit the said Copy to such Meeting; and any Person rated to the Relief of the Poor, or liable to contribute to the County Rate, in such Parish or Place, may at all reasonable Times inspect and examine the said Copy whilst the same remains in the Custody of any such Overseer, Constable, or other Person, and take Extracts or Copies therefrom, without the Payment of any Fee for the same.

Notice of the Time within which Objections may be made to the proposed Basis to be sent to the Overseers.

XIV. Together with the Copy of such proposed Basis or Standard there shall also be sent by the said Committee to the Overseers of the Poor or Constable of every such Parish or Place, or other Person as aforesaid, a Notification of a reasonable Time, not less than One Calendar Month after the Date of such Notice, within which any Objections to the proposed Basis or Standard may be forwarded to the said Committee by such Overseers or Constable or other Person as aforesaid, or by any Person affected by such Basis or Standard; and the said Committee shall fix and give due Notice of a Time and Place when and where such Objections will be taken into consideration by the said Committee, and for hearing the Parties making such Objections.

XV. When

Notice to be given when *Basis will be taken into consideration by Court of General or Quarter Sessions.*

XV. When any proposed Basis or Standard for a County Rate has been finally corrected and approved of by the said Committee, they shall lay the same before the Court of General or Quarter Sessions holden next thereafter, and such Court shall thereupon order public *Notice to be given, in One or more of the* Newspapers usually circulated within the County, that such Basis or Standard will be taken into consideration at the then next General or Quarter Sessions of the Peace to be held for the said County; and at such last-mentioned General or Quarter Session of the Peace the Court shall proceed to take the same into consideration, and to alter and amend the same as to them may seem proper, and, if they think fit, to allow and confirm the said Basis or Standard, or, instead of making any Alteration in the said Basis or Standard, or of allowing and confirming the same, to refer back the said Basis or Standard for Amendment to the said Committee, and to adjourn the Consideration thereof to some future General or Quarter Session of the Peace, or any adjourned Quarter Session; and in such last-mentioned Case the said Committee shall have the same Powers and Authorities for requiring Returns and ascertaining the Value of Property liable to be assessed toward the County Rate, in order to the revising or amending of the said Basis or Standard so referred, as are herein-before given to them for preparing the same; and all the Clauses and Provisions herein-before contained for preparing any Basis or Standard shall be applicable in every respect to the Revision or Amendment of the same; and any Amendment or Alteration by the said Committee of such Basis or Standard so referred shall be reported and taken into consideration at the General or Quarter Session of the Peace, or any adjourned Quarter Session to which the Consideration thereof was adjourned; but before any such Alteration or Amendment made by the said Committee of the said Basis or Standard so referred be allowed or confirmed by the Court of General or Quarter Session of the Peace or adjourned Quarter Sessions, the said Committee shall send at least Fourteen Days previous Notice thereof, by Post or otherwise, to every Parish and Place with respect to which such Alteration or Amendment is made.

Basis to be deemed valid after Confirmation by Court of General or Quarter Sessions.

XVI. When the Court of General or Quarter Session or Adjourned Quarter Session of the Peace have so allowed and confirmed any Basis or Standard for a County Rate, the same shall be taken to be made and established, and shall be valid, legal, and effectual, to all Intents and Purposes, notwithstanding any Irregularity may have arisen in the making thereof, and notwithstanding the Officers of any Parish or Place may have omitted to make the Returns herein-before mentioned, subject nevertheless at all Times to Appeals against the same, as herein-after provided; and the said Court shall cause Copies of the said Basis or Standard, after Allowance and Confirmation, to be printed, and shall direct One of such Copies to be sent to every acting Justice of the Peace for the County, and One Copy to the Overseers of the Poor, Constable, or other Person charged with the Collection and Levy of the County Rate in every Parish and Place within the said County; and such Basis or Standard, so confirmed, shall be deemed and taken to be the Basis or Standard and the Proportion in which all Assessments of the County Rate shall thenceforth be made, subject to such Alterations as may be necessary in consequence of any Appeal, or the Recommendation of the County Rate Committee, as herein-after enacted: Provided always, that any Basis or Standard now in force or hereafter to be allowed and confirmed shall continue to be in force and to be acted upon, subject to any Alteration to be made by reason of any Appeal or otherwise, as in this Act provided for such Alteration, until a new Basis or Standard for a County Rate shall have been made and established under this Act.

Appeal against Basis.

XVII. If at any Time after the said Basis or Standard has been allowed, confirmed, and made as aforesaid, any Overseer or Overseers of the Poor, or other Person charged with the Collection and Levy of County Rate in any Parish or Place, or Inhabitant or Inhabitants thereof, have Reason to think that such Parish, Township, or Place is aggrieved by any such Basis or Standard, whether it be on account of some One or more of such Parishes, Townships, or Places being without sufficient Cause omitted altogether from the said Basis or Standard, or on account of such Parish, Township, or Place being rated on a Sum beyond the full and fair annual Value of the Property therein liable to be assessed toward the County Rate, or on account of some other Parish or Parishes, Township or Townships, Place or Places, being rated on a Sum less than the full and fair annual Value of the Property therein liable to be assessed toward the County Rate, such Overseer or Overseers of the Poor, Constable, or other Person, or Inhabitant or Inhabitants, may appeal to the Justices of the Peace for the County at any Quarter Sessions to be holden after the Sessions at which such Basis or Standard was allowed and confirmed, against such Part only of the said Basis or Standard as may affect the Parish or Parishes, Township or Townships, Place or Places which appear to be over-rated or under-rated, or omitted altogether from the said Basis or Standard as aforesaid (subject to the Provisions herein-after contained); and if in any Case where any Overseer or Overseers, Constable, or other Person as aforesaid of One Parish or Place appeals against the Basis or Standard of Rate on any other Parish or Place, on account of the same being altogether omitted from such Basis or Standard, or on account of the same being rated at less than the full and fair annual Value thereof as aforesaid, such Overseer or Overseers, Constable, or other Person shall give Twenty-one Days Notice in Writing previous to the First Day of the said Session at which such Appeal shall be made, of the Intention to appeal, and of the Cause and Matter thereof, to the Overseers of the Poor, or where there are no such Overseers to the Person charged with the Collection and Levy of County Rate in such other Parish or Place, and if in any Case where any such Overseer or Overseers, Constable, or other Person appeal against the said Basis or Standard on the Ground that any Parish, Township, or Place is rated on a Sum beyond the full and fair annual Value of the rateable Property therein, such Overseer or Overseers, Constable, or other Person shall give Twenty-one Days Notice thereof in Writing, with the Cause and Matter thereof, to the Clerk of the Peace of the County, the said Justices

Notice of Appeal.

Justices shall be empowered to hear and determine such Appeal in manner by this Act directed, and either to confirm such Parts of the Basis or Standard as have been appealed against, or to correct such Inequalities or Omissions as shall be proved to exist therein, in such Manner as to them the said Justices may appear fair, just, and equitable; but no such Basis or Standard shall upon any Appeal be quashed or destroyed, in regard to any other Parish, Township, or Place, unless in Cases where the Justices of the Peace in Quarter Sessions assembled, or the major Part of them, deem it necessary to proceed to the making of an entire new Basis or Standard, and where they proceed therein according to the Provisions of this Act.

Hearing and determining Appeals.

XVIII. It shall be lawful for the Court of Quarter Session of the Peace, upon any such Appeal, instead of hearing the said Appeal, to adjourn the same, and to order, upon the Application of the Appellant or Respondent in such Appeal, a Survey and Valuation of any of the Parishes, Townships, or Places, or any Parts thereof, in respect of or relating to which any such Appeal shall be made, and to fix the next or some subsequent Session for receiving such Survey and Valuation, and for hearing and determining the said Appeal, and such Court shall also thereupon appoint a proper Person or Persons to make such Survey and Valuation; and the Person or Persons so appointed shall for that Purpose have full Power, with or without Assistants, to enter upon, view, and examine, survey, measure, and value all and any Lands, Houses, and Property liable to be assessed toward the County Rate within the Parishes, Townships, and Places mentioned in such Order; and such Survey and Valuation shall be reported to the Quarter Session, or Adjournment, fixed as aforesaid for receiving the same; and the Court then and there assembled shall hear and determine the said Appeal in the Manner herein-before set forth.

Sessions to determine Costs of Appeal and of Valuation ordered by Sessions.

XIX. The Charges and Expenses of and attending any Survey and Valuation ordered to be made by any Court of Quarter Sessions in such Appeal as aforesaid shall be deemed Costs in such Appeal, and abide the Event thereof; and the Court before which any such Appeal is heard and determined may order the Costs in and about such Appeal to be paid by either Party, Appellant or Respondent, as they in their Discretion may think fit; but where any Appeal is made on the Ground that any Parish, Township, or Place is rated on a Sum beyond the full and fair annual Value of the Property therein, if the Court before which such Appeal is heard determine in favour of the Appellants, such Court shall ascertain the Costs and Charges incurred by such Appellants in and about such Appeal, and shall order the Treasurer of the County Rates to pay the same to such Appellants out of the public Stock of the County in his Hands.

Committee may revise Basis or Rate from Time to Time.

XX. Although no Appeal shall be made as aforesaid, it shall be competent to any Committee appointed as herein-before provided, and upon being so required by the Court of General or Quarter Sessions, from Time to Time to revise any such Basis or Standard for a County Rate being then in force in any County, for the Purpose of meeting any partial Changes that may have occurred in the rateable Value of Portions of the Property liable to be assessed, and to call for Information, and to exercise all the Powers herein-before authorized, and if, after due Inquiry and Investigation, it shall seem fit to such Committee to alter such Basis or Standard, they shall forthwith give Notice in Writing of such Alteration to any Parish or Place whose Basis or Standard they propose to alter, whether by diminishing or increasing it, and shall, upon some Day to be named in such Notice, hear and decide upon any Objection that may be made by any Person on behalf of such Parish or Place; and upon the Decision of such Committee as aforesaid to alter such Basis or Standard, they shall report such Alteration to the next or some subsequent General or Quarter Sessions, having given to each Parish or Place whose Basis or Standard is altered by such Report Notice thereof in Writing not less than Ten Days previous to such Sessions, and the Justices assembled thereat, after hearing the Objections, if any, that may be made by any Person duly authorized to represent any such Parish or Place, may make such Order as to them shall appear just for ascertaining and deciding upon such proposed Alteration, and any Order so made shall be binding upon all Parties concerned.

Justices in General or Quarter Sessions to make a fair and equal County Rate, whenever Circumstances appear to require it.

XXI. From and after the passing of this Act, it shall be lawful for the Justices of the Peace of the several Counties, or Divisions of Counties in *England* and *Wales*, assembled at their General or Quarter Sessions, or at any Adjournment or Adjournments thereof, and they are hereby authorized and empowered, whenever Circumstances shall appear to require it, to order and direct a fair and equal County Rate to be made, for all the Purposes to which the County Stock or Rate is now or shall hereafter be made liable by Law, according to the Basis or Standard for the Time being in force in such County or Division of a County; and for that Purpose to assess and tax every Parish, Township, and other Place, whether parochial or extra-parochial, within the respective Limits of their Commissions, or within such Divisions, rateably and equally, according to a certain Pound Rate (to be from Time to Time fixed and publicly declared by such Justices), upon the Basis or Standard herein-before mentioned, of the full and fair annual Value of the Property, Messuages, Lands, Tenements, and Hereditaments rateable to the Relief of the Poor therein, or which in any Place not maintaining its Poor would be liable to be rated for the Relief of the Poor if the said last-mentioned Place were a Parish, any Law or Statute to the contrary thereof notwithstanding; and the Justices of the Peace shall in all Cases where the same may be necessary appoint proper Persons within such extra-parochial or other Places for the assessing, taxing, and rating such Extra-parochial Property, Messuages, Lands, Tenements, and Hereditaments, and levying, collecting, and paying over such Assessment, Taxes, or Rates.

Parishes aggrieved may appeal.

XXII. If the Churchwarden or Churchwardens, Overseer or Overseers of the Poor, or other Inhabitant or Inhabitants of any Parish, Township, or Place, whether parochial or otherwise, where there is no Churchwarden or Overseer, or Person appointed to act as such, shall at any Time thereafter have Reason

to

to think that such Parish, Township, or Place is aggrieved by any Rate or Assessment now existing, or hereafter to be made upon the Basis or Standard herein-before mentioned, either in pursuance of this Act or of any Act or Acts now in force, whether it be on account of the Proportions assessed upon the respective Parishes, Townships, or Places being unequal, or on account of some One or more of them being without sufficient Cause omitted altogether from the Rate, or on account of such Parish, Township, or Place being rated at a higher Proportion of the Pound Sterling according to the fair annual Value of the rateable Property therein, or on account of some other Parish or Parishes, Township or Townships, Place or Places being rated at a lower Proportion of the Pound Sterling according to the fair annual Value of the rateable Property therein than has been fixed and declared by the Justices of the Peace of the said County in Sessions assembled as the Basis of the Rate of the said County, or on account of the altered State of the Value of the Property assessed, or any Part thereof, or shall have any other just Cause of Complaint whatsoever, it shall be lawful for such Churchwarden or Churchwardens, Overseer or Overseers of the Poor, or other Inhabitant or Inhabitants where there is no Churchwarden or Overseer, or Person appointed to act as such, to appeal to the Justices of the Peace for the County at the next Quarter Sessions of the Peace after such Cause of Appeal shall have arisen, against such Part of the Rate only as may affect the Parish or Parishes, Township or Townships, Place or Places which are unequally rated, or which shall appear to be over-rated or under-rated, or omitted altogether from the Rate: Provided always, that Fourteen clear Days Notice in Writing previous to the First Day of such last-mentioned Quarter Sessions shall be given by the Parties intending to appeal to the Parties against whose Rate the Appeal is to be made, also to the Clerk of the Peace of the County, and the Hundred Constable, of the Grounds of such Appeal and the Intention to try such Appeal at such Quarter Session of the Peace; and the said Justices are hereby empowered to hear and finally determine the same, and either to confirm such Parts of the Rate as have been appealed against, or to correct such Inequalities, Disproportions, or Omissions as shall be proved to exist therein, as well in respect of the Basis or Standard as in the Assessment of the Rate made thereon, in such Manner as to them the said Justices shall appear fair, just, and equitable, anything in this Act, or any former Act or Acts, or any Law, Usage, or Custom, to the contrary thereof notwithstanding: Provided nevertheless, that upon such Appeal no such Rate shall be quashed or destroyed in regard to any other Parish, Township, or Place, unless in Cases where the Justices of the Peace of any County in Quarter Sessions assembled, or the major Part of them, shall deem it necessary to proceed to the making of an entire new Rate, and shall proceed therein, according to the Provisions of this Act.

Rate to be raised, notwithstanding Appeals, until Determination of Justices.

57 G. 3. c. 94. s. 2.

XXIII. From and after the passing of this Act, the County Rate or Rates made upon any Parish, Township, or Place (whether extra-parochial or otherwise) shall be paid, and shall and may be levied, recovered, and received, notwithstanding any Appeal or Appeals may have been made to the Quarter Sessions of the Peace against any such Rate or Rates, and such Rate or Rates shall continue to be raised, levied, and received until the Decision of the Justices shall be made upon such Appeal or Appeals: Provided always, that if upon the Hearing of any such Appeal or Appeals the Court of Quarter Sessions of the Peace shall order any Rate or Assessment to be set aside, decreased, or lowered, and it shall appear to the said Court that any Parish, Township, or Place have or hath, previously to the Determination of such Appeal or Appeals, paid any Sum or Sums of Money in consequence of such Rates or Assessments which ought not to have been paid or charged therein, then and in every such Case the said Court shall order such Proportion of such Sum or Sums of Money as shall have been so paid by any Person or Persons, Parish, Township, or Place, subsequently to the Notice which shall have been given of such last-mentioned Appeal or Appeals, to be repaid and returned to the Person or Persons, Parish, Township, or Place which have or hath paid the same respectively, out of the General Rate of the County in which the Cause of Appeal shall have arisen.

In case Justices order Rate to be set aside, &c. Money paid subsequent to the Time of Appeal to be returned out of County Rate.

Expenses of Appeals, &c. shall be paid in such Proportions as the Justices or Courts of Law shall award.

XXIV. Save as herein-before otherwise provided, in case of any Appeals, Actions, Suits, or Proceedings at Law respecting anything done in pursuance of this Act, or any other Act or Acts relating to the County Rate, the Expenses of all such Appeals, Actions, Suits, or Proceedings at Law shall be borne and paid by such respective Parishes, Townships, Places, and Persons, or such of them, and in such Proportions, as the said Justices shall, as they are hereby authorized to do, upon any Appeal, in their Quarter Sessions award and order, or as such Courts wherein such Actions, Suits, or Proceedings shall be instituted shall, as they are hereby authorized to do, adjudge and order.

Costs may be awarded upon Notices of Appeal not prosecuted.

XXV. And for the more effectual preventing of frivolous Appeals, be it enacted, That the Justices of the Peace in their Quarter Sessions assembled, upon Proof before them there to be made of Notice of any Appeal having been given as herein-before authorized by any Churchwarden or Churchwardens, Overseer or Overseers, or other Person or Persons (though he or they did not afterwards prosecute such Appeal), shall and may at the same Sessions award and order to the Party to whom such Notice shall appear to have been given such Costs and Charges as by the said Justices in their Discretion shall be thought reasonable and just to be paid by the Churchwardens, Overseers, or any other Person by whom such Notice shall have been given.

Justices of the Peace shall send Precepts directly to Guardians of Unions for the Payment of County Rates.

XXVI. When and as often as the Justices of the Peace within the respective Limits of their Commissions in *England* have made a County Rate, a printed List of the Parishes and Places assessed to such Rate, and the Amount of the rateable Value upon which each such Parish and Place shall have been respectively assessed, shall be sent to the Overseers of the Poor, Constables, or other Persons charged with the Collection or Levy of the County Rate in every Parish and Place within the County, and such Justices, assembled at their General or Quarter Sessions or at any Adjournment thereof, shall order Precepts

Precepts in the Form shown in the Schedule annexed to this Act, or as near thereto as may be, to be issued to the Guardians of every Union of Parishes, of which Union any Parish is situate within such Limits, stating the Sum or Sums assessed and charged for each such Rate on each Parish in the Union, the whole of which Parish is situate within such Limits, and to the Guardians of every single Parish situate within such Limits, stating the Sum or Sums assessed and charged on such Parish for each such Rate, and requiring the Guardians of such Union or Parish respectively, within such Time as may be limited in such Precepts, to cause the aggregate of the said several Sums so stated to be paid by them, out of the Monies held by them on behalf of each such Parish, to the Treasurer of the County or Place for which such Justices act, and may cause such Precepts to be sent, by Post or otherwise, to such Guardians; and such Precepts shall have Force in every such Union, so far as concerns such Parishes as are within the Limits of the Commission of the said Justices, notwithstanding that the Place of Meeting of such Guardians may not be situated within such Limits, and without being endorsed with the Signature of any Justice of the Peace having ordinary Jurisdiction in the Place of Meeting of the Guardians; and such Guardians shall raise the Monies required by such Precepts to be paid in like Manner as the Money required by such Guardians for the Relief of the Poor, and shall pay such Monies at the Time limited and in the Manner prescribed by such Precepts; and if the Treasurer of such Guardians, or any Person on his or their Behalf, tender to the Treasurer of the County or Place for which such Justices act the aggregate of the said several Sums, or if he so tender the whole Sum assessed on any such Parish or Parishes in respect of any such Rate or Rates, together with a Copy of such Precept in which are specified the Parish or Parishes and the Rate or Rates in respect of which the same is so tendered, the Treasurer of the County shall receive the Sum so tendered, notwithstanding that the Sums required to be paid on behalf of other of such Parishes or of other of such Rates be not then tendered, and shall give a Receipt for the Sum or Sums received by him accordingly, but he shall not receive any Sum on behalf of any such Parish less than the whole of the Sum assessed and charged thereon in respect of One such Rate; and the Receipt of the Treasurer of such County or Place shall be a good Discharge for the Payment of the Sums specified in any such Precept or of any of them.

Guardians to pay such Rates.

County Treasurer to receive the same.

If the Guardians fail to pay such Rates, the Justices may issue Warrants to Overseers of Parishes, &c. to pay the same.

XXVII. In case Guardians do not pay within the Time limited in such Precept the Sum or Sums of Money therein required to be paid on behalf of any Parish, the said Justices assembled as aforesaid may cause to be issued and sent, by Post or otherwise, to the Overseers of the Poor of such Parish, or to the Petty Constable or Peace Officer, or other Person or Persons empowered in any Place to rate and levy the Monies assessed as such County Rate, Warrants to collect and pay to the Treasurer of the County or Place in which such Justices act, within a Time to be named and limited in such Warrants, the Rate or Rates charged on such Parish or Place respectively, together with an Addition to such Rate or Rates in the Proportion of One Shilling to every Ten; and such additional Sum shall be applied and disposed of in like Manner as the County Rate; and such Overseers of the Poor, Petty Constables, Peace Officers, or other Persons may reimburse themselves, as well for such additional Sums as for the original Amount of Rate or Rates, out of the Monies which they are respectively empowered to rate and levy for the Purpose of such County Rate, but shall not receive or take from the County Rate, or any other Rate, any Allowance or Compensation for their Trouble or Expenses incurred in collecting, levying, or paying such County Rate.

If the Overseers, &c. fail to pay, the Justices may levy the Rate by Distress and Sale.

XXVIII. If any Overseer, Petty Constable, Peace Officer, or other Person as aforesaid refuse, make default or neglect to pay to the Treasurer of the County or Place within the Time limited as aforesaid, the Sum or Sums of Money specified in the said Warrants, and if the Clerk of the Peace or Treasurer of the County or Place make Complaint thereof, then any Justice of the Peace of such County or Place may by Warrant under his Hand levy the same by Distress and Sale of the Goods of the Offender; and the Justices assembled as aforesaid may pay to any Clerk, Constable, Messenger, or other Person who may have been employed in making such Complaint, or in obtaining, drawing, or executing such Warrant, such reasonable Compensation out of the County Stock as to the said Justices may seem fit.

Parishes not in arrear with Contributions to be reimbursed by those which are in arrear.

XXIX. In every Case where any Parish comprised in an Union has, on or before the Day on which any Precept as aforesaid should be obeyed, contributed Money sufficient to enable the Guardians of the Union to pay any Sum or Sums required by such Precept in respect of such Parish, as well as to provide for the immediate Relief of the Poor of such Parish, and to satisfy all other Obligations of the said Guardians in respect of such Parish in force on that Day, and where, through the Default of any other Parish or Parishes in the same Union in contributing Money to such Guardians, or through the Neglect of such Guardians to demand sufficient Contributions from any other Parish or Parishes in the same Union, the said Guardians have applied the Money of such first-mentioned Parish to the Use of such other Parish or Parishes, and are thereby rendered unable to pay any Money so required by such Precept on behalf of such first-mentioned Parish, and such Parish is by reason thereof compelled to pay the additional Sum of One Shilling in every Ten, as herein-before provided, in every such Case the Guardians of the Union shall reimburse such first-mentioned Parish such additional Sum, and all Costs incurred by reason of the Premises, out of the Monies of such other Parish or Parishes which may next thereafter come into the Hands of such Guardians; and in case more than One Parish be in default as aforesaid the said Guardians shall charge such additional Sum and Costs to every such Parish, in proportion to the Amount of the Deficiency of the Contribution of each Parish respectively on the Day on which the said Precept should have been obeyed.

Justices may issue Precepts to Overseers

XXX. In the Case of every Parish not comprised within any Union, and in which the Laws for the Relief of the Poor are not administered by a Board of Guardians, and in the Case of every Parish comprised

prised in a Union the Guardians of which are not empowered to relieve the Poor, and in the Case of any Parish comprised within a Union, or in which the Laws for the Relief of the Poor are administered by a Board of Guardians, of which Parish a Part only is situated within the Limits of the Commission of any Justices, for which Part no separate Rate is levied for the Relief of the Poor, or where there are no separate Churchwardens or Overseers of the Poor, or where no separate or distinct Rate is made and collected for the Relief of the Poor of any Division or Part of any Parish, Township, or Place situated in and extending into Two or more Counties, Ridings, or Divisions, and in the Case of every Place not maintaining its own Poor, but liable to the Payment of County Rates as aforesaid, the Justices assembled as aforesaid may, so soon as any Vacancy occurs in the Office of High Constable, issue their Warrant to the Overseers, Petty Constables, Peace Officers, or other Persons empowered by Law to rate and levy County Rates in such Parish, Part of a Parish, or Place, to pay to the County Treasurer, or to transmit to him in such Manner as the said Justices may from Time to Time direct, within a Time limited in such Warrant, the County Rate, as aforesaid charged on them, without the Agency or Intervention of any High Constable, and such Justices may cause such Warrant to be sent by Post or otherwise; and in case the said Overseers, Petty Constable, Peace Officer, or other Person refuse or neglect to pay any such Rate within the Time limited in such Warrant, the same Remedy may be had against them as is herein-before provided against Overseers, Petty Constables, Peace Officers, or other Persons refusing, making default, or neglecting to pay to the Treasurer of the County or Place, within the Time limited, the Rate or Rates charged upon any Parish in Union, and omitted to be paid by the Guardians of such Union, in compliance with the Precept issued by the Justices as aforesaid.

of Parishes, &c. not comprised in Unions or only partly within the Jurisdiction of the Justices.

XXXI. 'Whereas there are several Parishes, Townships, Hamlets, and Places situated in and extending 'into Two or more Counties, Ridings, or Divisions having separate and distinct Commissions of the 'Peace, Part of such Parishes, Townships, Hamlets, and other Places being situated in One County, 'Riding, or Division, and other Part or Parts thereof in another County or other Counties, Riding or 'Ridings, Division or Divisions, and the Messuages, Lands, Tenements, and Hereditaments situated in 'such Parishes, Townships, Hamlets, or other Places are rateable to the Relief of the Poor therein, and 'to the County Rates of the respective Counties, Ridings, or Divisions in which such Messuages, Lands, 'Tenements, and Hereditaments are respectively situated, but the Constables, Churchwardens, and Overseers are appointed for the whole of such Parishes, Townships, Hamlets, or Places, and it frequently 'happens that such Constables, Churchwardens, and Overseers are resident in One Division of such 'Parishes, Townships, Hamlets, or other Places, and that there are no Constables, Churchwardens, or 'Overseers residing in the other Division thereof, or within the Limits of the Jurisdiction of the Justices 'making such County Rate or Rates, whereby considerable Difficulties have in such Cases arisen in 'raising the County Rates in such Divisions:' For Remedy whereof, be it enacted, That from and after the passing of this Act all and every the Powers and Provisions, Clauses, Pains, Penalties, and Forfeitures, given, granted, provided, made, or imposed by this Act, shall extend, and be deemed, construed, and taken to extend, to all Cases and Places as aforesaid where there are no separate Churchwardens or Overseers of the Poor, or where no separate or distinct Rate is made and collected for the Relief of the Poor of any such Division or Part of any Parish, Township, or Place situated in and extending into Two or more Counties, Ridings, or Divisions as aforesaid; and that all and every the Constables, Churchwardens, and Overseers of any such Parishes, Townships, Hamlets, or other Places as are situated in and extend into Two or more Counties, Ridings, or Divisions having separate and distinct Commissions of the Peace as aforesaid shall be subject to the Precepts, Warrants, Orders, and Directions of the several Justices of the Peace for the respective Divisions or Parts of such Parishes, Townships, Hamlets, or other Places, so far as the same may relate to the making of the Returns herein-before required, and the assessing, levying, and collecting of the Proportion of the County Rate for such respective Divisions or Parts of such Parishes, Townships, Hamlets, or other Places, or otherwise to the Execution of this Act, within the Parts of such Parishes, Townships, Hamlets, or other Places as shall be situated within the Limits of the Jurisdiction of the Justices making and issuing such Precepts, Orders, Warrants, and Directions, and shall be subject to the same Fines, Penalties, and Forfeitures for Neglect and Disobedience of the Precepts, Warrants, Orders, and Directions of such Justices, so far as the same shall relate to the Matters aforesaid or any of them, or otherwise to the Execution of this Act as such Constables, Churchwardens, and Overseers, or other Officers would by the Laws now in force be subject and liable to if such Constables, Churchwardens, Overseers, or other Officers had resided within the Limits of the Jurisdiction of the Justices making and issuing such Precepts, Warrants, Orders, and Directions: Provided always, that nothing herein contained shall extend, or be construed, deemed, or taken to extend, to authorize any Justice or Justices of the Peace to act in the Cases aforesaid or any of them beyond the Limits of the Jurisdiction within which he or they shall be generally appointed and authorized to act as such Justices.

Powers of Act to extend to Places where there are no separate Churchwardens, &c., or where no separate or distinct Poor Rate is made for any Place extending into Two or more Counties, &c.

Justices not to act beyond their Jurisdiction.

XXXII. That where any Parish or Place separately maintaining its own Poor shall be divided, so that a Part is comprised in a Borough not subject to contribute to the County Rate, while the Part out of the Borough is liable to contribute thereto, and any County Rate shall be assessable upon the Part of the Parish or Place which is comprised within the County and excluded from the Borough, the Overseers of such Parish or Place shall, on Receipt of any Precept or other lawful Demand from the Justices of the County, or other due Authority in that Behalf, demanding the Payment of any Sum of Money as the Contribution of the Part of such Parish or Place out of the Borough towards any such Rate as aforesaid, with all convenient Speed assess the Sum so required upon the Persons liable within such Part of the

The Overseers of Parishes situated partly within Boroughs and partly without to collect the County Rates leviable on the Part of the Parish not

comprised within the Borough.

the Parish or Place to pay the Poor Rate therein, by means of a separate Rate, to be made, allowed, and published in like Manner as the Poor Rate, and either by themselves or by the Collector of Poor Rates for the Time being appointed for the said Parish or Place shall collect the same separately or with the Poor Rate payable by the Parties assessed thereto, and for the Purposes of assessing and collecting the same shall have all such Powers, Authorities, Privileges, Protections, and Incidents as belong to them in the assessing and Collection of the Poor Rate; and all Provisions of the Law for enforcing the Collection of the Poor Rate, and recovering the Costs of the Proceedings therein, shall be applicable to the Collection of the Rate or Rates herein last above mentioned and provided for.

Appeal against the Rate, and Audit of the Accounts.

XXXIII. That any Person assessed to any Rate made under the Authority of the Provisions last herein-before contained may appeal against the same, in like Manner, and with the like Consequences in all respects, and subject to the same Provisions and Regulations, as in Appeals against the Poor Rate; and that every Overseer and Collector shall account for the Money levied, collected, and expended under the Authority of this Act to the Auditor of the District comprising such Parish or Place, in like Manner as for the Poor Rate, and if any Balance be found to be in his Hands shall apply the same towards the next County Rate required for the like Purpose of this Act, or shall pay the same to his Successor in Office; and in default of his so applying the same while in Office, or making Payment to his Successor within Seven Days after the Balance shall have been found, such Auditor shall proceed to recover the same from the Person holding the same, in like Manner as Sums certified by him to be due from Persons accounting shall from Time to Time be recoverable, and he shall be paid his Costs and Expenses, when not recovered from the Defendant, by the then Overseers of the Parish or Place, who shall be reimbursed out of the Balance of such Rate, or, if need be, out of the next Rate.

Mode of procuring the Funds when the Precept is sent to the Guardians of the Union comprising the divided Place.

XXXIV. That where a Precept shall be issued to the Guardians of the Union comprising any such Parish or Place, under the Provisions in that respect herein-before contained, and such Precept shall contain a Sum to be assessed and charged in respect of any such Rate as is herein provided for upon a Part of such Parish or Place as aforeaid, the said Guardians may require the Overseers of such Parish or Place to pay to their Treasurer a Sum of Money sufficient to enable the said Guardians to pay the Sum so assessed, with the other Sums mentioned in the said Precept, to the Treasurer of the County or other Person lawfully authorized to receive it; and the said Overseers shall pay the Amount out of any Monies in their Possession belonging to the Parish or Place, or to the Part of such Parish or Place respectively, and reimburse themselves, if necessary, by a Rate, to be levied as herein-before described, upon the Persons liable thereto, or, if they have no such Monies, shall forthwith proceed to levy and collect the requisite Amount by such Rate, and pay the same over to the Treasurer of the said Guardians: Provided nevertheless, that if such Overseers make default, and do not make the requisite Payment within the appointed Time, they shall be subject to be proceeded against in like Manner as the Overseers of a Parish wholly situated within the County are subjected to under the Provisions of this Act.

Where the Amount required for the County or other Rate is small, the making of the Rate for Reimbursement may be postponed.

XXXV. That where the Amount requited in respect of any such County Rate from any Part of such Parish or Place as last aforesaid shall, in the Judgment of such Overseers, be so small as to render the levying and collecting of a separate Rate for it inconvenient, the Overseers may postpone the Reimbursement of themselves for any such Advance as aforesaid, and they or their Successors may afterwards, on the Recurrence of the next Precept or other lawful Demand, or of that next but One, levy and collect such a Rate as aforesaid to raise the whole Amount so previously advanced and unsatisfied out of the Poor Rates of the Parish, as well as the Amount required by the then Precept or Demand, and shall apply the Sum so collected in Reimbursement of the previous Payments, and the Satisfaction of such Precept or Demand, and shall apply the Balance, if any, towards the Discharge of the next Precept or Demand.

Mode of Collection where the Office of High Constable has not become vacant.

XXXVI. Provided always, That in any County in which the Office of High Constable of any Hundred shall be held for Life, or during good Behaviour, the Collection of the County Rate shall continue to be collected by means of such High Constable, until any Vacancy occurs in the Office by the Expiration of his Appointment, or otherwise; and the Precepts herein-before provided for the Collection of such Rate shall, as to the Districts within which such High Constable shall act, be directed to such High Constable, ordering and requiring him to issue his Warrants to the respective Overseers of the Poor within his Division, to levy, collect, and pay to the said High Constable, within the Time to be named and limited in the Warrant to be issued from the Sessions as aforesaid, all such Rate or Rates, Assessment or Assessments so ordered to be paid, which each High Constable shall and he is hereby directed and required to pay, at such Time as shall be specified in such Warrant, to the Treasurer of the County for the Time being, to be applied and disposed of in such Manner and for such Purposes as the County Stock or Rate is now applicable or may hereafter be made applicable by Law; and in case any Overseer or Overseers of the Poor, or other Person appointed to act as such, under the Provisions of this Act, in any of the several Parishes, Townships, or Places, whether parochial or otherwise, within the Hundred or Division for which the said High Constable shall act, liable to pay the same, shall neglect, make default, or refuse to pay the same, within the Time to be specified and limited as aforesaid, to the High Constable of the Division within which such Overseer or Overseers or other Person or Persons so liable and neglecting to pay shall reside or be appointed to act, it shall and may be lawful for any Justice of the Peace of the said County, upon Complaint thereof made by any such High Constable, by Warrant under the Hand and Seal of any such Justice, to levy the same by Distress and Sale of the Offender's Goods; and the Overseer or Overseers of any Parish, Township, or Place, whether parochial or otherwise, or other Person or Persons appointed to act as such Overseer or Overseers, shall and may and is

and

and are hereby empowered to levy and raise, by an equal Rate or Assessment upon all and every the several Estate and Property rateable to the Relief of the Poor within their respective Parishes, Townships, or Places, whether parochial or otherwise, such Sum and Sums of Money as shall be required and necessary in order to raise the several Sums assessed upon such Parishes, Townships, or Places respectively, or to reimburse such Overseer or Overseers or other Person or Persons as aforesaid such Sum or Sums of Money as they shall respectively have paid on account of the same, such Rate or Assessment to be paid by the Occupier or Occupiers for the Time being of such Estates and rateable Property as aforesaid.

High Constable to give Security.

XXXVII. That the Justices of the Peace of the said several Counties are hereby authorized and empowered to demand and take, whenever they shall think fit, good and sufficient Security, to be approved of by the said Justices in General or Quarter Sessions assembled, from the High Constables employed in the Collection and levying the Rates; and that if any such High Constable, upon being so called upon by the said Justices, shall neglect or refuse to give such Security as shall be approved by them, it shall then be lawful for the said Justices of the Peace in General or Quarter Sessions assembled to order and direct the Churchwardens and Overseers of the Poor, or other Persons appointed to collect and levy the Rates of any Parish, Township, or Place, to pay the Quota which shall be assessed thereupon toward the County Rate to the Treasurer of the County, Division, or Place in which such Parish, Township, or Place shall be situate; and the Receipt of such Treasurer shall be a sufficient Discharge for the same.

Mode of enforcing Repayment by Borough Treasurers of Money expended by Counties out of the County Rates as provided by 5 & 6 W. 4. c. 76. ss. 114. & 117.

XXXVIII. 'Whereas by an Act passed in the Fifth and Sixth Years of the Reign of His late 'Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Cor-* '*porations in* England *and* Wales, it is thereby enacted, that the Treasurer of every County in *England* 'and *Wales* should keep an Account of all Costs arising out of the Prosecution, Maintenance, and 'Punishment, Conveyance and Transport of all Offenders committed for Trial to the Assizes in such 'County from any Borough in which a separate Court of Quarter Sessions of the Peace should be 'holden, and likewise of all Sums received in aid or on account of the County Rate, and expended out 'of the County Rate for other Purposes than the Costs before mentioned, and should, not more than 'Twice in every Year, send a Copy of the said Accounts to the Council of every such Borough, and 'should make Orders on the Council of every such Borough for the Payment of the Sums chargeable 'upon the same, and the Council of such Borough should forthwith order the same, with all reasonable 'Charges of making and sending the said Account, to be paid to the Treasurer of such County out of 'the Borough Fund: And whereas it is expedient to provide, as near as may be, one uniform Remedy 'to recover County Rates, and the Orders of the County Treasurer upon the Councils of Boroughs 'from the Guardians or Overseers and Councils of Boroughs respectively, when the same are not paid 'within a Time limited:' Be it therefore enacted, That it shall and may be lawful for any Two Justices of the Peace for the County, upon the Complaint or Information of the Treasurer of the same County, to be made or taken One Calendar Month after the Issue of any Order or Orders upon the Council of any Borough by the same County Treasurer, to cause to be issued and sent to the Treasurer of any such Borough a Warrant ordering such Borough Treasurer to pay to the Treasurer of the same County, over and besides the Sum or Sums mentioned in the first-named Order or Orders, the additional Sums named in such Warrant, the same being calculated in the Proportion of One Shilling to every Ten on the respective Sums named in the said original Order or Orders; and until Payment thereof the County Treasurer shall have, in respect of such Warrants, all the Powers for the Recovery thereof, as are given against any Guardian or Overseer for the Recovery of County Rates and Surcharges under and by virtue of this Act: Provided always, that nothing in this Act contained shall extend to render any such Borough, or any Property situated therein, liable to be assessed or to contribute to County Rate, save as in the said recited Act is mentioned and contained, and as herein-before expressly provided.

Delivery of Precepts, &c. by Post, and Evidence thereof.

XXXIX. Whenever Precepts or Warrants, as provided by this Act, are to be sent by Post, the Clerk of the Peace shall send every such Precept or Warrant by Post as a registered Letter, according to the Regulations of the Postmaster General in force for the Time being in that Behalf; and every Precept or Warrant delivered or tendered as a registered Letter at the Address of the Person to whom it is addressed, whether a Receipt be given for the same or not, shall be deemed to have been served on the Person to whom the same was so delivered or tendered; and if delivered or tendered to the Clerk or other like Officer acting for any Guardians, shall be deemed to have been served on the whole of such Guardians; and if delivered or tendered to any One Overseer of a Parish, shall be deemed to have been served on the whole of the Overseers of such Parish.

Justices in General or Quarter Sessions to appoint Justices to fix and determine Boundaries between Counties, Ridings, Divisions, or Parts of Counties, and other Places of distinct and separate Jurisdiction.

XL. The Justices of the Peace of Counties, and Ridings and Divisions and Parts of Counties, and other Places of distinct and separate Jurisdiction, in that Part of *Great Britain* called *England*, assembled at their several and respective General or Quarter Sessions of the Peace, or at any Adjournment thereof, shall be and they are hereby authorized and required, in any Case in which any Question or Doubt does or shall exist or shall have arisen, or may in the Judgment of the said Justices be likely to arise, as concerning any Boundary between any Counties, Ridings, Divisions, or Parts of any County, or other Places of distinct and separate Jurisdiction for which they respectively act as such Justices, to nominate and appoint Two Justices of the Peace of each such County, Riding, Division, or Parts of any County, or other Places of distinct and separate Jurisdiction between which the Boundary is required to be ascertained, for the Purpose of fixing and determining such Boundary, and the Clerks of the Peace, Town Clerks, and other proper Officer of the several and respective General or Quarter Sessions of the Peace at which such Justices shall be appointed, shall forthwith give Notice to each other and to such Justices of

of such Appointment, and the Justices so appointed shall in every such Case, as soon as may be after their Appointment, meet and proceed to ascertain the Boundary upon such Evidence as can be obtained by them, or as they shall deem necessary for that Purpose, either by Examination of Witnesses upon Oath (which Oath any One of the said Justices is hereby empowered to administer), or of any Maps, Plans, Surveys, or any other Records, or Documents, or in such other Manner as they the said Justices so appointed shall think requisite, and it shall be lawful for such Justices, or for any Person authorized under the Hand of any Three or more of such Justices, to enter upon any Lands, Grounds, or Premises, for the Purpose of examining the same, or making any Measurement, Maps, or Plans thereof, for the Purposes aforesaid; and it shall be lawful for the said Justices to summon any Witnesses to be examined in that Behalf, and to impose any Penalty or Forfeiture not exceeding Ten Pounds upon any Witness who shall, without reasonable Excuse, refuse or neglect to attend to be examined upon any such Summons; and such Justices shall thereupon fix, ascertain, and determine the Boundary so referred to them to be ascertained, and shall cause the Boundary so fixed and determined to be laid down on Two Maps or Plans, to be signed by the said Justices so appointed as aforesaid, which shall be deposited with the Clerks of the Peace, Town Clerks, or other proper Officer for the Counties, Ridings, Divisions, or Parts of Counties, or other Places of distinct and separate Jurisdiction between which such Boundary shall be so fixed and determined, and which Maps and Plans shall be kept amongst the Records of their respective Sessions, and shall be received as Evidence of such Boundaries; and such Boundaries so fixed and determined shall be and be deemed the Boundaries between the respective Counties, Ridings, Divisions, or Parts of Counties, or other Places of distinct and separate Jurisdiction, for which the same shall have been so ascertained, for all the Purposes of this Act, and the carrying the Provisions thereof into execution, anything contained in any other Act or Acts of Parliament relating to such Counties, Ridings, Divisions, or Parts of such Counties, or other Places of distinct and separate Jurisdiction, or any Law, Usage, or Custom to the contrary notwithstanding.

Appointment of new Justices.

XLI. If any of the Four Justices so appointed as aforesaid, or who shall be appointed in manner herein-after mentioned, shall, before the Execution of all the Powers and Authorities hereby in them respectively vested, die, decline, or refuse to act, or become incapable of acting, the Justices of the Peace of Counties, Ridings, Divisions, and Parts of Counties, and other Places of distinct and separate Jurisdiction, assembled at their several and respective General or Quarter Sessions of the Peace or at any Adjournment thereof from which such Justice so appointed or to be appointed shall die, decline, refuse to act, or become incapable of acting, shall and they are hereby authorized and required to appoint another Justice in the Room of him so dying, declining, refusing to act, or becoming incapable of acting, as aforesaid, and so from Time to Time as often as any Justice so to be appointed as last aforesaid shall die, decline, or refuse to act, or become incapable of acting; and every Justice to be appointed as aforesaid shall have the like Power and Authority as the Justice in whose Place he shall be appointed was invested with by virtue of this Act; and that Notice shall be given by the Clerks of the Peace, Town Clerks, or other proper Officer to such Justice of his Appointment, in manner herein-before directed.

In case of Difference between Justices, a Referee to be appointed to meet them, and determine Boundary.

XLII. If it shall happen that the Justices so appointed to fix, ascertain, and determine the Boundaries as aforesaid shall disagree in Opinion touching the Boundary between any County, Riding, Division, or Parts of any County, or other Place of distinct and separate Jurisdiction, so referred to them under and by virtue of this or the said recited Act, and there shall be an Equality of Votes, so that the said Justices cannot make any Determination thereon, then and in such Case the said Justices, or the major Part of them, shall forthwith appoint under their Hands such Person as they may think proper to act as Referee, which Person so appointed as Referee shall, within Twenty-one Days from the Receipt of such Appointment, fix a Time and Place to meet such Justices; and at such Meeting the said Person so to be appointed as Referee as aforesaid shall, together with the said Justices to whom any Boundary shall be referred to be ascertained as aforesaid, proceed to fix, ascertain, and determine the Boundary about which such Disagreement shall take place amongst them the said Justices, in such and the same Manner and with such and the like Powers in all respects as herein-before expressed, and that the Determination and Decision of the said Justices, and of the Person whom they shall appoint as Referee as aforesaid, or of the major Part of them, shall be for ever binding and conclusive; and that the said Justices, and the Person whom they shall appoint as Referee as aforesaid, or the major Part of them, shall cause the Boundary so fixed and determined to be laid down on Two Maps or Plans, to be signed by the said Justices and the Person so appointed as Referee as aforesaid, or by the major Part of them, which shall be deposited with the Clerks of the Peace, Town Clerks, or other proper Officer as herein-before directed, and kept amongst the Records of their respective Sessions, and shall be received as Evidence of such Boundaries; and such Boundaries so fixed and determined shall be and be deemed the Boundaries between the respective Counties, Ridings, Divisions, or Parts of Counties, or other Places of distinct and separate Jurisdiction for which the same shall have been so ascertained, for all the Purposes of this and of the said recited Act, and the carrying the Provisions thereof respectively into execution, anything contained in any other Act or Acts of Parliament relating to such Counties, Ridings, Divisions, or Parts of such Counties, or other Places of distinct and separate Jurisdiction, or any Law, Usage, or Custom, to the contrary notwithstanding.

Not to determine Boundary Question, except for rating.

XLIII. Nothing in this Act contained, nor any Proceedings under the same, shall extend or be construed to extend to determine any Question of Boundary for any Purpose except for the Purpose of assessing, collecting, and levying Rates according to the Provisions of this Act and of the said recited Act.

XLIV. No

Limitation of Actions.

XLIV. No Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons for anything done or to be done by virtue of or in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action shall be brought and laid in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead, at his, her, or their Election, this Act specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance or by the Authority of this Act.

Penalty on Persons obstructing Overseers, &c.

XLV. Every Person who in any Manner wilfully resists or obstructs any Overseer, Collector, Surveyor, or other Person in the Execution of his or their Duty under this Act shall forfeit and pay any Sum not exceeding Five Pounds, to be prosecuted and recovered before any Two or more of Her Majesty's Justices of the Peace for the County wherein the Offence is committed.

Penalties and Forfeitures, Costs and Charges, may be levied by Distress and Sale of Offender's Goods.

XLVI. All Penalties and Forfeitures by this Act authorized to be imposed for any Offence against the same shall, upon Proof and Conviction of the Offences respectively before any Two Justices, as herein-before directed, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justices are hereby authorized to administer), be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hands of the Justices before whom the Party may have been convicted, or, on Proof of such Conviction, by a Warrant under the Hands of any Two Justices (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels; and if upon the Return of such Warrant it appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices as aforesaid, by Warrant under their Hands, to cause such Offender to be committed to the Common Gaol or House of Correction of the County where the Offender may be or reside, there to remain without Bail or Mainprise for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, be sooner paid and satisfied; and the said Penalties and Forfeitures, when recovered, shall be paid to the Treasurer of the County in which such Offence may have been committed or Forfeiture incurred, to be applied in aid of the Rates of the said County.

Committal.

Application of Penalties.

Counties where Rates have been regulated by particular Acts authorized to make use of the Provisions of this Act.

XLVII. 'And whereas several Acts have passed and are now in force empowering the Justices of 'the Peace of certain Counties to make fair and equal County Rates within their respective Counties:' Be it hereby enacted, That it shall and may be lawful to and for the said Justices respectively, and they are hereby empowered, at any Time and at all Times after the passing of this Act, to proceed in the assessing, levying, and collecting and enforcing the Payment of the County Rate, and in all Matters relating to the equalizing the same, either under the Authority and according to the Provisions and Enactments of this Act, or under the Authority and according to the Provisions and Enactments of the particular Acts affecting their respective Counties, as to them shall seem fit and proper, in all Cases in which the Provisions and Enactments of this Act are not inconsistent with the Provisions and Enactments of such particular Acts.

All Business relating to the Assessment and Application of County Rate shall be transacted in open Court.

XLVIII. That from and after the passing of this Act all Business appertaining to the Assessment, Application, or Management of the County Stock or Rate, or of any Fund or Funds used or applied in aid thereof or contributory thereto, or to any Matter or Things whereby or in respect whereof the said County Stock or Rate is or may be chargeable by Law, which by any Statute or Statutes now in force the Justices of the Peace for that Part of *Great Britain* called *England* are authorized and directed to do and transact at the General or Quarter Sessions, or at any Adjournment thereof, shall be done and transacted publicly and in open Court at such General or Quarter Sessions, or Adjournment thereof, and not otherwise; and that no Order of such Justices relating to the Matters aforesaid shall be binding or effectual unless the said Order shall have been made and the Business relating thereto shall have been done and transacted publicly and in open Court as aforesaid.

Notice thereof to be given.

XLIX. That public Notice shall be given, in Two Newspapers generally circulating in the County, of the Time of holding the General or Quarter Sessions, or any Adjournment thereof, at least Two Weeks before the Time of holding the same, and also of the Day and Hour at which the Business relating to the Assessment, Application, or Management of the County Stock or Rate will commence at such Sessions.

Treasurers of Counties or of Divisions of Counties to publish once in every Year an abstract Account of their Receipts and Expenditures.

L. That the several Treasurers of Counties or of Divisions of Counties shall and they are hereby required, on or before the First Day of *January* in every Year, to send to the several Clerks of the Guardians of every Union of Parishes within the County or Division of the County, and also to publish, in One or more of the Newspapers usually circulating in the County or Division of the County in which they respectively act, a true and accurate Abstract of the Account of their Receipts and Expenditures, under their several Heads, for the Year ending on the Twenty-ninth Day of *September* immediately preceding the Publication of such Abstract, signed by the Justices of the Peace who shall have audited the same; and the Abstracts of such Accounts, made out according to a Form to be settled by One of Her Majesty's Principal Secretaries of State, shall, after they have been submitted to and approved by the several Courts of Quarter Sessions respectively, be transmitted by the Clerks of the Peace of the respective Counties or Divisions of Counties to such Secretary of State; and a Copy of every such Abstract shall be laid before both Houses of Parliament within Six Weeks after the Receipts of the same

same by such Secretary of State, if Parliament be then sitting, or if Parliament be not sitting, then within Six Weeks of the Meeting thereof.

The Act extended to all Places having separate Commission of the Peace, and to all Rates of the Nature of County Rates.

LI. In the Construction of this Act the Word "County" shall mean and include any Riding or Division having a separate Commission of the Peace, or separate County Treasurer, and any Liberty, Franchise, or other Place in which Rates in the Nature of County Rates may be levied, having a separate Commission of the Peace, and not subject to the Jurisdiction of the County or Counties at large in which such Liberty, Franchise, or Place may lie, nor contributing or paying to the County Rates made for such County or Counties at large; and that the Words "County Rate" shall mean and include every Rate or Tax assessed in any County or any Division of a County as aforesaid for all or any of the Purposes to which County Rate or Stock is or may hereafter be made liable.

Construction of the Words "Parish," "Union," "Guardians."

LII. The Word "Parish" shall be construed to include any Township, Vill, or Place maintaining its own Poor, whether parochial or extra-parochial, or any Part of a Parish, Township, Vill, or other Place for which a separate Poor Rate may be made; the Word "Union" shall be construed to mean and include any Number of Parishes united under the Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, "for the Amendment and better Administration of the Laws relating to the "Poor in *England*," or under an Act passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, "for the better Relief and Employment of the Poor," or under any Local Act; and the Word "Guardians" shall mean and include any Board of Guardians acting under the Provisions of the said Act passed in the Fifth Year of His late Majesty King *William* the Fourth, and empowered to relieve the Poor of any Parish or Union, and the Visitors, Guardians, Directors, Managers, Acting Guardians, Vestrymen, or other Officers in a Union appointed to act in the ordering of Relief of the Poor from the Poor Rate under any General or Local Act of Parliament; and the Word "Hundred" shall mean and include any Hundred, Wapentake, Ward, or other District in the Nature of a Hundred, by whatever Name denominated.

SCHEDULE to which this Act refers.

Form of Precept.

County of } To the Guardians of the Union.
to wit. }

THESE are to require you, the Guardians of the Union, from and out of the Monies paid into the Hands of the Treasurer of your Union for the Uses and Purposes of the said Union, to pay or cause to be paid, on or before the Day of into the Hands of *A.B.*, Treasurer of the said County, appointed to receive the same, the Sum of being the Amount of the several and respective Sums of Money hereunder set down and expressed opposite to and against the Names of the several Parishes, Townships, or Places comprised within your said Union, the said several Sums being respectively charged and assessed thereon as the Proportion of the several Parishes, Townships, or Places towards the general County Rate, at in the Pound, made at the last Quarter Sessions [*or* General Sessions] of the Peace held at in and for the said County.

[*Signature of the Clerk of the Peace.*]

Names of Parishes.	County Rate, at in the Pound.		
	£	s.	d.

CAP. LXXXII.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and fifty-two; and to appropriate the Supplies granted in this Session of Parliament. [1st *July* 1852.]

§ I. There shall be applied, for the Service of the Year 1852, £11,832,225 7*s.* 2*d.* out of the Consolidated Fund.

II. The Treasury may cause £11,832,225 7*s.* 2*d.* of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest

§ IV. Interest on Exchequer Bills.

V. Bank of *England* may advance £11,832,225 7*s.* 2*d.* on the Credit of this Act, notwithstanding 5 & 6 *W. & M. c.* 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may issue £1,015,625 12*s.* 10*d.* Surplus of Ways and Means, and Monies in the Exchequer, for Service of 1852.

X. Monies coming into the Exchequer by 15 & 16 *Vict. c.* 1.—£17,742,800 by Exchequer Bills, 15 & 16 *Vict. c.* 10.—and £11,832,225 7*s.* 2*d.*, £1,015,625 12*s.* 10*d.*, and £500,000 by this Act granted, to be applied as hereafter expressed.

XI. There shall be issued,

£6,492,646	0	0	For Naval Services; *viz.*	
1,469,054	0	0	For Wages to 39,000 Seamen and Marines	For the Year ending 31st *March* 1853.
506,578	0	0	For Victuals, &c. in the Navy	
134,633	0	0	For Salaries, &c. of the Admiralty Office	
50,353	0	0	For the Navy Scientific Departments	
132,647	0	0	For Naval Establishments at home	
23,263	0	0	For Naval Establishments abroad	
666,929	0	0	For Wages of Artificers, &c. at home	
35,331	0	0	For Wages of Artificers, &c. abroad	
782,495	0	0	For Naval Stores, &c.	
265,140	0	0	For new Works in Naval Establishments	
23,000	0	0	For Medicines, &c.	
50,850	0	0	For Naval Miscellaneous Services	
707,520	0	0	For Naval Half Pay, &c.	
490,533	0	0	For Military Pensions	
156,562	0	0	For Civil Pensions	
127,600	0	0	For Freight of Ships, &c. for Army and Ordnance Services	
870,158	0	0	For Packet Service	
XII. 6,878,288	0	0	For Army Services; *viz.*	
3,602,067	0	0	For Forces in the United Kingdom and Stations abroad (except the *East Indies*)	From 1st *April* 1852 to 31st *March* 1853.
169,607	0	0	For General Staff Officers, &c.	
95,957	0	0	For Allowances to Officers, &c. of public Military Departments	
17,141	0	0	For Royal Military College	
17,536	0	0	For Royal Military Asylum, &c.	
84,000	0	0	For Volunteer Corps	
15,643	0	0	For Rewards for distinguished Military Services	
61,000	0	0	For Pay of General Officers	
50,000	0	0	For Full Pay for Retired Officers	
365,000	0	0	For Half Pay for Retired Officers	
36,916	0	0	For Half Pay for Officers of disbanded Foreign Corps, &c.	
119,387	0	0	For Pensions to Widows	
83,000	0	0	For Compassionate List, &c.	
28,815	0	0	For In-Pensioners of *Chelsea* and *Kilmainham* Hospitals	
1,226,803	0	0	For Out-Pensioners of *Chelsea* Hospital, &c.	
37,500	0	0	For Superannuations in Military public Departments	
437,602	0	0	For Commissariat Department	For the Year ending 31st *March* 1853.
43,599	0	0	For Half Pay of Commissariat Department	
386,715	0	0	For Militia, from 1st *April* 1852 to 31st *March* 1853.	
XIII. 2,437,163	0	0	For Ordnance Services; *viz.*	
749,324	0	0	For Pay of Ordnance Military Corps	For the Year ending 31st *March* 1853.
296,556	0	0	For Commissariat and Barrack Supplies, &c.	
75,580	0	0	For Expense of Ordnance Office	
288,313	0	0	For Establishments at home and abroad	
121,646	0	0	For Wages of Artificers, &c.	
176,453	0	0	For Ordnance Stores for Land and Sea Service	
449,028	0	0	For Works and Repairs	
107,907	0	0	For Scientific Branch	
172,356	0	0	For Non-effective Services	

§ XIV.	£460,000	0	0	For the *Kaffir* War.	
XV.	17,742,800	0	0	For paying off Exchequer Bills of 1852.	
	500,000	0	0	For discharging Supplies for 1851 or for any preceding Year.	
				CIVIL SERVICES.—*Class* 1.	
XVI.	113,476	0	0	For Repair of Royal Palaces, &c. - -	To 31st *March* 1853.
	60,546	0	0	For Repair of Royal Parks, &c. - -	
	121,249	0	0	For New Houses of Parliament - -	
	8,320	0	0	For General Repository for Records, for 1852.	
	10,000	0	0	For Comptroller of Stationery Office, for 1852.	
	89,396	0	0	For *Holyhead* Harbour - - -	
	170,000	0	0	For Harbours of Refuge - - -	
	1,351	0	0	For *Port Patrick* Harbour - - -	
	35,865	0	0	For Public Buildings in Department of Public Works in *Ireland*, &c. - - -	
	11,028	0	0	For *Kingstown* Harbour - - -	
	100,000	0	0	For Civil Contingencies - - -	
				CIVIL SERVICES.—*Class* 2.	
XVII.	95,800	0	0	For Salaries, &c. of Houses of Parliament -	
	54,400	0	0	For the Treasury - - - -	
	26,550	0	0	For the Home Department - - -	
	67,735	0	0	For the Foreign Department - - -	
	38,815	0	0	For the Colonial Department - - -	
	65,320	0	0	For the Privy Council, Privy Council for Trade, Education Office, &c. - - -	
	2,680	0	0	For Lord Privy Seal - - - -	
	23,150	0	0	For Office of Paymaster General - -	
	6,326	0	0	For Department of Comptroller General of Exchequer - - - - -	
	22,820	0	0	For Office of Commissioners of Works and Public Buildings - - - - -	
	20,645	0	0	For Office of Woods, Forests, &c. - -	
	2,761	0	0	For State Paper Office - - -	
	3,273	0	0	Part Expenses of Ecclesiastical Commissioners for *England* - - - - -	
	221,361	0	0	For Administration of Poor Laws - -	
	36,439	0	0	For the Mint - - - -	
	11,668	0	0	For Public Records, &c. - - -	To 31st *March* 1853.
	15,190	0	0	For Salaries, &c. of Inspectors of Factories, &c. -	
	1,700	0	0	For Civil Charges, *Scotland*, &c. - -	
	6,464	0	0	For Officers, &c. of Lord Lieutenant of *Ireland* -	
	22,563	0	0	For Salaries of Chief Secretary, &c. *Ireland* -	
	6,051	0	0	For Paymaster of Civil Services, *Ireland* -	
	32,013	0	0	For Board of Public Works, *Ireland* - -	
	32,000	0	0	For Foreign and Secret Services - -	
	216,509	0	0	For Stationery, &c. for Public Departments -	
				CIVIL SERVICES.—*Class* 3.	
XVIII.	21,000	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin - -	
	17,700	0	0	For Expenses of Sheriffs, Salaries of Officers of the Exchequer, &c. - - - -	
	8,830	0	0	For Insolvent Debtors Court - - -	
	121,165	0	0	For Law Expenses, *Scotland* - - -	
	57,710	0	0	For Criminal Prosecutions and Law Charges, *Ireland* - - - - -	
	36,500	0	0	For Metropolitan Police, *Dublin* - -	
	240,000	0	0	For Charges formerly paid out of County Rates -	
	16,196	0	0	For General Superintendence of Prisons, &c. -	
	261,522	0	0	For Government Prisons, and Convict Establishments at home - - - -	
	159,123	0	0	For Maintenance of Prisoners and Removal of Convicts - - - - -	
	101,041	0	0	For Transportation of Convicts - -	
	253,587	0	0	For Convict Establishments in the Colonies -	

				CIVIL SERVICES.—*Class* 4.	
§ XIX.	£160,000	0	0	For Public Education in *Great Britain*	
	164,577	0	0	For Education, *Ireland*	
	17,920	0	0	For Department of Practical Art, &c.	
	2,006	0	0	For certain Professors at *Oxford* and *Cambridge*	
	3,957	0	0	For *London* University	
	7,560	0	0	For Grants to *Scottish* Universities	To
	300	0	0	For Royal *Hibernian* Academy	31st *March* 1853.
	300	0	0	For Royal *Irish* Academy	
	6,340	0	0	For Royal *Dublin* Society	
	3,000	0	0	For Royal *Belfast* Academical Institution	
	1,710	0	0	For Queen's University, *Ireland*	
	21,350	0	0	For new Buildings, &c. at *British Museum*	
	52,343	0	0	For Salaries, &c. at ditto	
	2,966	0	0	For Antiquities for ditto.	
	2,495	0	0	For National Gallery	To
	14,920	0	0	For Geological Survey, &c.	31st *March* 1853.
	4,018	0	0	For Magnetic Observatories, &c.	
	5,000	0	0	For National Gallery, *Scotland*, in 1852.	
				CIVIL SERVICES.—*Class* 5.	
XX.	4,049	0	0	For Civil Establishment of the *Bermudas*	
	7,747	0	0	For Ecclesiastical Establishment of *British North American* Provinces	
	12,424	0	0	For *Indian* Department in *Canada*	
	19,528	0	0	For Salaries of Governors, &c. of *West India* Colonies and *Prince Edward's Island*	To
	33,862	0	0	For Salaries, &c. of Stipendiary Justices in *West India* Colonies and the *Mauritius*	31st *March* 1853.
	13,780	0	0	For Civil Establishments on the *Western* Coast of *Africa*, &c.	
	10,802	0	0	For *St. Helena*	
	7,059	0	0	For *Western Australia*	
	491	0	0	For *Port Essington*, in 1852.	
	10,000	0	0	For *New Zealand*	
	986	0	0	For *Heligoland*	
	9,474	0	0	For *Falkland Islands*	
	14,083	0	0	For Colonial Land and Emigration Board, &c.	
	30,000	0	0	For Support of captured Negroes, &c.	
	11,250	0	0	For Commissions for suppressing the Slave Trade	
	150,983	0	0	For the Consular Establishments abroad	To
	16,800	0	0	For Missions abroad	31st *March* 1853.
	12,000	0	0	For *British* Settlement at *Hong Kong*	
	4,000	0	0	For *Labuan*	
				CIVIL SERVICES.—*Class* 6.	
XXI.	135,359	0	0	For Superannuations, &c. to Public Officers	
	3,219	0	0	For *Toulonese* and *Corsican* Emigrants, &c.	
	2,000	0	0	For National Vaccine Institution, in 1852.	
	325	0	0	For Refuge for Destitute in 1852.	
	4,300	0	0	For *Polish* Refugees, &c.	
	4,469	0	0	To pay Miscellaneous Allowances	
	1,691	0	0	For Foundling Hospital Department, House of Industry, *Dublin*	
	9,788	0	0	For House of Industry, *Dublin*	
	600	0	0	For Female Orphan House, *Dublin*	
	1,500	0	0	For *Westmoreland* Lock Hospital, *Dublin*	
	600	0	0	For Lying-in Hospital, *Dublin*	
	1,050	0	0	For Dr. *Stevens'* Hospital, *Dublin*	To
	2,660	0	0	For House of Recovery, &c., *Dublin*	31st *March* 1853.
	350	0	0	For Hospital for Incurables, *Dublin*	
	38,560	0	0	For Protestant Dissenting Ministers, *Ireland*	
	6,552	0	0	For Charitable Allowances, &c., *Ireland*	
				CIVIL SERVICES.—*Class* 7.	
XXII.	10,745	0	0	For General Board of Health	
	11,730	0	0	For Incumbered Estates Commission, *Ireland*	

£ 7,760	0	0	For Lighthouses abroad, in 1852.
40,200	0	0	For taking the Census.
783	0	0	For *British* Ambassador's House at *Madrid*, to 31st *March* 1853.
1,595	0	0	For Earl of *Shaftesbury's* Pension.
4,000	0	0	For *Menai Straits*.

§ XXIII. Supplies to be applied only for the Purposes aforesaid.

XXIV. Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXV. Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXVI. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXVII. Persons concerned in issuing, paying, and receiving Money for Payment of Half Pay, without the requisite Oaths, indemnified. 14 & 15 *Vict. c.* 101.

XXVIII. Half Pay allowed to Officers of the *Manx* Fencibles.

XXIX. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXX. Surplus of Sum by 14 & 15 *Vict. c.* 101. appropriated to Half Pay Officers to be disposed of as Her Majesty shall direct.

XXXI. Widows, &c. claiming Pensions to make required Declaration.

XXXII. Declarations to be made as specified in 5 & 6 *W.* 4. *c.* 62.

CAP. LXXXIII.

An Act for amending the Law for granting Patents for Inventions. [1st *July* 1852.]

'WHEREAS it is expedient to amend the Law concerning Letters Patent for Inventions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Persons constituted Commissioners of Patents for Inventions, Three of whom may act, the Chancellor or Master of the Rolls being One.

I. The Lord Chancellor, the Master of the Rolls, Her Majesty's Attorney General for *England*, Her Majesty's Solicitor General for *England*, the Lord Advocate, Her Majesty's Solicitor General for *Scotland*, Her Majesty's Attorney General for *Ireland*, and Her Majesty's Solicitor General for *Ireland*, for the Time being respectively, together with such other Person or Persons as may be from Time to Time appointed by Her Majesty, as herein-after mentioned, shall be Commissioners of Patents for Inventions; and it shall be lawful for Her Majesty from Time to Time, by Warrant under Her Royal Sign Manual, to appoint such other Person or Persons as She may think fit to be a Commissioner or Commissioners as aforesaid; and every Person so appointed shall continue such Commissioner during Her Majesty's Pleasure; and all the Powers hereby vested in the Commissioners may be exercised by any Three or more of them, the Lord Chancellor or Master of the Rolls being One.

Seal of the Commissioners.

II. It shall be lawful for the Commissioners to cause a Seal to be made for the Purposes of this Act, and from Time to Time to vary such Seal, and to cause to be sealed therewith all the Warrants for Letters Patent under this Act, and all Instruments and Copies proceeding from the Office of the Commissioners, and all Courts, Judges, and other Persons whomsoever shall take notice of such Seal, and receive Impressions thereof in Evidence, in like Manner as Impressions of the Great Seal are received in Evidence, and shall also take notice of and receive in Evidence without further Proof or Production of the Originals, all Copies or Extracts, certified under the Seal of the said Office, of or from Documents deposited in such Office.

Commissioners to make Rules and Regulations, which shall be laid before Parliament.

III. It shall be lawful for the Commissioners from Time to Time to make such Rules and Regulations (not inconsistent with the Provisions of this Act) respecting the Business of their Office, and all Matters and Things which under the Provisions herein contained are to be under their Control and Direction, as may appear to them necessary and expedient for the Purposes of this Act; and all such Rules shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament; and the Commissioners shall cause a Report to be laid annually before Parliament of all the Proceedings under and in pursuance of this Act.

Commissioners to report annually to Parliament.

Treasury to provide Offices.

IV. It shall be lawful for the Commissioners of Her Majesty's Treasury to provide and appoint from Time to Time proper Places or Buildings for an Office or Offices for the Purposes of this Act.

Commissioners, with Consent of Treasury, to appoint Clerks, &c.

V. It shall be lawful for the Commissioners, with the Consent of the Commissioners of the Treasury, from Time to Time to appoint for the Purposes of this Act such Clerks and Officers as the Commissioners may think proper; and it shall be lawful for the Commissioners from Time to Time to remove any of the Clerks and Officers so appointed.

Petition and Declaration to

VI. Every Petition for the Grant of Letters Patent for an Invention, and the Declaration required to accompany such Petition, shall be left at the Office of the Commissioners, and there shall be left therewith

therewith a Statement in Writing, herein-after called the Provisional Specification, signed by or on behalf of the Applicant for Letters Patent, describing the Nature of the said Invention; and the Day of the Delivery of every such Petition, Declaration, and Provisional Specification shall be recorded at the said Office, and endorsed on such Petition, Declaration, and Provisional Specification, and a Certificate thereof given to such Applicant or his Agent; and all such Petitions, Declarations, and Provisional Specifications shall be preserved in such Manner as the Commissioners may direct, and a Registry thereof and of all Proceedings thereon kept at the Office of the Commissioners.

Petitions to be accompanied with a Provisional Specification.

VII. Every Application for Letters Patent made under this Act shall be referred by the Commissioners, according to such Regulations as they may think fit to make, to One of the Law Officers.

Applications to be referred to Law Officer.

VIII. The Provisional Specification shall be referred to the Law Officer, who shall be at liberty to call to his Aid such scientific or other Person as he may think fit, and to cause to be paid to such Person by the Applicant such Remuneration as the Law Officer shall appoint; and if such Law Officer be satisfied that the Provisional Specification describes the Nature of the Invention, he shall allow the same, and give a Certificate of his Allowance, and such Certificate shall be filed in the Office of the Commissioners, and thereupon the Invention therein referred to may, during the Term of Six Months from the Date of the Application for Letters Patent for the said Invention, be used and published without Prejudice to any Letters Patent to be granted for the same, and such Protection from the Consequences of Use and Publication is herein-after referred to as Provisional Protection: Provided always, that in case the Title of the Invention or the Provisional Specification be too large or insufficient, it shall be lawful for the Law Officer to whom the same is referred to allow or require the same to be amended.

The Provisional Specification to be referred to the Law Officer, who, if satisfied, may give a Certificate of his Allowance, which shall be filed.

IX. The Applicant for Letters Patent for an Invention, instead of leaving with the Petition and Declaration a Provisional Specification as aforesaid, may, if he think fit, file with the said Petition and Declaration an Instrument in Writing under his Hand and Seal (herein-after called a complete Specification), particularly describing and ascertaining the Nature of the said Invention, and in what Manner the same is to be performed, which Complete Specification shall be mentioned in such Declaration, and the Day of the Delivery of every such Petition, Declaration, and Complete Specification shall be recorded at the Office of the Commissioners, and endorsed on such Petition, Declaration, and Specification, and a Certificate thereof given to such Applicant or his Agent, and thereupon, subject and without Prejudice to the Provisions herein-after contained, the Invention shall be protected under this Act for the Term of Six Months from the Date of the Application, and the Applicant shall have during such Term of Six Months the like Powers, Rights, and Privileges as might have been conferred upon him by Letters Patent for such Invention, issued under this Act, and duly sealed as of the Day of the Date of such Application; and during the Continuance of such Powers, Rights, and Privileges under this Provision, such Invention may be used and published without Prejudice to any Letters Patent to be granted for the same; and where Letters Patent are granted in respect of such Invention, then in lieu of a Condition for making void such Letters Patent in case such Invention be not described and ascertained by a subsequent Specification, such Letters Patent shall be conditioned to become void if such Complete Specification, filed as aforesaid, does not particularly describe and ascertain the Nature of the said Invention, and in what Manner the same is to be performed; and a Copy of every such Complete Specification shall be open to the Inspection of the Public, as herein-after provided, from the Time of depositing the same, subject to such Regulation as the Commissioners may make.

Inventor may deposit, in lieu of a Provisional Specification, a Complete Specification, such Deposit to confer for a limited Time the like Rights as Letters Patent.

X. In case of any Application for Letters Patent for any Invention, and the obtaining upon such Application of Provisional Protection for such Invention, or of Protection for the same, by reason of the Deposit of a Complete Specification as aforesaid in fraud of the true and First Inventor, any Letters Patent granted to the true and First Inventor of such Invention shall not be invalidated by reason of such Application, or of such provisional or other Protection as aforesaid, or of any Use or Publication of the Invention subsequent to such Application, and before the Expiration of the Term of such provisional or other Protection.

Letters Patent granted to the First Inventor not to be invalidated by Protection obtained in fraud of the First Inventor.

XI. Where any Invention is provisionally protected under this Act, or protected by reason of the Deposit of such Complete Specification as aforesaid, the Commissioners shall cause such Provisional Protection or such other Protection as aforesaid to be advertised in such Manner as they may see fit.

Commissioners to cause Protections to be advertised.

XII. The Applicant for Letters Patent, so soon as he may think fit after the Invention shall have been provisionally protected under this Act, or where a Complete Specification has been deposited with his Petition and Declaration, then so soon as he may think fit after such Deposit, may give Notice at the Office of the Commissioners of his Intention of proceeding with his Application for Letters Patent for the said Invention, and thereupon the said Commissioners shall cause his said Application to be advertised in such Manner as they may see fit; and any Persons having an Interest in opposing the Grant of Letters Patent for the said Invention shall be at liberty to leave Particulars in Writing of their Objections to the said Application at such Place and within such Time and subject to such Regulations as the Commissioners may direct.

Application for Letters Patent to be advertised, and also Oppositions to the same.

XIII. So soon as the Time for the Delivery of such Objections shall have expired, the Provisional Specification or Complete Specification (as the Case may be) and Particulars of Objection (if any) shall be referred to the Law Officer to whom the Application has been referred.

Specification and Objections to be referred to Law Officer.

XIV. It shall be lawful for the Law Officer to whom any Application for such Letters Patent is referred, if he see fit, by Certificate under his Hand, to order by or to whom the Costs of any Hearing or Inquiry upon any Objection, or otherwise in relation to the Grant of such Letters Patent, or in relation to

Power to Law Officer to order by or to whom Costs shall be paid.

to the Provisional (or other) Protection acquired by the Applicant under this Act, shall be paid, and in what Manner and by whom such Costs are to be ascertained; and if any Costs so ordered to be paid be not paid within Four Days after the Amount thereof shall be so ascertained, it shall be lawful for such Law Officer to make an Order for the Payment of the same, and every such Order may be made a Rule of One of Her Majesty's Superior Courts at *Westminster* or *Dublin*, and may be recorded in the Books of Council and Session in *Scotland*, to the Effect that Execution may pass thereupon in common Form.

Power to Law Officer to cause a Warrant to be made for sealing of Letters Patent.

XV. It shall be lawful for such Law Officer, after such Hearing, if any, as he may think fit, to cause a Warrant to be made for the sealing of Letters Patent for the said Invention, and such Warrant shall be sealed with the Seal of the Commissioners, and shall set forth the Tenor and Effect of the Letters Patent thereby authorized to be granted, and such Law Officer shall direct the Insertion in such Letters Patent of all such Restrictions, Conditions, and Provisoes as he may deem usual and expedient in such Grants, or necessary in pursuance of the Provisions of this Act; and the said Warrant shall be the Warrant for the making and sealing of Letters Patent under this Act according to the Tenor of the said Warrant: Provided always, that the Lord Chancellor shall and may have and exercise such Powers, Authority, and Discretion in respect to the said Warrant, and the Letters Patent therein directed to be made under this Act, as he now has and might now exercise with respect to the Warrant for the Issue under the Great Seal of Letters Patent for any Invention, and with respect to the making and issuing of such Letters Patent; and the Writ of Scire facias shall lie for the Repeal of any Letters Patent issued under this Act, in the like Cases as the same would lie for the Repeal of Letters Patent which may now be issued under the Great Seal.

Chancellor to have same Powers in respect to Warrant, &c. as he now has.

Writ of Scire facias.

Nothing to affect the Prerogative of the Crown in granting or withholding Grant of Letters Patent.

XVI. Provided also, That nothing herein contained shall extend to abridge or affect the Prerogative of the Crown in relation to the granting or withholding the Grant of any Letters Patent; and it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, to direct such Law Officer to withhold such Warrant as aforesaid, or that any Letters Patent for the issuing whereof he may have issued a Warrant as aforesaid shall not issue, or to direct the Insertion in any Letters Patent to be issued in manner herein provided of any Restrictions, Conditions, or Provisoes which Her Majesty may think fit in addition to or in substitution for any Restrictions, Conditions, or Provisoes which would otherwise be inserted therein under this Act; and it shall also be lawful for Her Majesty, by like Warrant, to direct any Complete Specification which may have been filed under the Provision herein-before contained, and in respect of the Invention described in which no Letters Patent may have been granted, to be cancelled, and thereupon the Protection obtained by the filing of such Complete Specification shall cease.

Letters Patent to be made subject to Avoidance on Nonfulfilment of certain Conditions.

XVII. All Letters Patent for Inventions granted under the Provisions herein-before contained shall be made subject to the Condition that the same shall be void, and that the Powers and Privileges thereby granted shall cease and determine, at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid, before the Expiration of the said Three and Seven Years respectively, the Sum or Sums of Money and Stamp Duties in the Schedule to this Act annexed; and the Payment of the said Sums of Money and Stamp Duties respectively shall be endorsed on the Warrant for the said Letters Patent; and such Officer of the Commissioners as may be appointed for this Purpose shall issue under the Seal of the Commissioners a Certificate of such Payment, and shall endorse a Receipt for the same on any Letters Patent issued under the Authority of the said Warrant; and such Certificate, duly stamped, shall be Evidence of the Payment of the several Sums respectively.

Letters Patent issued under the Great Seal to be valid for the whole of the United Kingdom, the Channel Islands, and the Isle of Man.

XVIII. The Commissioners, so soon after the sealing of the said Warrant as required by the Applicant for the Letters Patent, shall cause to be prepared Letters Patent for the Invention, according to the Tenor of the said Warrant, and it shall be lawful for the Lord Chancellor to cause such Letters Patent to be sealed with the Great Seal of the United Kingdom, and such Letters Patent so sealed shall extend to the whole of the United Kingdom of *Great Britain* and *Ireland*, the Channel Islands, and the *Isle of Man*; and in case such Warrant so direct, such Letters Patent shall be made applicable to Her Majesty's Colonies and Plantations abroad, or such of them as may be mentioned in such Warrant; and such Letters Patent shall be valid and effectual as to the whole of such United Kingdom, and the said Islands and Isle, and the said Colonies or Plantations, or such of them as aforesaid, and shall confer the like Powers, Rights, and Privileges as might, in case this Act had not been passed, have been conferred by several Letters Patent of the like Purport and Effect passed under the Great Seal of the United Kingdom, under the Seal appointed to be used instead of the Great Seal of *Scotland*, and under the Great Seal of *Ireland* respectively, and made applicable to *England*, the Dominion of *Wales*, the Town of *Berwick-upon-Tweed*, the Channel Islands, and *Isle of Man*, and the said Colonies and Plantations, or such of them as aforesaid, to *Scotland*, and to *Ireland* respectively, save as herein otherwise provided: Provided always, that nothing in this Act contained shall be deemed or taken to give any Effect or Operation to any Letters Patent to be granted under the Authority of this Act in any Colony in which such or the like Letters Patent would be invalid by the Law in force in the same Colony for the Time being: Provided always, that a Transcript of such Letters shall, so soon after the sealing of the same and in such Manner as the Commissioners shall direct, be transmitted to the Director of Chancery in *Scotland*, and be recorded in the Records of Chancery in *Scotland*, upon Payment of such Fees as the Commissioners shall appoint, in the same Manner and to the same Effect in all respects as Letters Patent passing under the Seal appointed by the Treaty of Union to be used in place of the Great Seal of *Scotland* have heretofore been recorded, and Extracts from the said Records shall be furnished to all Parties requiring the same, on Payment of such

Nothing to give effect to any Letters Patent granted in any Colony.

such Fees as the Commissioners shall direct, and shall be received in Evidence in all Courts in *Scotland* to the like Effect as the Letters Patent themselves.

Letters Patent not to be issued after 3 Months from Date of Warrant.

XIX. Provided always, That no Letters Patent, save as herein-after mentioned in the Case of Letters Patent destroyed or lost, shall issue on any Warrant granted as aforesaid, unless Application be made to seal such Letters Patent within Three Months after the Date of the said Warrant.

No Letters Patent (except in lieu of those lost, &c.) to be issued after Expiration of Protection given by this Act.

XX. Provided also, That no Letters Patent (save Letters Patent issued in lieu of others destroyed or lost) shall be issued or be of any Force or Effect unless the same be granted during the Continuance of the Provisional Protection under this Act, or, where a Complete Specification has been deposited under this Act, then unless such Letters Patent be granted during the Continuance of the Protection conferred under this Act by reason of such Deposit, save that where the Application to seal such Letters Patent has been made during the Continuance of such provisional or other Protection as aforesaid, and the sealing of such Letters Patent has been delayed by reason of a Caveat or an Application to the Lord Chancellor against or in relation to the sealing of such Letters Patent, then such Letters Patent may be sealed at such Time as the Lord Chancellor shall direct.

Letters Patent may be granted to Personal Representatives of Applicant during Term of Protection, or within 3 Months after Decease.

XXI. Provided also, That where the Applicant for such Letters Patent dies during the Continuance of the Provisional Protection, or the Protection by reason of the Deposit of a Complete Specification, (as the Case may be), such Letters Patent may be granted to the Executors or Administrators of such Applicant during the Continuance of such Provisional or other Protection, or at any Time within Three Months after the Death of such Applicant, notwithstanding the Expiration of the Term of such Provisional or other Protection, and the Letters Patent so granted shall be of the like Force and Effect as if they had been granted to such Applicant during the Continuance of such Provisional or other Protection.

If Letters Patent be destroyed or lost, others may be issued.

XXII. Provided also, That in case any such Letters Patent shall be destroyed or lost, other Letters Patent of the like Tenor and Effect, and sealed and dated as of the same Day, may, subject to such Regulations as the Commissioners may direct, be issued under the Authority of the Warrant in pursuance of which the original Letters Patent were issued.

Letters Patent may be dated as of the Day of the Application.

XXIII. It shall be lawful (the Act of the Eighteenth Year of King *Henry* the Sixth, Chapter One, or any other Act, to the contrary notwithstanding,) to cause any Letters Patent to be issued in pursuance of this Act to be sealed and bear Date as of the Day of the Application for the same, and in case of such Letters Patent for any Invention provisionally registered under the "Protection of Inventions Act, 1851," as of the Day of such Provisional Registration, or, where the Law Officer to whom the Application was referred, or the Lord Chancellor, thinks fit and directs, any such Letters Patent as aforesaid may be sealed and bear Date as of the Day of the sealing of such Letters Patent, or of any other Day between the Day of such Application or Provisional Registration and the Day of such sealing.

Letters Patent where antedated to be of the same Validity as if sealed on the Day of the Date.

XXIV. Any Letters Patent issued under this Act sealed and bearing Date as of any Day prior to the Day of the actual sealing thereof shall be of the same Force and Validity as if they had been sealed on the Day as of which the same are expressed to be sealed and bear Date: Provided always, that save where such Letters Patent are granted for any Invention, in respect whereof a Complete Specification has been deposited upon the Application for the same under this Act, no Proceeding at Law or in Equity shall be had upon such Letters Patent in respect of any Infringement committed before the same were actually granted.

Letters Patent obtained in United Kingdom for patented Foreign Inventions not to continue in force after the Expiration of the Foreign Patent.

XXV. Where, upon any Application made after the passing of this Act, Letters Patent are granted in the United Kingdom for or in respect of any Invention first invented in any Foreign Country or by the Subject of any Foreign Power or State, and a Patent or like Privilege for the Monopoly or exclusive Use or Exercise of such Invention in any Foreign Country is there obtained before the Grant of such Letters Patent in the United Kingdom, all Rights and Privileges under such Letters Patent shall (notwithstanding any Term in such Letters Patent limited) cease and be void immediately upon the Expiration or other Determination of the Term during which the Patent or like Privilege obtained in such Foreign Country shall continue in force, or where more than One such Patent or like Privilege is obtained abroad, immediately upon the Expiration or Determination of the Term which shall first expire or be determined of such several Patents or like Privileges: Provided always, that no Letters Patent for or in respect of any Invention for which any such Patent or like Privileges as aforesaid shall have been obtained in any Foreign Country, and which shall be granted in the said United Kingdom after the Expiration of the Term for which such Patent or Privilege was granted or was in force, shall be of any Validity.

Letters Patent not to prevent the Use of Inventions in Foreign Ships resorting to British Ports; except Ships of Foreign States in whose Ports British Ships are prevented from using Foreign Inventions.

XXVI. No Letters Patent for any Invention (granted after the passing of this Act) shall extend to prevent the Use of such Invention in any Foreign Ship or Vessel, or for the Navigation of any Foreign Ship or Vessel, which may be in any Port of Her Majesty's Dominions, or in any of the Waters within the Jurisdiction of any of Her Majesty's Courts, where such Invention is not so used for the Manufacture of any Goods or Commodities to be vended within or exported from Her Majesty's Dominions: Provided always, that this Enactment shall not extend to the Ships or Vessels of any Foreign State of which the Laws authorize Subjects of such Foreign State, having Patents or like Privileges for the exclusive Use or Exercise of Inventions within its Territories, to prevent or interfere with the Use of such Inventions in *British* Ships or Vessels, or in or about the Navigation of *British* Ships or Vessels, while in the Ports of such Foreign State, or in the Waters within the Jurisdiction of its Courts, where such Inventions are not so used for the Manufacture of Goods or Commodities to be vended within or exported from the Territories of such Foreign State.

XXVII. All

Specifications to be filed instead of being enrolled.

XXVII. All Letters Patent to be granted under this Act (save only Letters Patent granted after the filing of a Complete Specification) shall require the Specification thereunder to be filed in the High Court of Chancery, instead of requiring the same to be enrolled, and no Enrolment shall be requisite.

Specifications, &c. to be filed in such Office as Lord Chancellor shall direct.

XXVIII. Every Specification to be filed in pursuance of the Condition of any Letters Patent shall be filed in such Office of the Court of Chancery as the Lord Chancellor shall from Time to Time appoint, and every Provisional Specification and Complete Specification left or filed at the Office of the Commissioners on the Application for any Letters Patent, shall forthwith after the Grant of the Letters Patent, or if no Letters Patent be granted then immediately on the Expiration of Six Months from the Time of such Application, be transferred to and kept in the said Office appointed for filing Specifications in Chancery; and in case Reference is made to Drawings in any Specification deposited or filed under this Act, an extra Copy of such Drawings shall be left with such Specification.

As to filing extra Copies of Drawings.

Copies of Specifications to be open to Inspection at Office of Commissioners, and at Edinburgh and Dublin.

XXIX. The Commissioners shall cause true Copies of all Specifications (other than Provisional Specifications), Disclaimers, and Memoranda of Alterations filed under or in pursuance of this Act, and of all Provisional Specifications after the Term of the Provisional Protection of the Invention has expired, to be open to the Inspection of the Public at the Office of the Commissioners, and at an Office in *Edinburgh* and *Dublin* respectively, at all reasonable Times, subject to such Regulations as the Commissioners may direct; and the Commissioners shall cause a Transcript of the said Letters Patent to be transmitted for Enrolment in the Court of Chancery, *Dublin*, and shall cause the same to be enrolled therein, and the Transcript or Exemplification thenceforward shall have the like Effect to all Intents and Purposes as if the original Letters Patent had been enrolled in the Court of Chancery in *Dublin*, and all Parties shall have all their Remedies by Scire facias or otherwise, as if the Letters Patent had been granted to extend to *Ireland* only.

Specifications and other Documents to be printed and published.

XXX. The Commissioners shall cause to be printed, published, and sold, at such Prices and in such Manner as they may think fit, all Specifications, Disclaimers, and Memoranda of Alterations deposited or filed under this Act, and such Specifications (not being Provisional Specifications), Disclaimers, and Memoranda respectively shall be so printed and published as soon as conveniently may be after the filing thereof respectively, and all such Provisional Specifications shall be so printed and published as soon as conveniently may be after the Expiration of the Provisional Protection obtained in respect thereof; and it shall be lawful for the Commissioners to present Copies of all such Publications to such public Libraries and Museums as they may think fit, and to allow the Person depositing or filing any such Specification, Disclaimer, or Memorandum of Alteration to have such Number, not exceeding Twenty-five, of the Copies thereof so printed and published, without any Payment for the same, as they may think fit.

As to presenting Copies of Publications to public Libraries, &c.

Enrolments, &c. may be removed to the Office for Specifications.

XXXI. It shall be lawful for the Lord Chancellor and the Master of the Rolls to direct the Enrolment of Specifications, Disclaimers, and Memoranda of Alterations heretofore or hereafter enrolled or deposited at the *Rolls Chapel* Office, or at the Petty Bag Office, or at the Enrolment Office of the Court of Chancery, or in the Custody of the Master of the Rolls as Keeper of the Public Records, to be transferred to and kept in the Office appointed for filing Specifications in Chancery under this Act.

Commissioners to cause Indexes to be made to old Specifications, &c., which may be printed and published.

XXXII. The Commissioners shall cause Indexes to all Specifications, Disclaimers, and Memoranda of Alterations heretofore or to be hereafter enrolled or deposited as last aforesaid to be prepared in such Form as they may think fit, and such Indexes shall be open to the Inspection of the Public at such Place or Places as the Commissioners shall appoint, and subject to the Regulations to be made by the Commissioners, and the Commissioners may cause all or any of such Indexes, Specifications, Disclaimers, and Memoranda of Alterations to be printed, published, and sold in such Manner and at such Prices as the Commissioners may think fit.

Specifications, &c. as printed by Queen's Printers to be Evidence.

XXXIII. Copies, printed by the Printers to the Queen's Majesty, of Specifications, Disclaimers, and Memoranda of Alterations shall be admissible in Evidence, and deemed and taken to be *primâ facie* Evidence of the Existence and Contents of the Documents to which they purport to relate in all Courts and in all Proceedings relating to Letters Patent.

Register of Patents to be kept.

XXXIV. There shall be kept at the Office appointed for filing Specifications in Chancery under this Act a Book or Books, to be called "The Register of Patents," wherein shall be entered and recorded in chronological Order all Letters Patent granted under this Act, the Deposit or Filing of Specifications, Disclaimers, and Memoranda of Alterations filed in respect of such Letters Patent, all Amendments in such Letters Patent and Specifications, all Confirmations and Extensions of such Letters Patent, the Expiry, Vacating, or Cancelling such Letters Patent, with the Dates thereof respectively, and all other Matters and Things affecting the Validity of such Letters Patent as the Commissioners may direct, and such Register, or a Copy thereof, shall be open at all convenient Times to the Inspection of the Public, subject to such Regulations as the Commissioners may make.

A Register of Proprietors to be kept at the Office for filing Specifications.

XXXV. There shall be kept at the Office appointed for filing Specifications in Chancery under this Act a Book or Books, entitled "The Register of Proprietors," wherein shall be entered, in such Manner as the Commissioners shall direct, the Assignment of any Letters Patent, or of any Share or Interest therein, any Licence under Letters Patent, and the District to which such Licence relates, with the Name or Names of any Person having any Share or Interest in such Letters Patent or Licence, the Date of his or their acquiring such Letters Patent, Share, and Interest, and any other Matter or Thing relating to or affecting the Proprietorship in such Letters Patent or Licence; and a Copy of any Entry in such Book, certified under such Seal as may have been appointed or as may be directed by the Lord Chancellor to be used in the said Office, shall be given to any Person requiring the same, on Payment of the

the Fees herein-after provided; and such Copies so certified shall be received in Evidence in all Courts and in all Proceedings, and shall be *primâ facie* Proof of the Assignment of such Letters Patent, or Share or Interest therein, or of the Licence or Proprietorship, as therein expressed: Provided always, that until such Entry shall have been made the Grantee or Grantees of the Letters Patent shall be deemed and taken to be the sole and exclusive Proprietor or Proprietors of such Letters Patent, and of all the Licences and Privileges thereby given and granted; that certified Duplicates of all Entries made in the said Register of Proprietors shall forthwith be transmitted to the Office of the Commissioners in *Edinburgh* and *Dublin*, where the same shall also be open to the Inspection of the Public; and any Writ of Scire facias to repeal such Letters Patent may be issued to the Sheriff of the County or Counties in which the Grantee or Grantees resided at the Time when the said Letters Patent were granted; and in case such Grantee or Grantees do not reside in the United Kingdom it shall be sufficient to file such Writ in the Petty Bag Office, and serve Notice thereof in Writing at the last known Residence or Place of Business of such Grantee or Grantees; and such Register or a Copy shall be open to the Inspection of the Public at the Office of the Commissioners, subject to such Regulations as the Commissioners may make: Provided always, that in any Proceeding in *Scotland* to repeal any Letters Patent Service of all Writs and Summonses shall be made according to the existing Forms and Practice; provided also, that the Grantee or Grantees of Letters Patent to be hereafter granted may assign the Letters Patent for *England, Scotland,* or *Ireland* respectively as effectually as if the Letters Patent had been originally granted to extend to *England* or *Scotland* or *Ireland* only, and the Assignee or Assignees shall have the same Rights of Action and Remedies, and shall be subject to the like Actions and Suits as he or they should and would have had and been subject to upon the Assignment of Letters Patent granted to *England, Ireland,* or *Scotland* before the passing of this Act.

As to Interest in Letters Patent.

XXXVI. Notwithstanding any Proviso that may exist in former Letters Patent, it shall be lawful for a larger Number than Twelve Persons hereafter to have a legal and beneficial Interest in such Letters Patent.

Falsification or Forgery of Entries a Misdemeanor.

XXXVII. If any Person shall wilfully make or cause to be made any false Entry in the said Register of Proprietors, or shall wilfully make or forge, or cause to be made or forged, any Writing falsely purporting to be a Copy of any Entry in the said Book, or shall produce or tender, or cause to be produced or tendered, in Evidence any such Writing, knowing the same to be false or forged, he shall be guilty of a Misdemeanor, and shall be punished by Fine and Imprisonment accordingly.

Entries may be expunged.

XXXVIII. If any Person shall deem himself aggrieved by any Entry made under colour of this Act in the said Register of Proprietors, it shall be lawful for such Person to apply, by Motion, to the Master of the Rolls, or to any of the Courts of Common Law at *Westminster* in Term Time, or by Summons to a Judge of any of the said Courts in Vacation, for an Order that such Entry may be expunged, vacated, or varied; and upon any such Application the Master of the Rolls, or such Court or Judge respectively, may make such Order for expunging, vacating, or varying such Entry, and as to the Costs of such Application, as to the said Master of the Rolls or to such Court or Judge may seem fit; and the Officer having the Care and Custody of such Register, on the Production to him of any such Order for expunging, vacating, or varying any such Entry, shall expunge, vacate, or vary the same, according to the Requisitions of such Order.

Provisions of 5 & 6 W. 4. c. 83. and of 7 & 8 Vict. c. 69. as to Disclaimers and Memoranda of Alterations to apply to Patents under this Act.

Applications for Disclaimers and Caveats to be at Office of Commissioners.

XXXIX. All the Provisions of the Acts of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Eighty-three, and of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Sixty-nine, respectively, relating to Disclaimers and Memoranda of Alterations in Letters Patent and Specifications, except as herein-after provided, shall be applicable and apply to any Letters Patent granted, and to any Specification filed under the Provisions of this Act: Provided always, that all Applications for Leave to enter a Disclaimer or Memorandum of Alteration shall be made, and all Caveats relating thereto shall be lodged at the Office of the Commissioners, and shall be referred to the respective Law Officers in the said first-recited Act mentioned: Provided also, that every such Disclaimer or Memorandum of Alteration shall be filed in the Office appointed for filing Specifications in Chancery under this Act, with the Specification to which the same relates, in lieu of being entered or filed and enrolled as required by the said first-recited Act, or by the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and nine, and the said Acts shall be construed accordingly: Provided also, that such filing of any Disclaimer or Memorandum of Alteration, in pursuance of the Leave of the Law Officer in the first-recited Act mentioned, certified as therein mentioned, shall, except in Cases of Fraud, be conclusive as to the Right of the Party to enter such Disclaimer or Memorandum of Alteration under the said Acts and this Act; and no Objection shall be allowed to be made in any Proceeding upon or touching such Letters Patent, Specification, Disclaimer, or Memorandum of Alteration, on the Ground that the Party entering such Disclaimer or Memorandum of Alteration had not sufficient Authority in that Behalf: Provided also, that no Action shall be brought upon any Letters Patent in which or on the Specification of which any Disclaimer or Memorandum of Alteration shall have been filed in respect of any Infringement committed prior to the filing of such Disclaimer or Memorandum of Alteration, unless the Law Officer shall certify in his Fiat that any such Action may be brought, notwithstanding the Entry or Filing of such Disclaimer or Memorandum of Alteration.

Provisions of 5 & 6 W. 4. c. 83., 2 & 3 Vict. c. 67., and 7 & 8 Vict. c. 69. as to Confirmation

XL. All the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, for the Confirmation of any Letters Patent, and the Grant of new Letters Patent, and all the Provisions of the said Act, and of the Acts of the Session holden in the Second and Third Years of Her Majesty, Chapter Sixty-seven, and of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Sixty-nine, respectively, relating to the Prolongation of the Term of Letters Patent, and to the Grant of new

and Prolongation, to apply to Patents under this Act.

new Letters Patent for a further Term, shall extend and apply to any Letters Patent granted under the Provisions of this Act, and it shall be lawful for Her Majesty to grant any new Letters Patent, as in the said Acts mentioned; and in the granting of any such new Letters Patent Her Majesty's Order in Council shall be a sufficient Warrant and Authority for the sealing of any new Letters Patent, and for the Insertion in such new Letters Patent of any Restrictions, Conditions, and Provisions in the said Order mentioned; and the Lord Chancellor on the Receipt of the said Order in Council, shall cause Letters Patent, according to the Tenor and Effect of such Order, to be made and sealed in the Manner herein directed for Letters Patent issued under the Warrant of the Law Officer: Provided always, that such new Letters Patent shall extend to and be available in and for such Places as the original Letters Patent extended to and were available in: Provided also, that such new Letters Patent shall be sealed and bear Date as of the Day after the Expiration of the Term of the original Letters Patent which may first expire.

In Actions for Infringement of Letters Patent, Particulars to be delivered, and no Evidence allowed not mentioned therein.

XLI. In any Action in any of Her Majesty's Superior Courts of Record at *Westminster* or in *Dublin* for the Infringement of Letters Patent the Plaintiff shall deliver with his Declaration Particulars of the Breaches complained of in the said Action, and the Defendant, on pleading thereto, shall deliver with his Pleas, and the Prosecutor in any Proceedings by Scire facias to repeal Letters Patent shall deliver with his Declaration, Particulars of any Objections on which he means to rely at the Trial in support of the Pleas in the said Action or of the Suggestions of the said Declaration in the Proceedings by Scire facias respectively; and at the Trial of such Action or Proceeding by Scire facias no Evidence shall be allowed to be given in support of any alleged Infringement or of any Objection impeaching the Validity of such Letters Patent which shall not be contained in the Particulars delivered as aforesaid: Provided always, that the Place or Places at or in which and in what Manner the Invention is alleged to have been used or published prior to the Date of the Letters Patent shall be stated in such Particulars: Provided also, that it shall and may be lawful for any Judge at Chambers to allow such Plaintiff or Defendant or Prosecutor respectively to amend the Particulars delivered as aforesaid, upon such Terms as to such Judge shall seem fit: Provided also, that at the Trial of any Proceeding by Scire facias to repeal Letters Patent the Defendant shall be entitled to begin and to give Evidence in support of such Letters Patent, and in case Evidence shall be adduced on the Part of the Prosecutor impeaching the Validity of such Letters Patent, the Defendant shall be entitled to the Reply.

Courts of Common Law may grant Injunction in case of Infringement.

XLII. In any Action in any of Her Majesty's Superior Courts of Record at *Westminster* and in *Dublin* for the Infringement of Letters Patent, it shall be lawful for the Court in which such Action is pending, if the Court be then sitting, or if the Court be not sitting then for a Judge of such Court, on the Application of the Plaintiff or Defendant respectively, to make such Order for an Injunction, Inspection, or Account, and to give such Direction respecting such Action, Injunction, Inspection, and Account, and the Proceedings therein respectively, as to such Court or Judge may seem fit.

Particulars to be regarded in Taxation of Costs.

XLIII. In taxing the Costs in any Action in any of Her Majesty's Superior Courts at *Westminster* or in *Dublin*, commenced after the passing of this Act for infringing Letters Patent regard shall be had to the Particulars delivered in such Action, and the Plaintiff and Defendant respectively shall not be allowed any Costs in respect of any Particular unless certified by the Judge before whom the Trial was had to have been proved by such Plaintiff or Defendant respectively, without regard to the general Costs of the Cause; and it shall be lawful for the Judge before whom any such Action shall be tried to certify on the Record that the Validity of the Letters Patent in the Declaration mentioned came in question; and the Record, with such Certificate, being given in Evidence in any Suit or Action for infringing the said Letters Patent, or in any Proceeding by Scire facias to repeal the Letters Patent, shall entitle the Plaintiff in any such Suit or Action, or the Defendant in such Proceeding by Scire facias on obtaining a Decree, Decretal Order or final Judgment, to his full Costs, Charges, and Expenses, taxed as between Attorney and Client, unless the Judge making such Decree or Order, or the Judge trying such Action or Proceeding, shall certify that the Plaintiff or Defendant respectively ought not to have such full Costs: Provided always, that nothing herein contained shall affect the Jurisdiction and Forms of Process of the Courts in *Scotland* in any Action for the Infringement of Letters Patent or in any Action or Proceeding respecting Letters Patent hitherto competent to the said Courts: Provided also, that when any Proceedings shall require to be taken in *Scotland* to repeal any Letters Patent, such Proceedings shall be taken in the Form of an Action of Reduction at the Instance of Her Majesty's Advocate, or at the Instance of any other Party having Interest with Concurrence of Her Majesty's Advocate, which Concurrence Her Majesty's Advocate is authorized and empowered to give upon just Cause shown only.

Payments and Stamp Duties on Letters Patent to be as in Schedule.

XLIV. There shall be paid in respect of Letters Patent applied for or issued as herein mentioned, the filing of Specifications and Disclaimers, Certificates, Entries, and Searches, and other Matters and Things mentioned in the Schedule to this Act, such Fees as are mentioned in the said Schedule; and there shall be paid unto and for the Use of Her Majesty, Her Heirs and Successors, for or in respect of the Warrants and Certificates mentioned in the said Schedule, or the Vellum, Parchment, or Paper on which the same respectively are written, the Stamp Duties mentioned in the said Schedule; and no other Stamp Duties shall be levied, or Fees, except as herein-after mentioned, taken in respect to such Letters Patent and Specifications, and the Matters and Things in such Schedule mentioned.

Duties under Management of Commissioners of Inland Revenue.

XLV. The Stamp Duties hereby granted shall be under the Care and Management of the Commissioners of Inland Revenue; and the several Rules, Regulations, Provisions, Penalties, Clauses, and Matters contained in any Act now or hereafter to be in force with reference to Stamp Duties shall be applicable thereto.

XLVI. The

Fees to be paid to Consolidated Fund.

XLVI. The Fees to be paid as aforesaid shall from Time to Time be paid into the Receipt of the Exchequer, and be carried to and made Part of the Consolidated Fund of the United Kingdom.

Not to prevent Payment of Fees to Law Officers in Cases of Opposition, &c.

XLVII. Provided always, That nothing herein contained shall prevent the Payment as heretofore to the Law Officers in Cases of Opposition to the granting of Letters Patent, and in Cases of Disclaimers and Memoranda of Alterations, of such Fees as may be appointed by the Lord Chancellor and Master of the Rolls as the Fee, to be paid on the hearing of such Oppositions, and in the Case of Disclaimers and Memoranda of Alterations respectively, or of such reasonable Sums for Office or other Copies of Documents in the Office of the Commissioners, as the Commissioners may from Time to Time appoint to be paid for such Copies, and the Lord Chancellor and Master of the Rolls, and the Commissioners, are hereby respectively authorized and empowered to appoint the Fees to be so paid in respect of such Oppositions, Disclaimers, and Memoranda of Alterations respectively, and for such Office or other Copies.

Fees and Salaries of Officers.

XLVIII. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to allow such Fees to the Law Officers and their Clerks (for Duties under this Act in respect of which Fees may not be payable to them under the Provisions lastly herein-before contained) as the Lord Chancellor and Master of the Rolls may from Time to Time appoint, and to allow such Salaries and Payments to any Clerks and Officers to be appointed under this Act, and such additional Salaries and Payments to any other Clerks and Officers in respect of any additional Duties imposed on them by this Act, as the said Commissioners of the Treasury may think fit.

Salaries and Expenses under this Act to be paid out of Monies provided by Parliament.

XLIX. It shall be lawful for the Commissioners of Her Majesty's Treasury to allow from Time to Time the necessary Sums for providing Offices under this Act, and for the Fees, Salaries, and Payments allowed by them as aforesaid, and for defraying the current and incidental Expenses of such Office or Offices; and the Sums to be so allowed shall be paid out of such Monies as may be provided by Parliament for that Purpose.

Power to Treasury to grant Compensation to Persons affected by this Act.

L. 'And whereas divers Persons by virtue of their Offices or Appointments are entitled to Fees or 'Charges payable in respect of Letters Patent as heretofore granted within the United Kingdom of '*Great Britain* and *Ireland*, or have and derive in respect of such Letters Patent, or the Procedure for 'the granting thereof, Fees or other Emoluments or Advantages:'

It shall be lawful for the said Commissioners of the Treasury to grant to any such Persons who may sustain any Loss of Fees, Emoluments, or Advantages by reason of the passing of this Act, such Compensation as, having regard to the Tenure and Nature of their respective Offices and Appointments such Commissioners deem just and proper to be awarded; and all such Compensations shall be paid out of such Monies as may be provided by Parliament for that Purpose: Provided always, that in case any Person to whom any yearly Sum by way of Compensation shall be awarded and paid shall, after the passing of this Act, be appointed to any Office or Place of Emolument under the Provisions of this Act, or in the Public Service, then and in every such Case the Amount of such yearly Sum shall in every Year be diminished by so much as the Emoluments of such Person for such Year from such Office or Place shall amount to, and Provision in that Behalf shall be made in the Award to him of such yearly Sum.

Account of Salaries, &c. to be laid before Parliament.

LI. An Account of all Salaries, Fees, Allowances, Sums, and Compensations to be appointed, allowed, or granted under this Act shall, within Fourteen Days next after the same shall be so appointed, allowed, or granted respectively, be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, then within Fourteen Days after the next Meeting of Parliament.

As to Patents applied for before Commencement of Act.

LII. Letters Patent may be granted in respect of Applications made before the Commencement of this Act, in like Manner and subject to the same Provisions as if this Act had not been passed.

As to Letters Patent granted before Commencement of this Act for England, Scotland, or Ireland.

LIII. Where Letters Patent for *England* or *Scotland* or *Ireland* have been granted before the Commencement of this Act, or are in respect of any Application made before the Commencement of this Act hereafter granted for any Invention, Letters Patent for *England* or *Scotland* or *Ireland* may be granted for such Invention in like Manner as if this Act had not been passed: Provided always, that in lieu of all the Fees or Payments and Stamp Duties now payable in respect of such Letters Patent, or in or about obtaining a Grant thereof, there shall be paid in respect of such Letters Patent for *England* or *Scotland* or *Ireland* on the sealing of such respective Letters Patent a Sum equal to One Third Part of the Fees and Stamp Duties which would be payable according to the Schedule to this Act in respect of Letters Patent issued for the United Kingdom under this Act, on or previously to the sealing of such Letters Patent; and at or before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by such Letters Patent for *England* or *Scotland* or *Ireland*, Sums equal to One Third Part of the Fees and Stamp Duties payable at the Expiration of the Third Year and the Seventh Year respectively of the Term granted by Letters Patent issued for the United Kingdom under this Act; and the Condition of such Letters Patent for *England* or *Scotland* or *Ireland* shall be varied accordingly; and such Fees shall be paid to such Persons as the Commissioners of Her Majesty's Treasury shall appoint, and shall be carried to and form Part of the said Consolidated Fund.

Forms in Schedule may be used.

LIV. The several Forms in the Schedule to this Act may be used for and in respect of the several Matters therein mentioned, and the Commissioners may, where they think fit, vary such Forms as Occasion may require, and cause to be printed and circulated such other Forms as they may think fit to be used for the Purposes of this Act.

Interpretation of Terms.

LV. In the Construction of this Act the following Expressions shall have the Meanings hereby assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,)

The Expression "Lord Chancellor" shall mean the Lord Chancellor, or Lord Keeper of the Great Seal, or Lords Commissioners of the Great Seal:

The Expression "The Commissioners" shall mean the Commissioners for the Time being acting in execution of this Act:

The Expression "Law Officer" shall mean Her Majesty's Attorney General or Solicitor General for the Time being for *England*, or the Lord Advocate, or Her Majesty's Solicitor General for the Time being for *Scotland*, or Her Majesty's Attorney General or Solicitor General for the Time being for *Ireland*:

The Expression "Invention" shall mean any Manner of new Manufacture the Subject of Letters Patent and Grant of Privilege within the Meaning of the Act of the Twenty-first Year of the Reign of King *James* the First, Chapter Three:

The Expressions "Petition," "Declaration," "Provisional Specification," "Warrant," and "Letters Patent" respectively, shall mean Instruments in the Form and to the Effect in the Schedule hereto annexed, subject to such Alterations as may from Time to Time be made therein under the Powers and Provisions of this Act.

Short Title. LVI. In citing this Act in other Acts of Parliament, Instruments, and Proceedings, it shall be sufficient to use the Expression "The Patent Law Amendment Act, 1852."

Commencement of Act. LVII. This Act shall commence and take effect from the First Day of *October* One thousand eight hundred and fifty-two.

The SCHEDULE to which this Act refers.

FEES TO BE PAID.

	£	s.	d.
On leaving Petition for Grant of Letters Patent	5	0	0
On Notice of Intention to proceed with the Application	5	0	0
On sealing of Letters Patent	5	0	0
On filing Specification	5	0	0
At or before the Expiration of the Third Year	40	0	0
At or before the Expiration of the Seventh Year	80	0	0
On leaving Notice of Objections	2	0	0
Every Search and Inspection	0	1	0
Entry of Assignment or Licence	0	5	0
Certificate of Assignment or Licence	0	5	0
Filing Application for Disclaimer	5	0	0
Caveat against Disclaimer	2	0	0

STAMP DUTIES TO BE PAID.

On Warrant of Law Officer for Letters Patent	5	0	0
On Certificate of Payment of the Fee payable at or before the Expiration of the Third Year	10	0	0
On Certificate of Payment of the Fee payable at or before the Expiration of the Seventh Year	20	0	0

FORMS.

No. PETITION.

To the Queen's most Excellent Majesty.

The humble Petition of [*here insert Name and Address of Petitioner*] for, *&c.*

Showeth,

That Your Petitioner is in possession of an Invention for

[*the Title of the Invention,*]

which Invention he believes will be of great public Utility; that he is the true and first Inventor thereof; and that the same is not in use by any other Person or Persons, to the best of his Knowledge and Belief.

Your Petitioner therefore humbly prays, that Your Majesty will be pleased to grant unto him, his Executors, Administrators, and Assigns, Your Royal Letters Patent for the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any,*] for the Term of Fourteen Years, pursuant to the Statutes in that Case made and provided.

And your Petitioner will ever pray, *&c.*

No. DECLARATION.

I of in the County of do solemnly and sincerely declare, That I am in possession of an Invention for, *&c.*

[*the Title as in Petition,*]

which Invention I believe will be of great public Utility; that I am the true and first Inventor thereof; and that the same is not in use by any other Person or Persons, to the best of my Knowledge and Belief;

[*where*

[*where a complete Specification is to be filed with the Petition and Declaration, insert these Words:*— " and that the Instrument in Writing under my Hand and Seal, hereunto annexed, particularly describes and ascertains the Nature of the said Invention and the Manner in which the same is to be performed;"] and I make this Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled " An Act to repeal an Act of the present Session " of Parliament, intituled ' An Act for the more effectual Abolition of Oaths and Affirmations taken and " ' made in various Departments of the State, and to substitute Declarations in lieu thereof, and for the " ' more entire Suppression of voluntary and extra-judicial Oaths and Affidavits,' and to make other " Provisions for the Abolition of unnecessary Oaths."

A.B.

Declared at this Day of A.D. before me,
A Master in Chancery,
or
Justice of the Peace.

PROVISIONAL SPECIFICATION.

No.
I do hereby declare the Nature of the said Invention for
[*insert Title as in Petition,*]
to be as follows:
[*here insert Description.*]
Dated this Day of A.D.
(*To be signed by Applicant or his Agent.*)

REFERENCE.
(*To be indorsed on the Petition.*)

Her Majesty is pleased to refer this Petition to to consider what may be properly done therein.

Clerk of the Commissioners.

WARRANT.

In humble Obedience to Her Majesty's Command referring to me the Petition of of , to consider what may be properly done therein, I do hereby certify as follows; That the said Petition sets forth that the Petitioner
[*Allegations of the Petition.*]
And the Petitioner most humbly prays,
[*Prayer of the Petition.*]
That in support of the Allegations contained in the said Petition the Declaration of the Petitioner has been laid before me, whereby he solemnly declares, that
[*Allegations of the Declaration.*]
That there has also been laid before me [a Provisional Specification signed , and also a Certificate ,] *or* [a Complete Specification, and a Certificate of the filing thereof,] whereby it appears that the said Invention was provisionally protected [*or* protected] from the Day of A.D. in pursuance of the Statute:
That it appears that the said Application was duly advertised:
Upon consideration of all the Matters aforesaid, and as it is entirely at the Hazard of the said Petitioner whether the said Invention is new or will have the desired Success, and as it may be reasonable for Her Majesty to encourage all Arts and Inventions which may be for the Public Good, I am of opinion, that Her Majesty may grant Her Royal Letters Patent unto the Petitioner, his Executors, Administrators, and Assigns, for his said Invention within the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any,*] for the Term of Fourteen Years, according to the Statute in that Case made and provided, if Her Majesty shall be graciously pleased so to do, to the Tenor and Effect following:
[*See next Form.*]
Given under my Hand, this Day of A.D.

Seal of the Commissioners.

LETTERS PATENT.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith; To all to whom these Presents shall come greeting:

Whereas hath by his Petition humbly represented unto Us that he is in possession of an Invention for which the Petitioner conceives will be of great public Utility; That he is the true and first Inventor thereof; and that the same is not in use by any other Person or Persons, to the best of his Knowledge and Belief: the Petitioner therefore most humbly prayed that We would be graciously pleased to grant unto him, his Executors, Administrators, and Assigns, Our Royal Letters Patent for the sole Use, Benefit, and Advantage of his said Invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any,*] for the Term of Fourteen Years, pursuant to the Statutes in that Case made and provided:

[And whereas the said hath particularly described and ascertained the Nature of the said Invention, and in what Manner the same is to be performed, by an Instrument in Writing under his Hand and Seal, and has caused the same to be duly filed in :]

And We, being willing to give Encouragement to all Arts and Inventions which may be for the Public Good, are graciously pleased to condescend to the Petitioner's Request: Know ye, therefore, that We, of Our especial Grace, certain Knowledge, and mere Motion, have given and granted, and by these Presents, for Us, Our Heirs and Successors, do give and grant unto the said his Executors, Administrators, and Assigns, Our especial Licence, full Power, sole Privilege, and Authority that he the said , his Executors, Administrators, and Assigns, and every of them, by himself and themselves, or by his and their Deputy or Deputies, Servants or Agents, or such others as he the said , his Executors, Administrators, or Assigns, shall at any Time agree with, and no others, from Time to Time and at all Times hereafter during the Term of Years herein expressed, shall and lawfully may make, use, exercise, and vend his said Invention within Our United Kingdom of Great Britain and Ireland, the Channel Islands and Isle of Man, in such Manner as to him the said , his Executors, Administrators, and Assigns, or any of them, shall in his or their Discretion seem meet; and that he the said , his Executors, Administrators, and Assigns, shall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage from Time to Time coming, growing, accruing, and arising by reason of the said Invention, for and during the Term of Years herein mentioned; to have, hold, exercise, and enjoy the said Licences, Powers, Privileges, and Advantages herein-before granted or mentioned to be granted unto the said , his Executors, Administrators, and Assigns, for and during and unto the full End and Term of Fourteen Years from the Day of A.D. next and immediately ensuing, according to the Statute in such Case made and provided; and to the End that he the said , his Executors, Administrators, and Assigns, and every of them, may have and enjoy the full Benefit and the sole Use and Exercise of the said Invention, according to Our gracious Intention herein-before declared, We do by these Presents, for Us, Our Heirs and Successors, require and strictly command all and every Person and Persons, Bodies Politic and Corporate, and all other Our Subjects whatsoever, of what Estate, Quality, Degree, Name, or Condition soever they be, within Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man [*Colonies to be mentioned, if any,*] that neither they nor any of them, at any Time during the Continuance of the said Term of Fourteen Years hereby granted, either directly or indirectly do make, use, or put in practice the said Invention, or any Part of the same, so attained unto by the said as aforesaid, nor in anywise counterfeit, imitate, or resemble the same, nor shall make or cause to be made any Addition thereunto or Subtraction from the same, whereby to pretend himself or themselves the Inventor or Inventors, Devisor or Devisors thereof, without the Consent, Licence, or Agreement of the said , his Executors, Administrators, or Assigns, in Writing under his or their Hands and Seals first had and obtained in that Behalf, upon such Pains and Penalties as can or may be justly inflicted on such Offenders for their Contempt of this Our Royal Command, and further to be answerable to the said , his Executors, Administrators, and Assigns, according to Law, for his and their Damages thereby occasioned: And moreover We do by these Presents, for Us, Our Heirs and Successors, will and command all and singular the Justices of the Peace, Mayors, Sheriffs, Bailiffs, Constables, Headboroughs, and all other Officers and Ministers whatsoever of Us, Our Heirs and Successors, for the Time being, that they or any of them do not nor shall at any Time during the said Term hereby granted in anywise molest, trouble, or hinder the said , his Executors, Administrators, or Assigns, or any of them, or his or their Deputies, Servants, or Agents, in or about the due and lawful Use or Exercise of the aforesaid Invention, or anything relating thereto: Provided always, and these Our Letters Patent are and shall be upon this Condition, that if at any Time during the said Term hereby granted it shall be made appear to Us, Our Heirs or Successors, or any Six or more of Our or their Privy Council, that this Our Grant is contrary to Law, or prejudicial or inconvenient to Our Subjects in general, or that the said Invention is not a new Invention as to the public Use and Exercise thereof, or that the said is not the true and first Inventor thereof within this Realm as aforesaid, these Our Letters Patent shall forthwith cease, determine, and be utterly void to all Intents and Purposes, anything herein-before contained to the contrary thereof in anywise notwithstanding: Provided also, that these Our Letters Patent, or anything herein contained, shall not extend or be construed to extend to give Privilege unto the said , his Executors, Administrators,

or

or Assigns, or any of them, to use or imitate any Invention or Work whatsoever which hath heretofore been found out or invented by any other of Our Subjects whatsoever, and publicly used or exercised, unto whom Our like Letters Patent or Privileges have been already granted for the sole Use, Exercise, and Benefit thereof: It being Our Will and Pleasure that the said , his Executors, Administrators, and Assigns, and all and every other Person and Persons to whom like Letters Patent or Privileges have been already granted as aforesaid, shall distinctly use and practise their several Inventions by them invented and found out, according to the true Intent and Meaning of the same respective Letters Patent and of these Presents: Provided likewise nevertheless, and these Our Letters Patent are upon this express Condition, [that if the said shall not particularly describe and ascertain the Nature of his said Invention, and in what Manner the same is to be performed, by an Instrument in Writing under his Hand and Seal, and cause the same to be filed in within Calendar Months next and immediately after the Date of these Our Letters Patent;] [and also if the said Instrument in Writing filed as aforesaid does not particularly describe and ascertain the Nature of the said Invention, and in what Manner the same is to be performed;] and also if the said his Executors, Administrators, or Assigns, shall not pay or cause to be paid at the Office of Our Commissioners of Patents for Inventions the Sums following, that is to say, the Sum of Pounds on or before the Day of A.D. , and the Stamp Duty payable in respect of the Certificate of such Payment, and the Sum of Pounds on or before the Day of A.D. and the Stamp Duty payable in respect of the Certificate of such Payment; and also if the said his Executors, Administrators, or Assigns, shall not supply or cause to be supplied for Our Service all such Articles of the said Invention as he or they shall be required to supply by the Officers or Commissioners administering the Department of Our Service for the Use of which the same shall be required, in such Manner, at such Times, and at and upon such reasonable Prices and Terms as shall be settled for that Purpose by the said Officers or Commissioners requiring the same; that then and in any of the said Cases these Our Letters Patent, and all Liberties and Advantages whatsoever hereby granted, shall utterly cease, determine, and become void, anything herein-before contained to the contrary thereof in anywise notwithstanding: Provided that nothing herein contained shall prevent the granting of Licences in such Manner and for such Considerations as they may by Law be granted; And lastly We do by these Presents, for Us, Our Heirs and Successors, grant unto the said his Executors, Administrators, and Assigns, that these Our Letters Patent, or the filing thereof, shall be in and by all things good, firm, valid, sufficient, and effectual in the Law according to the true Intent and Meaning thereof, and shall be taken, construed, and adjudged in the most favourable and beneficial Sense for the best Advantage of the said his Executors, Administrators, and Assigns, as well in all Our Courts of Record as elsewhere, and by all and singular the Officers and Ministers whatsoever of Us, Our Heirs and Successors, in Our United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man, [*Colonies to be mentioned, if any,*] and amongst all and every the Subjects of Us, Our Heirs and Successors, whatsoever and wheresoever, notwithstanding the not full and certain describing the Nature or Quality of the said Invention, or of the Materials thereunto conducing and belonging. In witness whereof We have caused these Our Letters to be made Patent, this Day of A.D. and to be sealed and bear Date as of the said Day of A.D. , in the Year of Our Reign.

SPECIFICATION.

To all to whom these Presents shall come:

I of send greeting:

Whereas Her most Excellent Majesty Queen Victoria, by Her Letters Patent bearing Date the Day of A.D. , in the Year of Her Reign, did for Herself, Her Heirs and Successors, give and grant unto me the said Her special Licence that I the said my Executors, Administrators, and Assigns, or such others as I the said , my Executors, Administrators, and Assigns, should at any Time agree with, and no others, from Time to Time and at all Times thereafter during the Term therein expressed, should and lawfully might make, use, exercise, and vend, within the United Kingdom of Great Britain and Ireland, the Channel Islands, and Isle of Man [*Colonies to be mentioned, if any,*] an Invention for

[*insert Title as in Letters Patent*]

upon the Condition (amongst others) that I the said by an Instrument in Writing under my Hand and Seal, should particularly describe and ascertain the Nature of the said Invention, and in what Manner the same was to be performed, and cause the same to be filed in within Calendar Months next and immediately after the Date of the said Letters Patent: Now know ye, that I the said do hereby declare the Nature of my said Invention, and in what Manner the same is to be performed, to be particularly described and ascertained in and by the following Statement; (that is to say,)

[*describe the Invention.*]

In witness whereof I the said *A.B.* have heretofore set my Hand and Seal, this Day of A.D.

A.B.

CAP. LXXXIV.

An Act to make better Provision respecting the Supply of Water to the Metropolis.

[1st *July* 1852.]

'WHEREAS it is expedient to make Provision for securing the Supply to the Metropolis of pure and wholesome Water, and otherwise to make further and better Provision in relation to the Water Supply of the Metropolis:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Restriction as to Sources of Supply of Water to the Metropolis.

I. From and after the Thirty-first Day of *August* One thousand eight hundred and fifty-five it shall not be lawful for any Company supplying the Metropolis or any Part thereof with Water for domestic Use, except the Governor and Company of *Chelsea* Waterworks, to take any Water for such Purpose from any Part of the River *Thames* below *Teddington* Lock, or from any Part of any of the tributary Rivers or Streams of the River *Thames* below the highest Point where the Tide flows in such tributary Rivers and Streams respectively; and from and after the Thirty-first Day of *August* One thousand eight hundred and fifty-six it shall not be lawful for the said Governor and Company of *Chelsea* Waterworks to take any Water for domestic Use from any Part of the River *Thames* below *Teddington* Lock.

Reservoirs within a limited Distance to be covered.

II. From and after the Thirty-first Day of *August* One thousand eight hundred and fifty-five every Reservoir within a Distance in a straight Line from *Saint Paul's* Cathedral in the City of *London* of not more than Five Miles, in which Water for the Supply for domestic Use of the Metropolis or any Part thereof is stored or kept by any Company, shall be roofed in or otherwise covered over: Provided always, that this Provision shall not extend to any Reservoir the Water from which is subjected by the Company to efficient Filtration after it is discharged from such Reservoir, and before it is passed into the Mains or Pipes of the Company for Distribution, or to any Reservoir the whole of the Water from which is distributed through distinct Mains or Pipes for other than domestic Purposes, nor to any Reservoir whatever the Water stored in which shall be used exclusively for other than domestic Purposes.

Water not to be brought within a limited Distance in open Aqueducts.

III. From and after the Thirty-first Day of *December* One thousand eight hundred and fifty-five, no Water shall be brought or conducted within the Metropolis by any Company for the Purpose of domestic Use otherwise than through Pipes or through covered Aqueducts, unless the same shall be afterwards filtered before Distribution.

Every Company to filter all Water supplied by them for domestic Use.

IV. From and after the Thirty-first Day of *December* One thousand eight hundred and fifty-five, every Company shall effectually filter all Water supplied by them within the Metropolis for domestic Use, before the same shall pass into the Pipes for Distribution, excepting any Water which may be pumped from Wells into a covered Reservoir or Aqueduct, without Exposure to the Atmosphere, and which shall not be afterwards mixed with unfiltered Water.

Company to give Notice to Board of Trade before resorting to new Sources of Supply, who may appoint an Inspector to report.

V. Three Months before any Company shall resort to any new Source of Supply, such Company shall give Notice in Writing thereof to the Lords of the Committee of Privy Council for Trade and Plantations, herein-after called the Board of Trade, and thereupon, within One Month after Receipt of such Notice, the said Board of Trade, shall, if they think fit, appoint a competent Person as an Inspector, who shall report with respect to any Sources then specially authorized by Parliament, whether the Directions of the Special Act have been complied with in reference thereto, and with respect to any new Sources not specially authorized by Parliament, whether the same are capable of supplying good and wholesome Water for domestic Purposes.

Inspector to give Notice to Companies of his Intention to visit new Sources.

VI. The Inspector so appointed as aforesaid shall within Ten Days after such Appointment give Notice in Writing to the Company thereof, and of the Time at which he proposes to visit and inspect the said Sources, and thereupon, in order to enable him to make such Report as aforesaid, it shall be lawful for the said Inspector to enter the Lands wherein such Sources respectively are situate, and to examine and make Inquiry touching the Premises.

Board of Trade to certify their Approval or Disapproval of new Sources.

VII. The Board of Trade shall, within Twenty-one Days after the Receipt from the said Inspector of his Report, send to such Company with respect to any such new Sources of Supply not specially authorized by Parliament a Certificate in Writing of their Approval or Disapproval thereof, and with respect to any such Sources as shall then be specially authorized by Parliament a Notice in Writing stating whether in the Judgment of the said Board of Trade the Directions of the Special Act have in reference thereto been complied with.

If Board of Trade disapprove, Company not to use new Source of Supply.

VIII. After the Company shall have received a Certificate that the said Board of Trade disapproves of any such new Source of Supply not specially authorized by Parliament as aforesaid, it shall not be lawful for the Company to use the said Source, and after Receipt of such Notice as aforesaid that in the Judgment of the said Board of Trade the Directions of the Special Act with reference to any Sources then specially authorized by Parliament have not been complied with, it shall not be lawful for the Company, before complying with such Directions with reference to such Source, to use the same

On Complaint as to Quantity and Quality, Board of Trade may appoint a Person to inquire and report.

IX. If at any Time Complaint as to the Quantity or Quality of the Water supplied by any Company for domestic Use be made to the Board of Trade by Memorial in Writing signed by not less than Twenty Inhabitant Householders paying Rents for and supplied with Water by the Company, it shall be lawful for the Board of Trade, at any Time within One Month after the Receipt of such Complaint, to appoint a competent Person to inquire into and concerning the Grounds of such Complaint, and to report to the Board of Trade thereon.

X. The

X. The Person so appointed as aforesaid shall, within Three Days after such Appointment, give Notice thereof in Writing to the Company, and after such Notice as aforesaid he shall have Power to inspect and examine the Waterworks of the Company, and to inquire into and concerning the Grounds of such Complaint; and the Company and their Officers shall afford all reasonable Facilities for such Inspection, Examination, and Inquiry. Powers of Person appointed.

XI. Any Person obstructing such Inspector in the due Prosecution of such Inspection, Examination, or Inquiry, shall forfeit and pay any Sum not exceeding Ten Pounds. On obstructing Inspector.

XII. If after Receipt of such Report it shall appear to the Board of Trade that the said Complaint is well founded, the Board of Trade shall give Notice thereof in Writing to the Company. Notice if Complaint well founded.

XIII. After the Receipt of such Notice the Company shall and they are hereby required within a reasonable Time to remove the Grounds of such Complaint. Company to remove Ground of Complaint.

XIV. Every Steam Engine, Furnace, or other Work in which Coals which produce Smoke during Combustion shall be consumed by any Company for the Purpose of the Waterworks shall be constructed on the most effectual Principle for consuming its own Smoke. Engines to consume their own Smoke.

XV. After the Expiration of Five Years from the passing of this Act, every Company shall, subject to the Provisions of the Special Act relating to such Company, provide and keep, in the District Mains already laid down or hereafter to be laid by them, a constant Supply of pure and wholesome Water sufficient for the domestic Use of the Inhabitants of all Houses supplied by such Company, at such Pressure as will make the Water reach the top Story of the highest of such Houses, but not exceeding the Level prescribed by the Special Act of such Company; provided that no Company shall be bound to provide a constant Supply of Water to any District Main until Four Fifths of the Owners or Occupiers of the Houses on such Main shall by Writing under their Hands have required such Company to provide such Supply, nor even upon such Requisition, in case it can be shown by any Company objecting to the same that more than One Fifth of the Houses on such Main are not supplied with Pipes, Cocks, Cisterns, Machinery, and Arrangements of all Kinds for the Reception and Distribution of Water, constructed according to the Regulations prescribed by the Special Act or by this Act, or which any Company, with the Approval of the Board of Trade, may from Time to Time make in that Behalf; and after any such Requisition as aforesaid shall have been delivered to the Company, it shall be lawful for the Surveyor, or any other Person acting under the Authority of the Company, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, to enter into any House or Houses on such District Main, in order to ascertain whether the Pipes, Cocks, Cisterns, and Machinery of such House and Houses are so constructed as aforesaid; and provided also, that any Company may, with the Consent of the Board of Trade, suspend the giving of such constant Supply, or give the same in succession to the several Districts of such Company or to any Parts of such Districts as may be found to be convenient; and provided that it shall be lawful for the Company, after due Notice, to abstain from supplying, or to cut off the Communication Pipes, and withdraw the Supply of Water from any House whereof the Pipes, Cocks, Cisterns, Machinery, or Arrangements as aforesaid shall not be in conformity with such Regulations; provided that neither the *Kent* Waterworks Company nor the *Hampstead* Waterworks Company shall be required to give such Supply at any Height exceeding One hundred and eighty Feet above *Trinity* High-water Mark, nor the *East London* Waterworks Company be required to give such Supply at any Height exceeding Forty Feet above the Level of the Pavement nearest the Point at which such Supply shall be required. Provision for constant Supply of Water by every Company.

XVI. Any Company which shall violate, refuse, or neglect to comply with any of the Provisions herein-before contained shall forfeit to Her Majesty the Sum of Two hundred Pounds, and the further Sum of One hundred Pounds for every Month during which they shall continue to violate or to refuse or neglect to comply with the same after they shall have received Notice in Writing from the Board of Trade to discontinue such Violation, Refusal, or Neglect as aforesaid. Penalty for Non-compliance with the Provisions of the *Act*.

XVII. Every Company shall, within One Year after the passing of this Act, cause a Map to be made of the District within which any Mains or District Mains shall have been laid down or formed by them on a Scale not less than Six Inches to a Mile, and shall cause to be marked thereon the Course and Situation of all existing Mains and District Mains, and shall, within Six Months from the making of any Alterations or Additions, cause the said Maps to be from Time to Time corrected, and such Additions made thereto as may show the Line and Situation of all such Mains and District Mains as may be laid down or formed by them from Time to Time after the passing of this Act; and such Map, or a Copy thereof, with the Date expressed thereon of the last Time when the same shall have been so corrected as aforesaid, shall be kept in the principal Office of each Company, and shall be open to the Inspection of all Persons interested in the same within the said District, who shall be at liberty to take Copies of or Extracts from the same. Map of underground Works of the Companies to be made, and kept at principal Office of each Company, and be open to Inspection.

XVIII. Every Company, on the Application of any Person supplied with Water by such Company, shall furnish to such Person the Particulars of any District Main from which such Person is supplied, together with the Names of the Streets through which such District Main passes, and the Commencement and Termination thereof. Companies to furnish Particulars of District Mains when required.

XIX. And with respect to the yearly Receipt and Expenditure of every Company, the Company shall in each Year cause an Account in abstract to be prepared of the whole Receipt and Expenditure of all Rates or other Monies levied under the Powers of their Act, under the several distinct Heads of Receipt and Account of Receipt and Expenditure of Rates, &c. to

be prepared, and to be open to Inspection.

and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Chairman of the Company, and also by the Auditors thereof, if any, and a Copy of such annual Account shall be sent, free of Charge, to the Town Clerk of the City of *London*, and to the Vestry Clerk of each Parish supplied with Water by each Company respectively, not within the City of *London*, on or before the Thirty-first Day of *January* in each Year, under a Penalty of Twenty Pounds for each Default; and the Copy of such Account so sent shall be kept by the said Town Clerk and Vestry Clerks respectively, and shall be open to Inspection by all Persons at all reasonable Hours, on Payment of One Shilling for each Inspection.

Board of Trade may direct Prosecutions to enforce Provisions of Acts.

XX. Whenever it shall appear to the Board of Trade that any of the Provisions of this Act have been violated, or have not been complied with on the Part of any Company, or that any Company has acted or is acting in a Manner unauthorized by the Provisions of this Act, and it shall also appear to the said Board of Trade that it would be for the public Advantage that the Company should be restrained from so acting, the said Board of Trade shall certify the same to Her Majesty's Attorney General, and thereupon the said Attorney General shall proceed by Information, or by Action, Bill, Plaint, Suit at Law or in Equity, or other legal Proceeding, as the Case may require, to recover any Penalties which may have been incurred, or otherwise to enforce the due Performance of the said Provisions; and in case the Default of the Company shall consist in the Commission of some Act or Acts unauthorized by Law, then the said Attorney General, upon receiving such Certificate as aforesaid, shall proceed by Suit in Equity, or such other legal Proceeding as the Nature of the Case may require, to obtain an Injunction or Order (which the Judge in Equity, or other Judge to whom the Application is made, shall be authorized and required to grant, if he shall be of opinion that the Act or Acts of the Company complained of is or are not authorized by Law,) to restrain the Company from acting in such illegal Manner, or to give such other Relief as the Nature of the Case may require.

Prosecutions to be under the Sanction of Board of Trade, and within One Year after the Offence.

XXI. No such Certificate as aforesaid shall be given by the said Board of Trade until Twenty-one Days after they shall have given Notice to the Company against or in relation to whom they shall intend to give such Certificate of their Intention to give such Certificate; and no Proceedings shall be commenced under the Authority of the said Board of Trade except within One Year after the Offence shall have been committed.

Cisterns to be supplied with proper Ballcocks or other Apparatus.

XXII. Whenever Water shall be constantly laid on under Pressure in any District Main, every Person supplied with Water under Pressure by any Company through such Main shall, when required by the Company, provide a proper Cistern or other Receptacle for the Water with which he shall be so supplied, with an efficient Ballcock or other like Apparatus; and if any Cistern or other Receptacle supplied with Water under Pressure shall be provided with or have any Overflow Spout, Waste Pipe, or other Means or Contrivance immediately connected or capable of being used therewith to carry off the Water from such Cistern or Receptacle, such Person shall be bound to give Notice to the Company of every such Overflow Spout, Waste Pipe, or other Means or Contrivance, and of the Situation thereof; and, whether such Notice shall have been given or not, the Surveyor or any other Person acting under the Authority of the Company may, between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, enter into any House in order to examine if there be any Waste, Misuse, or undue Consumption of Water by means of any Overflow Spout, Waste Pipe, or other Means or Contrivance; and in case any such Waste, Misuse, or undue Consumption of Water shall be found to exist, or shall be deemed likely to occur from the Use of any such Overflow Spout, Waste Pipe, or other Means or Contrivance, it shall be lawful for such Surveyor or other Person to give Notice to the Person so supplied with Water either to repair and amend or to remove such Overflow Spout, Waste Pipe, or other Means or Contrivance; and if the same shall not be forthwith repaired and amended, or removed, in accordance with such Notice, it shall be lawful for the Company immediately thereafter to turn off the Water from the House, and to cease to supply the same with Water.

Cisterns, &c. to be constructed to prevent Waste, or the Flow or Return of impure Matter into the Mains, &c.

XXIII. Every Cistern or other Receptacle for Water, and every Closet, Soil Pan, and private Bath which shall be supplied with Water by any Company, shall be so constructed and used as effectually to prevent the Waste, Misuse, or undue Consumption of Water, and the Flow or Return of foul Air or other noisome or impure Matter into the Mains or Pipes of the Company, or into any Pipes connected or communicating therewith; and, notwithstanding anything in "The Waterworks Clauses Act, 1847," or in this Act contained, no Company shall be bound to supply Water into any Cistern or other Receptacle for Water, Closet, Soil Pan, or private Bath, which shall not be so constructed and used.

Restricting Communication with Pipes of the Company.

XXIV. No Person shall make or lay down, or permit to be made or laid down, any Pipe or other Means or Contrivance for taking, using, or obtaining Water to communicate with any Pipe or Apparatus connected with any of the Mains or Pipes of any Company without giving such Notice, and except under such Superintendence, and according to such Direction as is provided by "The Waterworks Clauses Act, 1847," with respect to the Communication Pipes to be laid by the Inhabitants.

Water may be cut off in certain Cases.

XXV. If any Person supplied with Water by any Company shall wilfully do or cause to be done any Act, Matter, or Thing in contravention of the Provisions of this Act, or of the Special Act relating to such Company, or of any Act incorporated therewith, or shall wilfully omit or neglect to do any Matter or Thing which under such Provisions ought to be done for the Prevention of the Waste, Misuse, or undue Consumption, or the Contamination of the Water of the Company, it shall be lawful for the Company to turn off the Water supplied by them to such Person, and to cease to supply such Person with Water, and also to recover from such Person by Action or Suit in any Court of competent Jurisdiction

the

the Amount of any Loss, Damage, or Injury which such Company may sustain by means or in consequence of any such Act, Matter, or Thing as aforesaid, or of any such wilful Omission or Neglect as aforesaid.

Regulations to be made, with Approval of Board of Trade.

XXVI. It shall be lawful for any Company from Time to Time, with the Approval of the Board of Trade, to make such Regulations as shall be necessary or expedient for the Purpose of preventing the Waste or Misuse of Water, and therein, amongst other things, to prescribe the Size, Nature, and Strength of the Pipes, Cocks, Cisterns, and other Apparatus to be used, and to interdict any Arrangements, and the Use of any Pipes, Cocks, Cisterns, or other Apparatus, which may tend to such Waste or Misuse as aforesaid.

Parish Officers, with Consent of Vestry, may require Inhabitants to procure Supply of Water.

XXVII. If it appear to the Churchwardens and Overseers of the Poor of any Parish that any House in such Parish is without a proper Supply of Water, and that an annual Supply can be furnished thereto by the Company at a Rate not exceeding Threepence *per* Week, conformably with the Scale of Rates authorized to be charged by such Company, after making the Allowance of Twenty *per Cent.* herein-after mentioned, the said Churchwardens and Overseers shall, with the Consent of the Vestry of the said Parish, give Notice in Writing to the Owner or Occupier of such House, requiring him within a Time specified therein to obtain such Supply, and do all such Works as may be necessary for that Purpose; and if such Notice be not complied with the said Churchwardens and Overseers shall, with the Consent aforesaid, do such Works, and recover the Expenses incurred from such Owner, in like Manner, and with the same Remedies for Nonpayment, as Rates for the Maintenance of the Poor are by Law recoverable in such Parish; and the Company shall, upon the Requisition of the said Churchwardens and Overseers of the Poor, supply with Water such House or Houses; and the Rates for such Supply of such House or Houses, not exceeding in the whole Threepence *per* Week for any One such House, shall be due and payable by the said Owner, and shall be recoverable by the Company as if such Owner had contracted with the Company for the Supply of such Water, and upon such Payment the Company shall make an Allowance of Twenty *per Cent.*; and for the Purposes aforesaid the Person for the Time being receiving the Rackrent of any such House as aforesaid, whether on his own Account or as Agent or Trustee for any other Person, or who would so receive the same if such House were let at a Rackrent, shall be deemed to be the Owner of such House.

Short Title.

XXVIII. In citing this Act in other Acts and in legal Instruments it shall be enough to use the Expression "The Metropolis Water Act, 1852."

Interpretation of Terms.

XXIX. In the Construction of this Act the Expression "Company" shall mean and include any of the Companies herein-after enumerated; (that is to say,) the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*, commonly called "The *New River* Company;" the Company of Proprietors of the *East London* Waterworks; the *Southwark and Vauxhall* Water Company; the *West Middlesex* Waterworks Company; the *Lambeth* Waterworks Company; the Governor and Company of *Chelsea* Waterworks; the *Grand Junction* Waterworks Company; the Company of Proprietors of the *Kent* Waterworks; and the *Hampstead* Waterworks Company; and also any other Company, Board, Commissioner, Association, Person, or Partnership, corporate or unincorporate, for the Time being supplying the Metropolis or any Part thereof with Water for domestic Use; the Expression "the Special Act" shall mean and include this Act and every and any Act of Parliament relating to the Company referred to; and the Expression "the Metropolis" shall mean and include all Places described or referred to in the Schedule to this Act.

The SCHEDULE above referred to.

All such Places lying on the North Side or Left Bank of the River Thames as are within the exterior Boundaries of and are within the Ambit formed by the Parishes of Fulham, Hammersmith, Kensington, Paddington, Hampstead, Hornsey, Tottenham, Saint Pancras, Islington, Stoke Newington, Hackney, Stratford-le-Bow, Bromley, Poplar, and Shadwell.

Such Part of the Parish of Chelsea as lies North of the said Parish of Kensington.

And such Parts and Places lying on the South Side or Right Bank of the said River as are within the exterior Boundaries of and are within the Ambit formed by the Parishes of Woolwich, Charlton, Greenwich, Deptford, Lee, Lewisham, Camberwell, Lambeth, Streatham, Tooting, Wandsworth, and Putney.

CAP. LXXXV.

An Act to amend the Laws concerning the Burial of the Dead in the Metropolis.

[1st *July* 1852.]

18 & 14 Vict. c. 52.

'WHEREAS it is expedient to repeal "The Metropolitan Interments Act, 1850," and to make such other Provision as herein-after mentioned in relation to Interments in and near the Metropolis:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Act repealed, and Her Majesty may continue addi-

I. The said Act shall be repealed: Provided always, that it shall be lawful for Her Majesty to continue during the Continuance of the General Board of Health the Appointment of the additional Member of such Board authorized by the said Act, and the Salary of such Member, fixed as in the said Act mentioned,

tional Member of Board.

shall be paid as by Section Seven of the Public Health Act, 1848, is directed concerning the Salaries therein mentioned.

On Representation of Secretary of State, Her Majesty in Council may order Discontinuance of Burials in any Part of the Metropolis.

II. In case it appear to Her Majesty in Council, upon the Representation of One of Her Majesty's Principal Secretaries of State, that for the Protection of the Public Health Burials in any Part or Parts of the Metropolis, or in any Burial Grounds or Places of Burial in the Metropolis, should be wholly discontinued, or should be discontinued subject to any Exception or Qualification, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to order that after a Time mentioned in the Order Burials in such Part or Parts of the Metropolis or in such Burial Grounds or Places of Burial shall be discontinued wholly, or subject to any Exceptions or Qualifications mentioned in such Order, and so from Time to Time as Circumstances may require; provided that Notice of such Representation, and of the Time when it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be published in the *London Gazette*, and shall be affixed on the Doors of the Churches or Chapels of the Parishes in which any Burial Grounds or Places of Burial affected by such Representation shall be situate, or on some other conspicuous Places within the Part or Parts of the Metropolis affected by such Representation, One Calendar Month, or where any Order made under "The Nuisances Removal and Diseases Prevention Act, 1848," directing the Provisions of that Act for the Prevention of epidemic, endemic, and contagious Diseases to be put in force, is in force within such Part or Parts, then Seven Days at the least before such Representation is so considered: Provided always, that no such Representation shall be made in relation to the Burial Ground of any Parish until Ten Days previous Notice of the Intention to make such Representation shall have been given to the Incumbent and the Vestry Clerk of such Parish.

Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included.

III. No such Order in Council as aforesaid shall be deemed to extend to any Burial Ground of the People called Quakers, or of the Persons of the Jewish Persuasion, used solely for the Burial of the Bodies of such People and Persons respectively, unless the same be expressly mentioned in such Order; and nothing in this Act shall prevent the Burial in any such Burial Ground in which for the Time being Interment is not required to be discontinued of the Bodies of such People and Persons respectively; and no such Order in Council as aforesaid shall be deemed to extend to any non-parochial Burial Ground being the Property of any private Person, unless the same be expressly mentioned in such Order.

Burial not to take place after Order in Council for Discontinuance.

IV. It shall not be lawful, after the Time mentioned in any such Order in Council for the Discontinuance of Burials, to bury the Dead in any Church, Chapel, Churchyard, or Burial Place, or elsewhere, within the Part or Parts of the Metropolis or in the Burial Grounds or Places of Burial (as the Case may be) in which Burials have by any such Order been ordered to be discontinued, except as in this Act or in such Order excepted; and every Person who shall, after such Time as aforesaid, bury any Body, or in anywise act or assist in the Burial of any Body, contrary to this Enactment, shall be guilty of a Misdemeanor.

Restriction as to Place of Burial of Inhabitants of Parishes, the Burial Grounds whereof are closed.

V. After the Time from which Burials in any Place of Burial of any Parish are required under this Act to be discontinued, the Body of any Parishioner or Inhabitant of such Parish shall not be buried in any Burial Ground within the Metropolis belonging to any other Parish within the Metropolis, save where the Body of any of the Family or Relatives of such Parishioner or Inhabitant has been interred in such Burial Ground, and the Relatives or other Persons having the Care and Direction of the Funeral signify a Desire that on that Account the Body of such Parishioner or Inhabitant should be there interred (such Burial Ground not being a Burial Ground in which Burials have been ordered to be discontinued under this Act), and save as herein otherwise provided; and every Person having the Care or Control of any Burial Ground who knowingly authorizes or permits any Burial therein contrary to this Enactment shall be guilty of a Misdemeanor.

Saving of certain Rights to bury in Vaults, &c.

VI. Provided always, that notwithstanding any such Order in Council, where by virtue of any Faculty legally granted, or by Usage or otherwise, there is at the Time of the passing of this Act any Right of Interment in or under any Church or Chapel affected by such Order, or in any Vault of any such Church or Chapel, or of any Churchyard or Burial Ground affected by such Order, and where any exclusive Right of Interment in any such Burial Ground has been purchased or acquired before the passing of this Act, it shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time, on Application being made to him, and on being satisfied that the Exercise of such Right will not be injurious to Health, to grant Licence for the Exercise of such Right during such Time and subject to such Conditions and Restrictions as such Secretary of State may think fit, but such Licence shall not prejudice or in anywise affect the Authority of the Ordinary, or of any other Person who, if this Act had not been passed, might have prohibited or controlled Interment under such Right, nor dispense with any Consent which would have been required, nor otherwise give to such Right any greater Force or Effect than the same would have had if this Act had not been passed.

As to Cemeteries in Schedule (B.) and certain new Burial Grounds;

VII. The Provisions of this Act shall not extend to authorize the Discontinuance of Burials, or to prevent the Burial of the Body of any Person in any of the Cemeteries mentioned in the Schedule (B.) to this Act, or in any Burial Ground or Cemetery to be hereafter provided with the Approval of One of Her Majesty's Principal Secretaries of State, as herein mentioned.

as to St. Paul's Cathedral and Westminster Abbey.

VIII. Nothing in this Act contained shall extend to prevent the Interment in the Cathedral Church of *Saint Paul's London*, or in the Collegiate Church of *Saint Peter's Westminster*, of the Body of any Person, where Her Majesty, by any Writing under Her Royal Sign Manual, shall signify Her Pleasure that the Body be so interred.

As to new Burial Grounds in Metropolis.

IX. No new Burial Ground or Cemetery (parochial or non-parochial) shall be provided and used in the Metropolis, or within Two Miles of any Part thereof, without the previous Approval of One of Her Majesty's Principal Secretaries of State.

Churchwardens, after Order, or at any Time, upon Requisition of Ten Ratepayers, to convene Vestry Meeting, to determine whether a Burial Ground shall be provided.

X. Upon the Requisition in Writing of Ten or more Ratepayers of any Parish in the Metropolis in which the Place or Places of Burial shall appear to such Ratepayers insufficient or dangerous to Health (and whether any Order in Council in relation to any Burial Ground in such Parish has or has not been made), the Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry of such Parish shall convene a Meeting of the Vestry, for the special Purpose of determining whether a Burial Ground shall be provided under this Act for the Parish; and public Notice of such Vestry Meeting, and the Place and Hour of holding the same, and the special Purpose thereof, shall be given in the usual Manner in which Notices of the Meetings of the Vestry are given, at least Seven Days before holding such Vestry Meeting; and if it be resolved by the Vestry that a Burial Ground shall be provided under this Act for the Parish, a Copy of such Resolution, extracted from the Minutes of the Vestry, and signed by the Chairman, shall be sent to One of Her Majesty's Principal Secretaries of State.

In case Vestry agree to provide a Burial Ground, Board to be appointed.

XI. In case of such Resolution as aforesaid the Vestry shall appoint not less than Three nor more than Nine Persons, being Ratepayers of the Parish, to be the Burial Board of such Parish, of whom One Third, or as nearly as may be One Third (to be determined among themselves), shall go out of Office yearly, at such Time as shall be from Time to Time fixed by the Vestry, but shall be eligible for immediate Re-appointment: Provided always, that the Incumbent of the Parish shall be eligible to be appointed and re-appointed from Time to Time as One of the Members of the said Board, although not a Ratepayer of the Parish; provided also, that any Member of the Board may at any Time resign his Office, on giving Notice in Writing to the Churchwardens or Persons to whom it belongs to convene Meetings of the Vestry.

Resignation of Members.

Vestry to fill up Vacancies.

XII. Any Vacancies in the Board may be filled up by the Vestry when and as the Vestry shall think fit.

Meetings of the Board.

XIII. The Board shall meet at least once in every Month at their Office, or some other convenient Place previously publicly notified, and the said Board may meet at such other Time as at any previous Meeting shall be determined upon; and it shall be at all Times competent for any Two Members of the Board, by Writing under their Hands, to summon, with at least Forty-eight Hours Notice, the Board for any special Purpose mentioned in such Writing, and to meet at such Time as shall be appointed therein.

Quorum of Meetings.

XIV. At all Meetings of the Board any Number not less than Three Members of such Board shall be a sufficient Number for transacting Business, and for exercising all the Powers of the Board.

Board may appoint and remove Officers, &c.

XV. The Board shall appoint, and may remove at Pleasure, a Clerk and such other Officers and Servants as shall be necessary for the Business of the Board and for the Purposes of their Burial Ground, and, with the Approval of the Vestry, may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire and rent a sufficient Office for holding their Meetings and transacting their Business.

Minutes of Proceedings of Board to be entered in a Book.

XVI. Entries of all Proceedings of the Board, with the Names of the Members who attend each Meeting, shall be made in Books to be provided and kept for that Purpose, under the Direction of the Board, and shall be signed by the Members present or any Two of them; and all Entries purporting to be so signed shall be received as Evidence, without Proof of any Meeting of the Board having been duly convened or held, or of the Presence at any such Meeting of the Persons named in any such Entry as being present thereat, or of such Persons being Members of the Board, or of the Signature of any Person by whom any such Entry purports to be signed, all which Matters shall be presumed until the contrary be proved; and the Board shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act in the Parish, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money are paid and such Liabilities incurred.

Board to keep Accounts, which shall be open to Inspection.

Penalty for refusing to allow Inspection.

XVII. All such Books shall at all reasonable Times be open to the Examination of every Member of such Board, Churchwarden, Overseer, and Ratepayer, without Fee or Reward, and they respectively may take Copies of or Extracts from such Books, or any Part thereof, without paying for the same; and in case the Members of such Board, or any of them, or any of the Officers or Servants of such Board having the Custody of the said Books, being thereunto reasonably requested, refuse to permit or do not permit any Churchwarden, Overseer, or Ratepayer to examine the same, or take any such Copies or Extracts, every such Member, Officer, or Servant so offending shall for every such Offence, upon a summary Conviction thereof before any Justice of the Peace, forfeit any Sum not exceeding Five Pounds.

Auditors to be appointed yearly, who shall examine the Accounts, &c.

XVIII. The Vestry shall yearly appoint Two Persons, not being Members of the Board, to be Auditors of the Accounts of the Board, and at such Time in the Month of *March* in every Year as the Vestry shall appoint the Board shall produce to the Auditors their Accounts, with sufficient Vouchers for all Monies received and paid, and the Auditors shall examine such Accounts and Vouchers, and report thereon to the Vestry.

Expenses to be paid out of the Poor's Rate.

XIX. The Expenses incurred or to be incurred by the Burial Board of any Parish in carrying this Act into execution shall be chargeable upon and paid out of the Rates for the Relief of the Poor of such Parish; the Expenses to be so incurred for or on account of any Parish in providing and laying out a Burial Ground under this Act and building the necessary Chapel or Chapels thereon not to exceed such Sum as the Vestry shall authorize to be expended for such Purpose; and the Overseers or other Officers authorized

authorized to make and levy Rates for the Relief of the Poor in any Parish shall, upon Receipt of a Certificate under the Hands of such Number of Members of the Burial Board as are authorized to exercise the Powers of the Board of the Sums required from Time to Time for defraying any such Expenses as aforesaid, pay such Sums out of the Rates for the Relief of the Poor as the Board shall direct.

Power to borrow Money, with Sanction of Vestry, and Approval of Treasury.

XX. Provided always, That it shall be lawful for the Board, with the Sanction of the Vestry and the Approval of the Commissioners of Her Majesty's Treasury, to borrow any Money required for providing and laying out any Burial Ground under this Act, and building a Chapel or Chapels thereon, or any of such Purposes, and to charge the future Poor Rates of the Parish with the Payment of such Money and Interest thereon; provided that there shall be paid in every Year, in addition to the Interest of the Money borrowed and unpaid, not less than One Twentieth of the Principal Sum borrowed, until the whole is discharged.

The Public Works Loan Commissioners may advance Money for the Purposes of this Act.

XXI. The Commissioners for carrying into execution an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Twenty-three, "to authorize for a further Period the "Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works "and Fisheries and Employment of the Poor," and any Act or Acts amending or continuing the same, may from Time to Time make to the Burial Board of any Parish for the Purposes of this Act any Loan under the Provisions of the recited Act, or the several Acts therein recited or referred to, upon Security of the Rates for the Relief of the Poor of the Parish.

Monies raised, and the Income arising from Burial Ground, to be applied towards defraying Expenses.

XXII. The Money raised for defraying such Expenses, and the Income arising from the Burial Ground provided for the Parish, except Fees payable to the Incumbent, Clerk, and Sexton of the Parish, and the other Fees herein directed to be otherwise paid, shall be applied by the Board in or towards defraying the Expenses of such Board under this Act; and whenever, after Repayment of all Monies borrowed for the Purposes of this Act in or for any Parish, and the Interest thereof, and after satisfying all the Liabilities of the Board with reference to the Execution of this Act in or for the Parish, and providing such a Balance as shall be deemed by the Board sufficient to meet their probable Liabilities during the then next Year, there shall be at the Time of holding the Meeting of the Vestry at which the yearly Report of the Auditors shall be produced any surplus Money at the Disposal of the Board, they shall pay the same to the Overseers, in aid of the Rate for the Relief of the Poor of the Parish,

Vestries of Parishes may concur in providing a Burial Ground for the common Use of such Parishes.

XXIII. The Vestries of any Parishes which shall have respectively resolved to provide Burial Grounds under this Act may concur in providing One Burial Ground for the common Use of such Parishes, in such Manner, not inconsistent with the Provisions of this Act, as they shall mutually agree, and may agree as to the Proportions in which the Expenses of such Burial Ground shall be borne by such Parishes, and the Proportion for each of such Parishes of such Expenses shall be chargeable upon and paid out of the Monies to be raised for the Relief of the Poor of the same respective Parish accordingly; and, according and subject to the Terms which shall have been so agreed on, the Burial Boards appointed for such Parishes respectively shall, for the Purpose of providing and managing such One Burial Ground, and taking and holding Land for the same, act as One joint Burial Board for all such Parishes, and may have a joint Office, Clerk, and Officers, and all the Provisions of this Act shall apply to such joint Burial Board accordingly; and the Accounts and Vouchers of such Board shall be examined and reported on by the Auditors of each of such Parishes; and the surplus Money at the Disposal as aforesaid of such Board shall be paid to the Overseers of such Parishes respectively in the same Proportions as those in which such Parishes shall be liable to such Expenses.

Incorporation of Burial Boards.

XXIV. For the more easy Execution of the Purposes of this Act the Burial Board of every Parish appointed under this Act shall be a Body Corporate, by the Name of "The Burial Board for the Parish of ( ) in the County of ( )," and by that Name shall have perpetual Succession and a Common Seal, and shall sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act; and where the Burial Boards of Two or more Parishes act as and form One joint Burial Board for all such Parishes for the Purposes aforesaid, such joint Board shall for such Purposes only be a Body Corporate by the Name of "The Burial Board for the Parishes of and in the County of " and by that Name shall have perpetual Succession and a Common Seal, and shall sue and be sued and have Power and Authority as aforesaid to take, purchase, and hold Land for the Purposes of this Act.

Board to provide a Burial Ground, which may be within or without the Parish.

XXV. Every Burial Board shall, with all convenient Speed, proceed to provide a Burial Ground for the Parish or Parishes for which they are appointed to act, and to make Arrangements for facilitating Interments therein; and in providing such Burial Ground the Board shall have reference to the Convenience of Access thereto from the Parish or Parishes for which the same is provided; and any such Burial Ground may be provided either within or without the Limits of the Parish, or all or any of the Parishes, for which the same is provided; but no Ground not already used as or appropriated for a Cemetery shall be appropriated as a Burial Ground, or as an Addition to a Burial Ground, under this Act, nearer than Two hundred Yards to any Dwelling House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling House.

Board may, with Approval of Vestry, purchase Land of Cemeteries.

XXVI. For the providing such Burial Ground it shall be lawful for the Burial Board, with the Approval of the Vestry or Vestries of the Parish or respective Parishes, to contract for and purchase any Lands for the Purpose of forming a Burial Ground, or for making Additions to any Burial Ground to be formed or purchased under this Act, as such Board may think fit, or to purchase from any Company or Persons entitled thereto any Cemetery or Cemeteries, or Part or Parts thereof, subject to the Rights in Vaults and Graves, and other subsisting Rights, which may have been previously granted therein: Provided

Provided always, that it shall be lawful for such Board, in lieu of providing any such Burial Ground, to contract with any such Company or Persons entitled as aforesaid for the Interment in such Cemetery or Cemeteries, and either in any allotted Part of such Cemetery or Cemeteries or otherwise, and upon such Terms as the Burial Board may think fit, of the Bodies of Persons who would have had Rights of Interment in the Burial Grounds of such Parish or respective Parishes.

Certain Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

XXVII. "The Lands Clauses Consolidation Act, 1845," except the Provisions of that Act "with "respect to the Purchase and taking of Lands otherwise than by Agreement," "with respect to the "Recovery of Forfeitures, Penalties, and Costs," "with respect to Lands acquired by the Promoters of "the Undertaking under the Provisions of the 'Lands Clauses Consolidation Act, 1845,' or the Special "Act, or any Act incorporated therewith, but which shall not be required for the Purposes thereof," and "with respect to the Provision to be made for affording Access to the Special Act by all Parties "interested," shall be incorporated with this Act; and for the Purposes of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean any such Burial Board.

Power to sell Lands not wanted.

XXVIII. It shall be lawful for any such Board, with the Approval of the Vestry, to sell and dispose of any Lands purchased by them under this Act, or any Part thereof, in which no Interment shall have taken place, and which it may appear to the Board may be properly sold or disposed of; and for completing and carrying any such Sale into effect such Board may make and execute a Conveyance of the Lands sold and disposed of as aforesaid unto the Purchaser, or as he shall direct; and such Conveyance shall be under the Hands of at least Two of the Members of the Board, and under the Seal of the Board; and the Word "grant" in such Conveyance shall have the same Operation as by the said Lands Clauses Consolidation Act, 1845, is given to the same Word in a Conveyance of Lands made by the Promoters of the Undertaking; and a Receipt under the Hands of Two of the Members of the Board shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received; and the Money to arise from such Sale shall be applied to such of the Purposes of this Act as the Board shall think fit.

Burial Board may, with Approval of Vestry, &c. appropriate Land belonging to Parish.

XXIX. Provided always, That any Burial Board under this Act, with the Approval of the Vestry and of the Guardians of the Poor of the Parish (if any), and of the Poor Law Board, may from Time to Time appropriate for the Purposes of a Burial Ground for such Parish, either alone or jointly with any other Parish or Parishes, any Land vested in such Guardians, or in the Churchwardens, or in the Churchwardens and Overseers of the Parish, or in any Feoffees, Trustees, or others, for the general Benefit of the Parish, or for any specific Charity: Provided always, that where any Land so taken and appropriated shall be subject to any charitable Use, such Lands shall be taken on such Conditions only as the Court of Chancery in the Exercise of its Jurisdiction over Charitable Trusts shall appoint and direct.

Board may lay out Burial Ground, and build Chapel.

XXX. It shall be lawful for any Burial Board to lay out and embellish any Burial Ground provided by such Board in such Manner as may be fitting and proper, and to build on any Land to be purchased or appropriated for a Burial Ground under this Act, and according to a Plan to be approved of by the Bishop of the Diocese, a Chapel for the Performance of the Burial Service according to the Rites of the United Church of *England* and *Ireland*; and such Burial Ground may be consecrated by the Bishop of the Diocese, when the same shall appear to him to be in a fit and proper Condition, for the Purposes of Interment according to the Rites of the United Church: Provided always, that in providing any Burial Ground such Board shall set apart a Portion thereof which shall not be so consecrated as aforesaid, and may build thereon a suitable Chapel or Chapels for the Performance of Funeral Service.

Ground may be set apart for building a Chapel, &c.

Burial Board may contract for Works to be done.

XXXI. Any Burial Board may from Time to Time enter into any Contract with any Persons or Companies for building any Chapel or Chapels as aforesaid, and inclosing, laying out, and embellishing any Burial Ground, and for furnishing any Materials and Things, and for executing and doing any other Works and Things necessary for the Purposes of this Act; which Contracts respectively shall specify the several Works and Things to be executed, furnished, and done, and the Prices to be paid for the same, and the Times when the Works and Things are to be executed, furnished, and done, and the Penalties to be suffered in Cases of Non-performance; and all such Contracts, or true Copies thereof, shall be entered in Books to be kept for that Purpose: Provided always, that no Contract above the Value or Sum of One hundred Pounds shall be entered into by such Burial Board, for the Purposes of this Act, unless previous to the making thereof Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County or Counties in which the Parish or respective Parishes shall be situated, expressing the Intention of entering into such Contract, in order that any Person willing to undertake the same may make Proposals for that Purpose, to be offered to the Burial Board at a certain Time and Place in such Notice to be mentioned, but it shall not be incumbent on the Burial Board to contract with the Person offering the lowest Price.

No Contract above 100*l.* to be entered into without Notice.

Burial Ground to be the Burial Ground of the Parish or Parishes for which it is provided.

XXXII. From and after the Consecration as aforesaid of any Burial Ground provided under this Act (except any Portion thereof intended not to be so consecrated), or where all or any Part of such Burial Ground, by reason of the same having been already consecrated, shall not require to be consecrated, then from and after such Time as the Bishop of the Diocese shall appoint, such Burial Ground shall be deemed the Burial Ground of the Parish for which the same is provided, and where the same is provided for Two or more Parishes such Burial Ground shall be in Law as if such Parishes were One Parish, and as if such Burial Ground were the Burial Ground of such One Parish; and every Incumbent or Minister of the Parish or of each of the Parishes (as the Case may be) for which such Burial Ground is provided shall,

shall, by himself and his Curate, or such duly qualified Persons as such Incumbent or Minister may authorize, perform the Duties and have the same Rights and Authorities for the Performance of religious Service in the Burial in such Burial Ground, or in the consecrated Portion thereof, of the Remains of Parishioners or Inhabitants of the Parish of which he is such Incumbent or Minister, and shall be entitled to receive the same Fees in respect of such Burials which he has previously enjoyed and received; and the Clerk and Sexton of such Parish or of each of such Parishes shall (when necessary) perform and exercise the same Duties and Functions in respect of the Burial of the Remains of Parishioners or Inhabitants of the Parish of which he is Clerk or Sexton in such Burial Ground or the consecrated Portion thereof, and shall be entitled to receive the same Fees on such Burials, as he has previously performed and exercised and received, as if such Burial Ground were the Burial Ground of the respective Parish of such Incumbent or Minister, Clerk and Sexton respectively; and the Parishioners and Inhabitants of such Parish or of each of such Parishes shall have the same Rights of Sepulture in such Burial Ground as they respectively would have had in the Burial Ground or Burial Grounds in and for their respective Parish, subject nevertheless to the Provisions herein contained.

Board may sell exclusive Rights of Burial Vaults, and Right to erect Monuments.

XXXIII. Any Burial Board, under such Restrictions and Conditions as they think proper, may sell the exclusive Right of Burial, either in perpetuity or for a limited Period, in any Part of any Burial Ground provided by such Board, and also the Right of constructing any Vault or Place of Burial with the exclusive Right of Burial therein in perpetuity or for a limited Period, and also the Right of erecting and placing any Monument, Gravestone, Tablet, or monumental Inscription in such Burial Ground, but there shall be payable to the Incumbent or Minister of the Parish out of the Fees or Payments to be paid in respect of any Rights acquired under this Enactment in the consecrated Part of such Burial Ground (in lieu of the Fees or Sums which he would have been entitled to on the Grant of the like Rights in the Burial Ground of his Parish) such Fees or Sums as shall be settled and fixed by the Vestry with the Approval of the Bishop of the Diocese, or if no such Fees or Sums shall have been so settled then such Fees as he would by Law or Custom have been entitled to on the Grant of the like Rights in the Burial Ground of his Parish.

Board to fix Payments for Interments in Burial Ground and for exclusive Right of Burial Vaults, and Right to erect Monuments.

XXXIV. Every Burial Board under this Act shall and may (without Prejudice to the Fees and Payments herein specially provided for) fix and settle and receive such Fees and Payments in respect of Interments in any Burial Ground provided by such Board as they shall think fit, and also the Sums to be paid for the exclusive Right of Burial, either in perpetuity or for a limited Period, in any Burial Ground provided by such Board, and also the Right of constructing any Vault or Place of Burial with the exclusive Right of Burial therein in perpetuity or for a limited Period, and also the Right of erecting and placing any Monument, Gravestone, Tablet, or monumental Inscription in such Burial Ground, and every Burial Board, with the Consent of the Vestry, may from Time to Time revise and alter such Fees, Payments, and Sums as aforesaid; and a Table showing such Fees, Payments, and Sums, and all other Fees and Payments in respect of Interments in such Ground, shall be printed and published, and shall be affixed and at all Times continued on some conspicuous Part of such Burial Ground.

Division of Fees between Incumbents of Parishes and Ecclesiastical Districts.

XXXV. Where at the Time of the Discontinuance of Interment in any Burial Ground the Fees in respect of Burials therein are divided between the Incumbent of the Parish and the Incumbent of any District Parish or other Ecclesiastical District, each Incumbent shall have the same Proportion of the Fees in the Burial Ground to be provided under this Act as he was entitled to in respect of Interments in the old Burial Ground.

Fees payable to Churchwardens and others for Parochial Purposes.

XXXVI. Where Fees or any Portion of Fees payable on Interments, or for any Monument, Gravestone, Tablet, or monumental Inscription, in the Burial Ground of any Parish for which a Burial Ground is provided alone or jointly with any other Parish or Parishes under this Act, are by Law or Custom payable to the Churchwardens of any Parish, or to Trustees or other Persons, for or towards the Payment of any Annuity or Stipend to the Incumbent or Minister, or any other Parochial Purpose, or the Discharge of any Debt or Liability, such Fees or Portion of Fees shall be payable in the Burial Ground to be provided as aforesaid for such Parish under this Act, and shall be received by the Burial Board and paid to the Parties entitled to receive the same; and where Fees or Payments have been received on Interments, or for any Monument, Gravestone, Tablet, or monumental Inscription, in the Burial Ground of any such Parish by any such Churchwardens, or by Trustees or other Persons, for the Purpose of discharging any periodical Payment or other Liability, it shall be lawful for the Burial Board, upon the Request of such Churchwardens, Trustees, or Persons, to pay from Time to Time, out of the Fees and Monies received by them on account of such Parish, such Amount as may be necessary for discharging such periodical Payment or Liability.

Power to Vestry, with Consent of Bishop, to revise the Fees to Incumbent, &c., or to substitute a fixed Payment.

XXXVII. It shall be lawful for the Vestry of any Parish from Time to Time, if they think fit, with the Consent of the Bishop of the Diocese, to revise and vary the Fees payable to the Incumbent, Clerk, and Sexton, and other Persons and Bodies respectively, under the Provisions of this Act, or, with such Consent as aforesaid, to substitute for the Fees payable to such Incumbent, Clerk, and Sexton, and other Persons and Bodies respectively, a fixed annual Sum of such Amount as to such Vestry may seem just, to be payable by such periodical Payments as such Vestry may appoint, and in such last-mentioned Case the Fees which would otherwise be payable under this Act to the Incumbent, Clerk, and Sexton, and such other Persons and Bodies respectively, shall be paid to the Burial Board, and such fixed Payments as aforesaid shall be paid by such Board.

Management to be vested in Burial Boards.

XXXVIII. The general Management, Regulation, and Control of the Burial Grounds provided under this Act shall, subject to the Provisions of this Act and the Regulations to be made thereunder, be vested in

in and exercised by the respective Burial Boards providing the same; provided that any Question which shall arise touching the Fitness of any monumental Inscription placed in any Part of the consecrated Portions of such Grounds shall be determined by the Bishop of the Diocese.

Arrangements between the Incumbents of Parishes.

XXXIX. Where a Burial Ground is provided under this Act for the common Use of Two or more Parishes, in case any Question arise among the Incumbents of such Parishes as to the Performance of the Burial Service by a Chaplain to be paid by means of Contributions from such Incumbents, or Deductions from Fees or Sums payable to them, or otherwise touching the Performance of Service in the consecrated Part of such Ground, the Bishop of the Diocese shall from Time to Time confirm any Arrangement which a Majority, or, in case of equal Numbers, One Half of the Incumbents shall approve, and such Arrangement so confirmed shall be binding upon all the Parties concerned.

Certain Provisions of 10 & 11 Vict. c. 65. incorporated.

XL. The Provisions of "The Cemeteries Clauses Act, 1847," with respect to the Protection of the Cemetery, shall be incorporated with this Act, and be applicable to any Burial Ground provided under this Act.

Boards may make Arrangements for facilitating the Conveyance of Bodies to Burial Grounds.

XLI. Any Burial Board may make such Arrangements as they may from Time to Time think fit for facilitating the Conveyance of the Bodies of the Dead from the Parish or the Place of Death to the Burial Ground which shall be provided under this Act, or to any other Place of Burial, subject to the Provisions of this Act and the Regulations to be made thereunder, and it shall be lawful for any of the aforesaid Cemetery Companies to undertake any such Arrangement, and to carry the same into effect, subject to the Provisions and Regulations as aforesaid.

Places may be provided for Reception of Bodies until Interment.

XLII. It shall be lawful for any Burial Board, with the Approval of the Vestry, and subject to the Provisions of this Act, and the Regulations to be made thereunder, and for the Churchwardens and Overseers of the Poor of any Parish in the Metropolis for which a Burial Board shall not have been appointed under this Act, by the Direction of the Vestry, and subject as aforesaid, to hire, take on Lease, or otherwise to provide fit and proper Places in which Bodies may be received and taken care of previously to Interment, and to make Arrangements for the Reception and Care of the Bodies to be deposited therein, and for providing such Places such Burial Boards may exercise the Powers vested in them under this Act for providing Burial Grounds; and such Churchwardens and Overseers may exercise all such Powers as, under the Act of the Fifty-ninth Year of King *George* the Third, Chapter Twelve, or otherwise, the Churchwardens and Overseers of any Parish not having a Workhouse might exercise for providing a Workhouse for such Parish.

The Commissioners of Sewers of the City of London to be a Burial Board for the Parishes in the City and its Liberties.

XLIII. The Provisions herein-before contained for the Appointment of Burial Boards shall not apply to any Parish within the Limits of the City of *London* and the Liberties thereof; but it shall be lawful for the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, if and when they see fit so to do, to authorize and direct the Commissioners of Sewers of the City of *London* to exercise for the said City and Liberties all the Powers and Authorities vested in Burial Boards under this Act; and thereupon such Commissioners shall have and exercise for and on behalf of the said City and Liberties all such Powers and Authorities as are hereby vested in the Burial Board for any Parish, or which might be exercised by such Board with the Approval of the Vestry; but the Expenses to be incurred by such Commissioners in providing and laying out any Burial Ground or Burial Grounds under this Act, and building the necessary Chapel or Chapels therein, shall not exceed such Sum as the said Mayor, Aldermen, and Commons in Common Council assembled shall authorize to be expended for this Purpose; and the Money required for defraying the Expenses incurred under this Act by the said Commissioners shall be charged upon and payable out of the consolidated Rate authorized to be made by "The City of *London* Sewers Act, 1848," or any Monies applicable for defraying the Expenses by the said Act charged upon or payable out of such Rate; and the Income of any Burial Ground provided under this Act by such Commissioners, which if such Ground had been provided by a Burial Board for any Parish would be applicable in aid of the Rate for the Relief of the Poor of such Parish, shall be applicable in aid of the said consolidated Rate; and the Provisions contained in "The City of *London* Sewers Act, 1848," for the Purpose (as therein expressed) of enabling the said Commissioners to effect the Purchases therein authorized shall be applicable for the Purpose of enabling the said Commissioners to purchase Land for the Purposes of this Act; and the Powers for and auxiliary to the Sale and Disposal of Land given or expressed to be given by "The City of *London* Sewers Act, 1848," and "The City of *London* Sewers Act, 1851," with respect to Land purchased by the said Commissioners for any of the Purposes mentioned in such last-mentioned Act, and deemed by them unnecessary for such Purposes, shall be applicable with respect to any Land purchased by the said Commissioners for the Purposes of this Act which may not appear to them to be wanted for such Purposes; and all the Provisions of the said City of *London* Sewers Acts applicable to the Exercise of the Powers vested in the said Commissioners shall be applicable to and for the Purposes of this Act, as if the Powers which under this Act may become vested in such Commissioners had been Powers vested in them under the said "City of *London* Sewers Act, 1848;" provided that it shall be lawful for the said Mayor, Aldermen, and Commons to appoint any Incumbent or Incumbents of any Parish or Parishes within the said City or Liberties to act with the said Commissioners for the Purposes of this Act.

Secretary of State may make Regulations as to Burial Grounds, &c.

XLIV. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to make such Regulations in relation to the Burial Grounds and Places for the Reception of Bodies previously to Interment which may be provided under this Act as to him may seem proper, for the Protection of the public Health and the Maintenance of public Decency, and the Burial Boards and all other

other Persons having the Care of such Burial Grounds and Places for the Reception of Bodies shall conform to and obey such Regulations.

Brompton Cemetery vested in Commissioners of Works.

XLV. 'And whereas the General Board of Health have, under the Powers of the said Metropolitan 'Interments Act, 1850, taken Proceedings for the Purchase of the Cemetery of the *West of London and* '*Westminster* Cemetery Company, (commonly called the *Brompton* Cemetery,) and the Amount of the 'Purchase Money has been ascertained by Arbitration, but such Purchase may not have been completed 'at the Time of the passing of this Act:'

In case at the Time of the passing of this Act the said Cemetery has not been conveyed to the General Board of Health, the Rights and Obligations of the General Board of Health with reference to the Purchase of the said Cemetery shall upon the passing of this Act become transferred to the Commissioners of Her Majesty's Works and Public Buildings; and in case the said Cemetery shall be conveyed to them by virtue of the Transfer hereby made of such Rights and Liabilities, then immediately upon such Cemetery being so conveyed, or in case at the Time of the passing of this Act the said Cemetery has been conveyed to the General Board of Health, then from and after the passing of this Act the said Cemetery shall, without any further Conveyance, become vested in the said Commissioners of Her Majesty's Works and Public Buildings, and their Successors, in the like Corporate Capacity in which any Lands, Tenements, or Hereditaments are vested in them under the Act of this last Session of Parliament, Chapter Forty-two, but subject to the Rights to Graves, Vaults, and Monuments subject to which such Cemetery may have been conveyed to such Commissioners or to the General Board of Health, as the Case may be, and subject to the Powers and for the Purposes herein-after mentioned.

Money authorized to be advanced under 14 & 15 Vict. c. 89. may be applied in completing the Purchase of the Brompton Cemetery.

XLVI. 'And whereas by an Act of the last Session of Parliament, Chapter Eighty-nine, the Com-'missioners of Her Majesty's Treasury are authorized to cause to be issued and advanced to the General 'Board of Health, out of the Produce of the Consolidated Fund of the United Kingdom, a Sum or Sums 'not exceeding in the whole One hundred and thirty-seven thousand Pounds, to be applied to the Pur-'poses to which Money borrowed by the said Metropolitan Interments Act, 1850, is by the said Act 'made applicable:'

It shall be lawful for the Commissioners of Her Majesty's Treasury to cause to be advanced or issued to and applied by the Commissioners of Her Majesty's Works and Public Buildings, out of the said Consolidated Fund, such Part of the said Sum of One hundred and thirty-seven thousand Pounds as the said Commissioners of Her Majesty's Treasury may think fit, for the Completion of the Purchase of the said *Brompton* Cemetery, in case such Purchase shall not have been completed at the Time of the passing of this Act, and for the Care and Management of the said Cemetery; and the said Commissioners of the Treasury may also cause to be issued and advanced and applied such Part of the said Sum of One hundred and thirty-seven thousand Pounds as the said Commissioners of the Treasury shall think fit, in discharge of any Liabilities of the said General Board of Health incurred under the Powers of the said Metropolitan Interments Act, 1850, without requiring in the Cases aforesaid any Mortgage to be made for such Advances.

Provision for winding-up the West of London and Westminster Cemetery Company.

XLVII. After Payment to the said *West of London and Westminster* Cemetery Company, either by the General Board of Health or by the Commissioners of Her Majesty's Works and Public Buildings, of the Purchase or Consideration Money for the said *Brompton* Cemetery, the said *West of London and Westminster* Cemetery Company shall continue only for the Purpose of winding up the Affairs and realizing and distributing the Assets thereof, and satisfying any Debts or Engagements to or by the said Company, and for the Enforcement by Law or in Equity of such Debts or Engagements respectively, and the said Company, as soon as conveniently may be after the Payment of such Purchase or Consideration Money, shall convert into Money, by Sale or otherwise, the Effects of the said Company, and get in the Debts and Assets thereof, and distribute and apportion the Monies thence arising, together with such Purchase or Consideration Money, after satisfying all the Debts, Engagements, and Liabilities of the said Company, to and among the several Proprietors thereof, according to their respective Shares and Interests therein; and from and immediately after such Distribution and Apportionment the said Company shall be dissolved, and the Receipt of every Person who for the Time being would have been entitled to give an effectual Discharge for any Dividends which might have become payable in respect of any Share in the said Cemetery, or in the Capital Stock of the said Company, in case the said Metropolitan Interments Act and this Act had not been passed, for the Proportion of the Monies which under this Provision shall become payable in respect of such Share, shall be an effectual Discharge to the said Company and the Directors thereof for the same.

Brompton Cemetery may be sold by Direction of the Treasury, and in the meantime used for Interments.

XLVIII. The said Commissioners of Works and Public Buildings shall and may, in case the said *Brompton* Cemetery be vested in them by or under this Act, sell and dispose of the same or any Part thereof, subject to the Rights affecting the same, as the Commissioners of Her Majesty's Treasury may direct; and in the meantime, until such Sale, the Secretary of State may and shall permit the same to be used for the Purposes of Interment, upon such Terms and Conditions as he shall think fit; and the Residue of the Monies arising from the Sale and Disposal of the said Cemetery or any Part thereof, and in respect of the Interments therein, after defraying the Expenses incident to such Sale and to the Care and Management of the Cemetery, until the whole thereof shall be sold and disposed of, shall be paid to the Metropolitan Interments Repayments Account mentioned in the said Act of the last Session of Parliament, to be carried to the said Consolidated Fund.

Limiting the Compensation Fee to be pay-

XLIX. Where any Body is buried in any of the Cemeteries mentioned in Schedule (B.) to this Act, at the Expense of any Union or Parish, the Fee or Sum to be paid or payable on the Interment of such

Body,

Body, or otherwise in respect thereof, to the Incumbent of the Parish or Ecclesiastical District from which such Body is removed for Interment, shall not exceed the Sum of One Shilling, or where the Incumbent now receives in respect of the like Burial in the Ground of his Parish more than One Shilling shall not exceed the Sum so now received, and in no Case shall exceed Two Shillings and Sixpence; and no other Fee or Sum whatsoever shall be payable in respect of such Interment, to or for the Use of any Person as an Officer of such Parish or District, or for or on behalf of such Parish or District, anything in any Act mentioned in the said Schedule (B.) or any other Act notwithstanding.

able on Pauper Burials in Cemeteries.

L. Where under any Local Act Fees on Interments in any Burial Ground of any Parish in the Metropolis are payable to the Churchwardens of such Parish, or to any Trustees or other Persons, for the Purpose of enabling them to pay an Annuity or Stipend to the Incumbent or Minister, the Fees which under this Act, or any Act relating to any Cemetery Company, would on the Interment in the Cemetery of any Company of any Body brought from such Parish be payable to such Incumbent or Minister, shall be payable to the said Churchwardens, Trustees, or Persons, and any Surplus of such Fees which may remain in their Hands after Payment of such Annuity or Stipend shall be paid to such Incumbent or Minister.

Incumbents' Fees payable to Churchwardens where Incumbents' Stipend paid by them.

LI. Where any Burial Ground in which Interment is discontinued under this Act belongs to any Parish other than the Parish within which the same is locally situate, it shall be lawful for the Incumbent and Churchwardens of the Parish to which such Burial Ground belongs, with the Consent of the Vestry, or Persons possessing the Powers of Vestry for Ecclesiastical Purposes of or in such Parish, and of the Bishop of the Diocese, to convey any Chapel belonging to such Parish, and situate in or attached to such Burial Ground, and the Site thereof, to any Persons named by the Incumbent and Churchwardens of the Parish within which the same is situate, with the Consent of the Vestry, or Persons possessing the Powers of Vestry of or in such Parish for Ecclesiastical Purposes, and of the said Bishop, and upon such Trusts for such last-mentioned Parish, and subject to such Conditions to be performed on behalf of such Parish, and with such Provision for the Appointment of new Trustees, as to the said Bishop may seem proper; and such Conveyance shall be effectual to pass all the Estate and Interest vested in any Persons in trust or in behalf of the Parish to which such Chapel and the Site thereof belong; and after the Execution of such Conveyance all Obligation on such last-mentioned Parish, or any Trustees or others on behalf thereof, to repair such Chapel, or to pay any Stipend to the Minister thereof, or otherwise in relation to or in connexion with such Chapel, shall cease.

Power for Incumbent or Churchwardens to convey Chapel.

LII. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

Interpretation of Terms.

"Parish" shall mean every Place having separate Overseers of the Poor, and separately maintaining its own Poor:

"Ratepayers" shall mean the Persons for the Time being assessed to and paying Rates for the Relief of the Poor of the Parish:

"Incumbent" and "Minister" shall, in respect of any Fee made payable to an Incumbent or Minister under this Act, mean the Clergyman who would have been entitled to the Fee had the Body been buried in the Churchyard or Burial Ground of the Parish from which it came, or in the Burial Ground of the Ecclesiastical District in case such District has a Burial Ground at the passing of this Act, and if any Difference shall arise between Two or more Persons severally claiming to be the Incumbent or Minister under this Provision, such Difference shall be determined by the Bishop of the Diocese:

"Churchwardens" shall mean also Chapelwardens, or other Persons discharging the Duties of Churchwardens:

"Overseers" shall mean also any Persons authorized and required to make and collect or cause to be collected the Rate for the Relief of the Poor of the Parish, and acting instead of Overseers of the Poor:

"Vestry" shall mean the Inhabitants of the Parish lawfully assembled in Vestry, or for any of the Purposes for which Vestries are holden, except in those Parishes in which there is a Select or other Vestry elected under an Act of the Fifty-ninth Year of King *George* the Third, Chapter Twelve, "to amend the Laws for the Relief of the Poor," or elected under an Act passed in the Second Year of King *William* the Fourth, Chapter Sixty, "for the better Regulation of Vestries, "and for the Appointment of Auditors of Accounts, in certain Parishes of *England* and *Wales*," or elected under the Provisions of any Local Act of Parliament for the Government of any Parish by Vestries, in which Parishes it shall mean such Select or other Vestry:

"Clerk" shall mean the Clerk appointed pursuant to this Act by any Burial Board appointed under this Act.

LIII. For the Purposes of this Act, the Expression "the Metropolis" shall be construed to mean and include the Cities and Liberties of *London* and *Westminster*, the Borough of *Southwark*, and the Parishes, Precincts, Townships, and Places mentioned in the Schedule (A.) to this Act.

Definition of "the Metropolis."

LIV. Provided always, That nothing in this Act contained shall extend to take away, diminish, alter, or prejudice any of the Rights, Powers, or Authorities vested in any of the Cemetery Companies incorporated under the several Acts mentioned in the said Schedule (B.) to this Act, but all such Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not passed.

Saving Rights of Cemetery Companies.

SCHEDULE (A.)

The City of London and the Liberties thereof, the Inner Temple and Middle Temple, and all other Places and Parts of Places contained within the exterior Boundaries of the Liberties of the City of London.

IN MIDDLESEX.

The City and Liberties of Westminster.

The Parishes of St. Margaret and St. John the Evangelist.
The Parish of St. Martin in the Fields.
The Parish of St. George Hanover Square.
The Parish of St. James.
The Parish of St. Mary-le-Strand, as well within the Liberty of Westminster as within the Duchy Liberty.
The Parish of St. Clement Danes, as well within the Liberty of Westminster as within the Duchy Liberty.
The Parish of St. Paul Covent Garden.
The Parish of St. Anne Soho.
Whitehall Gardens (whether the same be parochial or extra-parochial).
Whitehall (whether the same be parochial or extra-parochial).
Richmond Terrace (whether the same be parochial or extra-parochial).
The Close of the Collegiate Church of St. Peter.

The Parishes of St. Giles in the Fields and St. George Bloomsbury.
The Parishes of St. Andrew Holborn and St. George the Martyr.
The Liberty of Hatton Garden, Saffron Hill, and Ely Rents.
The Liberty of the Rolls.
The Parish of St. Pancras.
The Parish of St. John Hampstead.
The Parish of St. Marylebone.
The Parish of Paddington.
The Precinct of the Savoy.
The Parish of St. Luke.
The Liberty of Glasshouse Yard.
The Parish of St. Sepulchre.
The Parish of St. James Clerkenwell, including both Districts of St. James and St. John.
The Parish of St. Mary Islington.
The Parish of St. Mary Stoke Newington.
The Charterhouse.
The Parish of St. Mary Whitechapel.
The Parish of Christchurch Spitalfields.
The Parish of St. Leonard Shoreditch.
The Liberty of Norton Falgate.
The Parish of St. John Hackney.
The Parish of St. Matthew Bethnal Green.
The Hamlet of Mile End Old Town.
The Hamlet of Mile End New Town.
The Parish of St. Mary Stratford Bow.
The Parish of Bromley St. Leonard.
The Parish of All Saints Poplar.
The Parish of St. Anne Limehouse.
The Hamlet of Ratcliffe.
The Parish of St. Paul Shadwell.
The Parish of St. George in the East.
The Parish of St. John Wapping.
The Liberty of East Smithfield.
The Precinct of St. Catherine.
The Liberty of Her Majesty's Tower of London, consisting of—
  The Liberty of the Old Artillery Ground.
  The Parish of Trinity, Minories.
  The Old Tower Precinct.
  The Precinct of the Tower Within.
  The Precinct of Wellclose.
The Parish of Kensington.
The Parish of St. Luke Chelsea.
The Parish of Fulham.
The Parish of Hammersmith.

Lincoln's Inn.
New Inn.
Gray's Inn.
Staple Inn.
That Part of Furnival's Inn in the County of Middlesex.
Ely Place.
The Parish of Willesden.

In Kent.

The Parish of St. Paul Deptford.
The Parish of St. Nicholas Deptford.
The Parish of Greenwich.
The Parish of Woolwich.
The Parish of Charlton.
The Parish of Plumstead.

In Surrey.

The Borough of Southwark.

The Parish of St. George the Martyr.
The Parish of St. Saviour.
The Parish of St. John Horsleydown.
The Parish of St. Olave.
The Parish of St. Thomas.

The Parish of Battersea (except the Hamlet of Penge).
The Parish of Bermondsey.
The Parish of Camberwell.
The Parish of Clapham.
The Parish of Lambeth.
The Parish of Newington.
The Parish of Putney.
The Parish of Rotherhithe.
The Parish of Streatham.
The Parish of Tooting.
The Parish of Wandsworth.
The Parish of Christchurch.
The Clink Liberty.
The Hamlet of Hatcham in the Parish of Deptford.

SCHEDULE (B.)

The several Cemeteries established under the several Acts herein-after mentioned; viz.—

An Act for establishing a General Cemetery for the Interment of the Dead in the Neighbourhood of the Metropolis:	2 & 3 W. 4. c. cx.
An Act for establishing a Cemetery for the Interment of the Dead Southward of the Metropolis, to be called the "South Metropolitan Cemetery:"	6 & 7 W. 4. c. cxxix.
An Act for establishing Cemeteries for the Interment of the Dead Northward, Southward, and Eastward of the Metropolis, by a Company to be called "The London Cemetery Company:"	6 & 7 W. 4. c. cxxxvi.
An Act for establishing a Cemetery for the Interment of the Dead Westward of the Metropolis, by a Company to be called "The West of London and Westminster Cemetery Company:" And	1 Vict. c. cxxx.
An Act to establish a General Cemetery for the Interment of the Dead in the Parishes of Saint Dunstan Stepney and Saint Leonard Bromley in the County of Middlesex:	4 & 5 Vict. c. lxiii.

The Victoria Park Cemetery in the Parish of Saint Matthew Bethnal Green in the County of Middlesex: And
The Abney Park Cemetery in the Parish of Saint Mary Stoke Newington in the County of Middlesex.

CAP. LXXXVI.

An Act to amend the Practice and Course of Proceeding in the High Court of Chancery.
[1st *July* 1852.]

'WHEREAS it is expedient to amend the Practice and Course of Proceeding in the High Court of Chancery:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From

Bills engrossed on Parchment discontinued, and a printed Bill to be filed instead.

I. From and after the Time herein-after appointed for the Commencement of this Act, the Practice of engrossing on Parchment Bills of Complaint or Claims to be filed in the said Court, and of filing such Engrossment, shall be discontinued; and the Clerks of Records and Writs of the said Court shall receive and file a printed Bill of Complaint or Claim, in lieu of an Engrossment thereof, in like Manner as they now receive and file such Engrossment.

Writs of Subpœna and Summons abolished.

II. The Writ of Subpœna to appear to and answer a Bill of Complaint in the said Court, and the Writ of Summons upon a Claim, shall respectively be abolished.

Defendants to be served with a printed Bill in lieu of the Writs of Subpœna and Summons.

III. In lieu of serving the Defendant to a Bill of Complaint in the said Court with a Writ of Subpœna to appear to and answer the same, and in lieu of serving the Defendant to a Claim in the said Court with a Writ of Summons upon such Claim, in the Mode and according to the Practice now adopted in the said Court with reference to such Writs respectively, the Defendant shall be served with a printed Bill of Complaint or Claim, with an Indorsement thereon, in the Form or to the Effect set out in the Schedule to this Act, with such Variations as Circumstances may require, such printed Bill of Complaint or Claim so to be served being previously stamped with a proper Stamp by One of the Clerks of Records and Writs, indicating the filing of such Bill of Complaint or Claim, and the Date of the filing thereof.

The filing and Service of a printed Bill or Claim to have the same Effect as the filing and issuing of Writs of Subpœna and Summons.

IV. The filing of a printed Bill of Complaint or Claim in the said Court shall have the same Effect as the filing of a Bill of Complaint or Claim in the same Court, and the issuing of a Subpœna or Writ of Summons thereon respectively, now have, and the Service upon the Defendant of a printed Bill of Complaint or of a Claim so filed, with such Endorsement thereon, so stamped as aforesaid, shall have the same Effect as the Service on him of a Writ of Subpœna or Writ of Summons respectively now has, and shall entitle the Plaintiff in such Suit to such Remedies for Default of Appearance and otherwise as he is now entitled to in case of due and proper Service of a Subpœna to appear to and answer a Bill of Complaint or of a Writ of Summons upon a Claim.

As to Service of printed Bill.

V. The Service upon any Defendant of a printed Copy of a Bill of Complaint or of a Claim in the said Court shall be effected in the same Manner as Service of a Writ of Subpœna to appear to and answer a Bill of Complaint is now effected, save only that it shall not be necessary to produce the original Bill or Claim, which will be on the Files of the Court; provided that the Court shall be at liberty to direct substituted Service of such printed Bill or Claim, in such Manner and in such Cases as it shall think fit.

Written Copies of Bills may be served in certain Cases, upon Plaintiff undertaking to file a printed Copy in 14 Days.

VI. Notwithstanding the Provisions herein-before contained, the Clerks of Records and Writs of the said Court may receive and file a written Copy of any Bill of Complaint praying a Writ of Injunction or a Writ of Ne exeat regno, or filed for the Purpose either solely or among other things of making an Infant a Ward of the said Court, upon the personal Undertaking of the Plaintiff or his Solicitor to file a printed Copy of such Bill within Fourteen Days, and every Bill of Complaint so filed shall be deemed and taken to have been filed at the Time of filing the written Copy thereof; and a written Copy of any such Bill of Complaint, stamped as aforesaid, and with such Endorsement thereon as aforesaid, may be served on any Defendant thereto, and such Service shall have the same Effect as the Service of a printed Copy.

Plaintiff to deliver printed Copies of Bill or Claim at Rate fixed by Lord Chancellor

VII. The Plaintiff in any Suit to be commenced in the said Court after the Time herein-after appointed for the Commencement of this Act shall be bound to deliver to the Defendant or his Solicitor, upon Application for the same, such a Number of printed Copies of his Bill of Complaint or Claim as he shall have Occasion for, upon being paid for the same at such Rate as shall be prescribed by any General Order of the Lord Chancellor in that Behalf.

Prints of Amendments to original Bill also to be filed, &c.

In certain Cases a printed Bill may contain written Amendments.

VIII. Upon the Amendment of any Bill of Complaint or Claim to be filed in the said Court after the Time herein-after appointed for the Commencement of this Act, the Provisions herein-before contained with respect to filing and serving and delivering printed Copies thereof shall, so far as may be, extend and be applicable to the Bill or Claim as amended: Provided that where, according to the present Practice of the said Court, an Amendment of a Bill or Claim may be made without a new Engrossment thereof, or under such other Circumstances as shall be prescribed by any General Order of the Lord Chancellor in that Behalf, a Bill or Claim may be wholly or partially amended by written Alterations in the printed Bill of Complaint or Claim so to be filed as aforesaid.

Power to Lord Chancellor to revive present Practice as to filing of Bills, &c.

IX. It shall be lawful for the Lord Chancellor from Time to Time to make any Order or Orders directing that the Provisions herein-before contained as to printing or otherwise shall be discontinued or suspended until further Order, and to direct that all or any of the present Practice as to the filing of Bills and Claims, and the issuing and Service of Subpœnas and Writs of Summons, may be revived and come into operation as if this Act had not passed.

Bills of Complaint to contain concise Narratives of material Facts, &c.

X. Every Bill of Complaint to be filed in the said Court after the Time herein-after appointed for the Commencement of this Act shall contain as concisely as may be a Narrative of the material Facts, Matters, and Circumstances on which the Plaintiff relies, such Narrative being divided into Paragraphs numbered consecutively, and each Paragraph containing, as nearly as may be, a separate and distinct Statement or Allegation, and shall pray specifically for the Relief which the Plaintiff may conceive himself entitled to, and also for general Relief; but such Bill of Complaint shall not contain any Interrogatories for the Examination of the Defendant.

Next Friend of any Infant, &c. to sign a written Authority.

XI. Before the Name of any Person shall be used in any Suit to be instituted in the said Court as Next Friend of any Infant, married Woman, or other Party, or as Relator in any Information, such Person shall sign a written Authority to the Solicitor for that Purpose, and such Authority shall be filed with the Bill, Information, or Claim.

XII. Within

Interrogatories to be filed in Record Office by Plaintiff within Time prescribed.

XII. Within a Time to be limited by a General Order of the Lord Chancellor in that Behalf, the Plaintiff in any Suit in the said Court commenced by Bill may, if he requires an Answer from any Defendant thereto, file in the Record Office of the said Court Interrogatories for the Examination of the Defendant or Defendants, or such of them from whom he shall require an Answer, and deliver to the Defendant or Defendants so required to answer, or to his or their Solicitor, a Copy of such Interrogatories, or of such of them as shall be applicable to the particular Defendant or Defendants; and no Defendant shall be called upon or required to put in any Answer to a Bill unless Interrogatories shall have been so filed, and a Copy thereof delivered to him or his Solicitor, within the Time so to be limited, or within such further Time as the Court shall think fit to direct.

Defendants may answer without Leave within the Time now allowed, though not required so to do by Plaintiff;

but after that Time Defendant must have Leave.

XIII. Whether the Plaintiff in any Suit in the said Court commenced by Bill does or does not require any Answer from the Defendant or any One or more of the Defendants to the Bill, such Defendant or Defendants may, without any Leave of the Court, put in a Plea, Answer, or Demurrer to the Plaintiff's Bill within the Time now allowed to the Defendant for demurring alone to a Bill, or within such other Time as shall be fixed by any General Order of the Lord Chancellor in that Behalf; but after that Time a Defendant or Defendants not required to answer the Plaintiff's Bill shall not be at liberty to put in a Plea, Answer, or Demurrer to the Bill, without Leave of the Court; provided that the Power of the Court to grant further Time for pleading, answering, or demurring to any Bill, upon the Application of any Defendant or Defendants thereto, whether required to answer the Bill or not, shall remain in full Force, and shall not be in anywise prejudiced or affected; provided also, that if the Court shall grant any further Time to any Defendant for pleading, answering, or demurring to the Bill, the Plaintiff's Right to move for a Decree under the Provisions herein-after contained shall in the meantime be suspended.

Defendant's Answer may contain Answer to Interrogatories, &c.

XIV. The Answer of the Defendant to any Bill of Complaint in the said Court may contain, not only the Answer of the Defendant to the Interrogatories so filed as aforesaid, but such Statements material to the Case as the Defendant may think it necessary or advisable to set forth therein, and such Answer shall also be divided into Paragraphs numbered consecutively, each Paragraph containing as nearly as may be a separate and distinct Statement or Allegation.

Plaintiff may move for a Decree or Decretal Order.

Affidavits may be filed.

XV. The Plaintiff in any Suit commenced by Bill shall be at liberty, at any Time after the Time allowed to the Defendant for answering the same shall have expired (but before Replication), to move the Court, upon such Notice as shall in that Behalf be prescribed by any General Order of the Lord Chancellor, for such Decree or Decretal Order as he may think himself entitled to; and the Plaintiff and Defendant respectively shall be at liberty to file Affidavits in support of and in opposition to the Motion so to be made, and to use the same on the Hearing of such Motion; and if such Motion shall be made after an Answer filed in the Cause, the Answer shall, for the Purposes of the Motion, be treated as an Affidavit.

Court may refuse or grant such Motion, &c.

XVI. Upon any such Motion for a Decree or Decretal Order it shall be discretionary with the Court to grant or refuse the Motion, or to make an Order giving such Directions for or with respect to the further Prosecution of the Suit as the Circumstances of the Case may require, and to make such Order as to Costs as it may think right.

Excepting to Bills, Answers, &c. for Impertinence abolished. Proviso as to Costs.

XVII. The Practice of excepting to Bills, Answers, and other Proceedings in the said Court for Impertinence shall be and the same is hereby abolished: Provided always, that it shall be lawful for the Court to direct the Costs occasioned by any impertinent Matter introduced into any Proceeding in the said Court to be paid by the Party introducing the same, upon Application being made to the Court for that Purpose.

Court or Judge may order Defendant to produce Documents, &c. on Oath.

XVIII. It shall be lawful for the Court, upon the Application of the Plaintiff in any Suit in the said Court, whether commenced by Bill or by Claim, and as to a Suit commenced by Bill, whether the Defendant may or may not have been required to answer the Bill, or may or may not have been interrogated as to the Possession of Documents, to make an Order for the Production by any Defendant, upon Oath, of such of the Documents in his Possession or Power relating to Matters in question in the Suit, as the Court shall think right; and the Court may deal with such Documents, when produced, in such Manner as shall appear just.

In certain Cases Defendant, after Answer, may file Interrogatories for Examination of Plaintiff.

Defendant may exhibit a Cross Bill instead of filing Interrogatories.

XIX. It shall be lawful for any Defendant in any Suit, whether commenced by Bill or by Claim, but in Suits commenced by Bill which the Defendant is required to answer, not until after he shall have put in a sufficient Answer to the Bill, and without filing any Cross Bill of Discovery, to file in the Record Office of the said Court Interrogatories for the Examination of the Plaintiff, to which shall be prefixed a concise Statement of the Subjects on which a Discovery is sought, and to deliver a Copy of such Interrogatories to the Plaintiff or his Solicitor; and such Plaintiff shall be bound to answer such Interrogatories, in like Manner as if the same had been contained in a Bill of Discovery filed by the Defendant against him on the Day when such Interrogatories shall have been filed, and as if the Defendant to such Bill of Discovery had on the same Day duly appeared; and the Practice of the Court with reference to excepting to Answers for Insufficiency, or for Scandal, shall extend and be applicable to Answers put in to such Interrogatories; provided that in determining the Materiality or Relevancy of any such Answer, or of any Exception thereto, the Court is to have regard, in Suits commenced by Bill, to the Statements contained in the original Bill, and in the Answer which may have been put in thereto by the Defendant exhibiting such Interrogatories for the Examination of the Plaintiff, and in Suits commenced by Claim, to the Statements therein, and in any Affidavits which may have been filed either in support thereof or in opposition thereto: Provided also, that a Defendant, if he shall think fit so to do, may exhibit a Cross Bill of Discovery against the Plaintiff, instead of filing Interrogatories for his Examination.

XX. It

Upon Application of Defendant after Answer, Plaintiff may be required to produce Documents on Oath.

XX. It shall be lawful for the Court, upon the Application of any Defendant in any Suit, whether commenced by Bill or by Claim, but as to Suits commenced by Bill where the Defendant is required to answer the Plaintiff's Bill, not until after he has put in a full and sufficient Answer to the Bill, unless the Court shall make any Order to the contrary, to make an Order for the Production by the Plaintiff in such Suit, on Oath, of such of the Documents in his Possession or Power relating to the Matters in question in the Suit, as the Court shall think right; and the Court may deal with such Documents, when produced, in such Manner as shall appear just.

Issuing Commissions to take Answers, &c. within the Jurisdiction of the Court abolished.

XXI. The Practice of the said Court, of issuing Commissions to take Pleas, Answers, Disclaimers, and Examinations in Causes and Matters pending in the said Court, shall, with respect to Pleas, Answers, Disclaimers, and Examinations taken within the Jurisdiction of the Court, be and the same is hereby abolished; and any such Plea, Answer, Disclaimer, or Examination may be filed without any further or other Formality than is required in the swearing and filing of an Affidavit.

Pleas, Declarations, &c. in Chancery, how to be sworn and taken in Scotland, Ireland, the Channel Islands, &c.

XXII. All Pleas, Answers, Disclaimers, Examinations, Affidavits, Declarations, Affirmations, and Attestations of Honour in Causes or Matters depending in the High Court of Chancery, and also Acknowledgments required for the Purpose of enrolling any Deed in the said Court, shall and may be sworn and taken in *Scotland* or *Ireland*, or the *Channel Islands*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Judge, Court, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her Majesty's Dominions; and the Judges and other Officers of the said Court of Chancery shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, Person, Consul, or Vice-Consul attached, appended, or subscribed to any such Pleas, Answers, Disclaimers, Examinations, Affidavits, Affirmations, Attestations of Honour, Declarations, Acknowledgments, or other Documents to be used in the said Court.

Penalty for falsely swearing, &c.

XXIII. All Persons swearing, declaring, affirming, or attesting before any Person authorized by this Act to administer Oaths, and take Declarations, Affirmations, or Attestations of Honour, shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein, as if the Matter sworn, declared, affirmed, or attested had been sworn, declared, affirmed, or attested before any Court or Persons now by Law authorized to administer Oaths, and take Declarations, Affirmations, or Attestations upon Honour.

Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.

XXIV. If any Person shall forge the Signature or the Official Seal of any such Judge, Notary Public, or other Person lawfully authorized to administer Oaths under this Act, or shall tender in Evidence any Plea, Answer, Disclaimer, Examination, Affidavit, or other judicial or official Document with a false or counterfeit Signature or Seal of any such Judge, Court, Notary Public, or other Person authorized as aforesaid attached or appended thereto, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Admission in Evidence of certain official and other Documents.*

Answers, &c. to be filed without Oath of Messenger.

XXV. Pleas, Answers, Disclaimers, or Examinations, whether taken by Commission out of the Jurisdiction of the said Court or otherwise, may be filed without the Oath of a Messenger, and any Alterations made therein previously to the taking thereof shall be authenticated according to the Practice now in use with respect to Affidavits.

Issue may be joined by filing Replication as at present.

XXVI. In Suits in the said Court commenced by Bill, where Notice of Motion for a Decree or Decretal Order shall not have been given, or, having been given, where a Decree or Decretal Order shall not have been made thereon, Issue shall be joined by filing a Replication in the Form or to the Effect of the Replication now in use in the said Court; and where a Defendant shall not have been required to answer and shall not have answered the Plaintiff's Bill, he shall be considered to have traversed the Case made by the Bill.

Defendant not having been required to answer, &c. may move for Dismissal of Bill.

XXVII. Where a Defendant to a Suit in the said Court commenced by Bill shall not have been required to answer the Bill and shall not have answered the same, such Defendant shall be at liberty to move to dismiss the Bill for Want of Prosecution, at such Times, and under such Circumstances, and subject to such Restrictions as shall be in that Behalf prescribed by any General Order of the Lord Chancellor.

Practice of Court as to and Mode of examining Witnesses abolished.

Particular Witnesses may be examined upon Interrogatories as now practised.

XXVIII. The Mode of examining Witnesses in Causes in the said Court, and all the Practice of the said Court in relation thereto, so far as such Practice shall be inconsistent with the Mode herein-after prescribed of examining such Witnesses, and the Practice in relation thereto, shall, from and after the Time appointed for the Commencement of this Act, be abolished: Provided always, that the Court may, if it shall think fit, order any particular Witness or Witnesses within the Jurisdiction of the said Court, or any Witness or Witnesses out of the Jurisdiction of the said Court, to be examined upon Interrogatories in the Mode now practised in the said Court, and that with respect to such Witness or Witnesses the Practice of the said Court in relation to the Examination of Witnesses shall continue in full Force, save only so far as the same may be varied by any General Order of the Lord Chancellor in that Behalf, or by any Order of the Court with reference to any particular Case.

Plaintiff, where Suits by Bill at issue, may give Notice to De-

XXIX. When any Suit commenced by Bill shall be at issue, the Plaintiff shall, within such Time thereafter as shall be prescribed in that Behalf by any General Order of the Lord Chancellor, give Notice to the Defendant that he desires that the Evidence to be adduced in the Cause shall be taken orally or upon Affidavit, as the Case may be; and if the Plaintiff shall desire the Evidence to be adduced upon

upon Affidavit, and the Defendant, or some or One of the Defendants, if more than One, shall not, within such Time as shall be prescribed in that Behalf by any General Order of the Lord Chancellor, give Notice to the Plaintiff or his Solicitor that he or they desire the Evidence to be oral, the Plaintiff and Defendants respectively shall be at liberty to verify their respective Cases by Affidavit.

Defendant to adduce Evidence orally or by Affidavit.

XXX. When any of the Parties to any Suit commenced by Bill desires that the Evidence should be adduced orally, and gives Notice thereof to the opposite Party as herein-before provided, the same shall be taken orally, in the Manner herein-after provided; provided, that if the Evidence be required to be oral merely by a Party without a sufficient Interest in the Matters in question, the Court may, upon Application in a summary Way, make such Order as shall be just.

Evidence may be taken orally, if required, and Court approve.

XXXI. All Witnesses to be examined orally under the Provisions of this Act shall be so examined by or before One of the Examiners of the Court, or by or before an Examiner to be specially appointed by the Court, the Examiner being furnished by the Plaintiff with a Copy of the Bill, and of the Answer, if any, in the Cause; and such Examination shall take place in the Presence of the Parties, their Council, Solicitors, or Agents, and the Witnesses so examined orally shall be subject to Cross-examination and Re-examination; and such Examination, Cross-examination, and Re-examination shall be conducted as nearly as may be in the Mode now in use in Courts of Common Law with respect to a Witness about to go abroad, and not expected to be present at the Trial of a Cause.

Witnesses to be examined by One of the Examiners of the Court in the Presence of the Parties.

XXXII. The Depositions taken upon any such oral Examination as aforesaid shall be taken down in Writing by the Examiner, not ordinarily by Question and Answer, but in the Form of a Narrative, and when completed shall be read over to the Witness, and signed by him in the Presence of the Parties, or such of them as may think fit to attend: Provided always, that in case the Witness shall refuse to sign the said Depositions, then the Examiner shall sign the same, and such Examiner may, upon all Examinations, state any special Matter to the Court as he shall think fit: Provided also, that it shall be in the Discretion of the Examiner to put down any particular Question or Answer, if there should appear any special Reason for doing so; and any Question or Questions which may be objected to shall be noticed or referred to by the Examiner in or upon the Depositions, and he shall state his Opinion thereon to the Counsel, Solicitors, or Parties, and shall refer to such Statement on the Face of the Depositions, but he shall not have Power to decide upon the Materiality or Relevancy of any Question or Questions; and the Court shall have Power to deal with the Costs of immaterial or irrelevant Depositions as may be just.

Depositions to be taken down in Writing and read over to the Witness, who is to sign the same. On Refusal, Examiner to sign, and state any special Matter he may think fit.

XXXIII. If any Person produced before any such Examiner as a Witness shall refuse to be sworn, or to answer any lawful Question put to him by the Examiner, or by either of the Parties, or by his or their Counsel, Solicitor, or Agent, the same Course shall be adopted with respect to such Witness as is now pursued in the Case of a Witness produced for Examination before an Examiner of the said Court, upon written Interrogatories, and refusing to be sworn, or to answer some lawful Question: Provided always, that if any Witness shall demur or object to any Question or Questions which may be put to him, the Question or Questions so put, and the Demurrer or Objection of the Witness thereto, shall be taken down by the Examiner, and transmitted by him to the Record Office of the said Court, to be there filed; and the Validity of such Demurrer or Objection shall be decided by the Court; and the Costs of and occasioned by such Demurrer or Objection shall be in the Discretion of the Court.

If Parties refuse to be sworn, &c. the same Course to be pursued as is now adopted.

Proviso as to Witness demurring to Questions.

XXXIV. When the Examination of Witnesses before any Examiner shall have been concluded, the original Depositions, authenticated by the Signature of such Examiner, shall be transmitted by him to the Record Office of the said Court, to be there filed, and any Party to the Suit may have a Copy thereof or of any Part or Portion thereof, upon Payment for the same in such Manner as shall be provided by any General Order of the Lord Chancellor in that Behalf.

Original Depositions to be transmitted to the Record Office, and filed.

XXXV. It shall not be necessary to sue out any Commission for the Examination of any Witnesses within the Jurisdiction of the said Court; and any Examiner appointed by any Order of the Court shall have the like Power of administering Oaths as Commissioners now have under Commissions issued by the Court for the Examination of Witnesses.

Commission for Examination of Witnesses dispensed with.

XXXVI. Notwithstanding that the Plaintiff or the Defendant in any Suit in the said Court may have elected that the Evidence in the Cause should be taken orally, Affidavits by particular Witnesses, or Affidavits as to particular Facts or Circumstances, may, by Consent, or by Leave of the Court obtained upon Notice, be used on the Hearing of any Cause, and such Consent, with the Approbation of the Court, may be given by or on the Part of married Women or Infants or other Persons under Disability.

Affidavits as to particular Facts, &c. may be used.

XXXVII. Every Affidavit to be used in the said Court shall be divided into Paragraphs, and every Paragraph shall be numbered consecutively, and, as nearly as may be, shall be confined to a distinct Portion of the Subject.

Affidavits to be divided into numbered Paragraphs.

XXXVIII. The Evidence on both Sides in any Suit in the said Court, whether taken orally or upon Affidavit, shall be closed within such Time or respective Times after Issue joined as shall in that Behalf be prescribed by any General Order of the Lord Chancellor, but with Power to the Court to enlarge the same as it may see fit; and after the Time fixed for closing the Evidence no further Evidence, whether oral or by Affidavit, shall be receivable, without special Leave of the Court previously obtained for that Purpose: Provided always, that any Witness who has made an Affidavit filed by any Party to a Cause shall be subject to oral Cross-examination within such Time after the Time fixed for closing the Evidence as shall be prescribed in that Behalf by any Order of the Lord Chancellor, by or before an Examiner, in the same Manner as if the Evidence given by him in his Affidavit had been given by him orally before the Examiner, and after such Cross-examination may be re-examined orally by or on the Part of the Party by whom such Affidavit was filed; and such Witness shall be bound to attend before such Examiner,

Evidence oral or by Affidavit, on both Sides, to be closed as prescribed by General Order.

Witnesses by Affidavit may be orally cross-examined, and afterwards re-examined.

Witnesses bound to attend. As to Expenses attending Cross-examinations, &c.

to be so cross-examined and re-examined, upon receiving due and proper Notice, and Payment of his reasonable Expenses, in like Manner as if he had been duly served with a Writ of Subpœna ad testificandum before such Examiner; and the Expenses attending such Cross-examination and Re-examination shall be paid by the Parties respectively, in like Manner as if the Witness so to be cross-examined were the Witness of the Party cross-examining, and shall be deemed Costs in the Cause of such Parties respectively, unless the Court shall think fit otherwise to direct.

Court may require oral Examination before itself of Witnesses, &c.

XXXIX. Upon the Hearing of any Cause depending in the said Court, whether commenced by Bill or by Claim, the Court, if it shall see fit so to do, may require the Production and oral Examination before itself of any Witness or Party in the Cause, and may direct the Costs of and attending the Production and Examination of such Witness or Party to be paid by such of the Parties to the Suit or in such Manner as it may think fit.

Any Party in a Cause may by Subpœna require Attendance of any Witness before an Examiner.

XL. Any Party in any Cause or Matter depending in the said Court may, by a Writ of Subpœna ad testificandum or Duces tecum, require the Attendance of any Witness before an Examiner of the said Court, or before an Examiner specially appointed for the Purpose, and examine such Witness orally, for the Purpose of using his Evidence upon any Claim, Motion, Petition, or other Proceeding before the Court, in like Manner as such Witness would be bound to attend and be examined with a view to the Hearing of a Cause; and any Party having made an Affidavit to be used or which shall be used on any Claim, Motion, Petition, or other Proceeding before the Court shall be bound, on being served with such Writ, to attend before an Examiner, for the Purpose of being cross-examined: Provided always, that the Court shall always have a discretionary Power of acting upon such Evidence as may be before it at the Time, and of making such interim Orders, or otherwise, as may appear necessary to meet the Justice of the Case.

How any subsequent Evidence is to be taken.

XLI. In Cases where it shall be necessary for any Party to any Cause depending in the said Court to go into Evidence subsequently to the Hearing of such Cause, such Evidence shall be taken as nearly as may be in the Manner herein-before provided with reference to the taking of Evidence with a view to such Hearing.

Defendant not to take Objection for Want of Parties in any Case to which Rules herein set forth shall extend.

XLII. It shall not be competent to any Defendant in any Suit in the said Court to take any Objection for Want of Parties to such Suit, in any Case to which the Rules next herein-after set forth extend; and such Rules shall be deemed and taken as Part of the Law and Practice of the said Court, and any Law or Practice of the said Court inconsistent therewith shall be and is hereby abrogated and annulled.

Rule 1. Any Residuary Legatee or Next of Kin may, without serving the remaining Residuary Legatees or Next of Kin, have a Decree for the Administration of the Personal Estate of a deceased Person.

Rule 2. Any Legatee interested in a Legacy charged upon Real Estate, and any Person interested in the Proceeds of Real Estate directed to be sold, may, without serving any other Legatee or Person interested in the Proceeds of the Estate, have a Decree for the Administration of the Estate of a deceased Person.

Rule 3. Any Residuary Devisee or Heir may, without serving any Co-residuary Devisee or Co-heir, have the like Decree.

Rule 4. Any One of several Cestuisque Trust under any Deed or Instrument may, without serving any other of such Cestuisque Trust, have a Decree for the Execution of the Trusts of the Deed or Instrument.

Rule 5. In all Cases of Suits for the Protection of Property pending Litigation, and in all Cases in the Nature of Waste, One Person may sue on behalf of himself and of all Persons having the same Interest.

Rule 6. Any Executor, Administrator, or Trustee may obtain a Decree against any One Legatee, Next of Kin, or Cestuique Trust for the Administration of the Estate, or the Execution of the Trusts.

Rule 7. In all the above Cases the Court, if it shall see fit, may require any other Person or Persons to be made a Party or Parties to the Suit, and may, if it shall see fit, give the Conduct of the Suit to such Person as it may deem proper, and may make such Order in any particular Case as it may deem just for placing the Defendant on the Record on the same Footing in regard to Costs as other Parties having a common Interest with him in the Matters in question.

Rule 8. In all the above Cases the Persons who, according to the present Practice of the Court, would be necessary Parties to the Suit, shall be served with Notice of the Decree, and after such Notice they shall be bound by the Proceedings in the same Manner as if they had been originally made Parties to the Suit, and they may by an Order of Course have Liberty to attend the Proceedings under the Decree; and any Party so served may, within such Time as shall in that Behalf be prescribed by the General Order of the Lord Chancellor, apply to the Court to add to the Decree.

Rule 9. In all Suits concerning Real or Personal Estate which is vested in Trustees under a Will, Settlement, or otherwise, such Trustees shall represent the Persons beneficially interested under the Trust, in the same Manner and to the same Extent as the Executors or Administrators in Suits concerning Personal Estate represent the Persons beneficially interested in such Personal Estate; and in such Cases it shall not be necessary to make the Persons beneficially interested under the Trusts Parties to the Suit; but the Court may, upon Consideration of the Matter, on the Hearing, if it shall so think fit, order such Persons, or any of them, to be made Parties.

Setting down Cause on Objection for Want of Parties abolished.

XLIII. The Practice of the said Court of setting down a Cause merely on an Objection for Want of Parties to the Suit shall be abolished.

XLIV. If

Court may proceed in any Suit, &c. without Representative of deceased Person, or may appoint one.

XLIV. If in any Suit or other Proceeding before the Court it shall appear to the Court that any deceased Person who was interested in the Matters in question has no legal personal Representative, it shall be lawful for the Court either to proceed in the Absence of any Person representing the Estate of such deceased Person, or to appoint some Person to represent such Estate for all the Purposes of the Suit or other Proceeding, on such Notice to such Person or Persons, if any, as the Court shall think fit, either specially or generally by public Advertisements; and the Order so made by the said Court, and any Orders consequent thereon, shall bind the Estate of such deceased Person in the same Manner in every respect as if there had been a duly constituted legal personal Representative of such deceased Person, and such legal personal Representative had been a Party to the Suit or Proceeding, and had duly appeared and submitted his Rights and Interests to the Protection of the Court.

Creditor, &c. may summon Executor, &c. to show Cause why an Order for Administration of Personal Estate should not be granted.

Power to Judge to order Administration of such Estate.

XLV. It shall be lawful for any Person claiming to be a Creditor, or a specific, pecuniary or residuary Legatee, or the next of Kin, or some or One of the next of Kin, of a deceased Person, to apply for and obtain as of course, without Bill or Claim filed, or any other preliminary Proceedings, a Summons from the Master of the Rolls or any of the Vice Chancellors requiring the Executor or Administrator, as the Case may be, of such deceased Person, to attend before him at Chambers, for the Purpose of showing Cause why an Order for the Administration of the Personal Estate of the Deceased should not be granted; and upon Proof by Affidavit of the due Service of such Summons, or on the Appearance in Person or by his Solicitor or Counsel of such Executor or Administrator, and upon Proof by Affidavit of such other Matters, if any, as such Judge shall require, it shall be lawful for such Judge, if in his Discretion he shall think fit so to do, to make the usual Order for the Administration of the Estate of the Deceased, with such Variations, if any, as the Circumstances of the Case may require; and the Order so made shall have the Force and Effect of a Decree to the like Effect made on the hearing of a Cause or Claim between the same Parties; provided that such Judge shall have full discretionary Power to grant or refuse such Order, or to give any special Directions touching the Carriage or Execution of such Order, and in the Case of Applications for any such Order by Two or more different Persons or Classes of Persons, to grant the same to such One or more of the Claimants or of the Classes of Claimants as he may think fit; and if the Judge shall think proper, the Carriage of the Order may subsequently be given to such Party interested, and upon such Terms as the Judge may direct.

Copy of Summons to be filed in Record Office of Court.

XLVI. A Duplicate or Copy of such Summons shall, previously to the Service thereof, be filed in the Record Office of the said Court; and no Service thereof upon any Executor or Administrator shall be of any Validity unless the Copy so served shall be stamped with a Stamp of such Office indicating the filing thereof; and the filing of such Summons shall have the same Effect with respect to Lis pendens as the filing of a Bill or Claim.

Creditor, &c. may obtain an Order for Administration of Real Estate.

XLVII. It shall be lawful for any Person claiming to be a Creditor of any deceased Person, or interested under his Will, to apply for and obtain in a summary Way, in the Manner herein-before provided with respect to the Personal Estate of a deceased Person, an Order for the Administration of the Real Estate of a deceased Person where the whole of such Real Estate is by Devise vested in Trustees who are by the Will empowered to sell such Real Estate, and authorized to give Receipts for the Rents and Profits thereof, and for the Produce of the Sale of such Real Estate; and all the Provisions herein-before contained with respect to the Application for such Order in relation to the Personal Estate of a deceased Person, and consequent thereon, shall extend and be applicable to an Application for such Order as last herein-before mentioned with respect to Real Estate.

Court may direct Sale of mortgaged Property instead of a Foreclosure on such Terms as it may think fit.

XLVIII. It shall be lawful for the Court in any Suit for the Foreclosure of the Equity of Redemption in any mortgaged Property, upon the Request of the Mortgagee, or of any subsequent Incumbrancer, or of the Mortgagor, or any Person claiming under them respectively, to direct a Sale of such Property, instead of a Foreclosure of such Equity of Redemption, on such Terms as the Court may think fit to direct, and if the Court shall so think fit, without previously determining the Priorities of Incumbrances, or giving the usual or any Time to redeem; provided that if such Request shall be made by any such subsequent Incumbrancer, or by the Mortgagor, or by any Person claiming under them respectively, the Court shall not direct any such Sale, without the Consent of the Mortgagee or the Persons claiming under him, unless the Party making such Request shall deposit in Court a reasonable Sum of Money, to be fixed by the Court, for the Purpose of securing the Performance of such Terms as the Court may think fit to impose on the Party making such Request.

Suit not to be dismissed for Misjoinder of Plaintiffs, but Court may modify its Decree according to special Circumstances.

XLIX. No Suit in the said Court shall be dismissed by reason only of the Misjoinder of Persons as Plaintiffs therein, but wherever it shall appear to the Court that, notwithstanding the Conflict of Interest in the Co-Plaintiffs, or the Want of Interest in some of the Plaintiffs, or the Existence of some Ground of Defence affecting some or One of the Plaintiffs, the Plaintiffs, or some or One of them, are or is entitled to Relief, the Court shall have Power to grant such Relief, and to modify its Decree, according to the special Circumstances of the Case, and for that Purpose to direct such Amendments, if any, as may be necessary, and at the Hearing, before such Amendments are made, to treat any One or more of the Plaintiffs as if he or they was or were a Defendant or Defendants in the Suit, and the remaining or other Plaintiff or Plaintiffs was or were the only Plaintiff or Plaintiffs on the Record; and where there is a Misjoinder of Plaintiffs, and the Plaintiff having an Interest shall have died leaving a Plaintiff on the Record without an Interest, the Court may, at the Hearing of the Cause, order the Cause to stand revived as may appear just, and proceed to a Decision of the Cause, if it shall see fit, and to give such Directions as to Costs or otherwise as may appear just and expedient.

No Suit to be objected to if only declaratory Order sought.

L. No Suit in the said Court shall be open to Objection on the Ground that a merely declaratory Decree or Order is sought thereby, and it shall be lawful for the Court to make binding Declarations of Right without granting consequential Relief.

Court may decide between some of the Parties without making others interested Parties to the Suit.

LI. It shall be lawful for the Court to adjudicate on Questions arising between Parties notwithstanding that they may be some only of the Parties interested in the Property respecting which the Question may have arisen, or that the Property in question is comprised with other Property in the same Settlement, Will, or other Instrument, without making the other Parties interested in the Property respecting which the Question may have arisen, or interested under the same Settlement, Will, or other Instrument, Parties to the Suit, and without requiring the whole Trusts and Purposes of the Settlement, Will, or other Instrument to be executed under the Direction of the Court, and without taking the Accounts of the Trustees or other accounting Parties, or ascertaining the Particulars or Amount of the Property touching which the Question or Questions may have arisen: Provided always, that if the Court shall be of opinion that the Application is fraudulent or collusive, or for some other Reason ought not to be entertained, it shall have Power to refuse to make the Order prayed.

Proviso.

In case of Abatement, &c. of Suit an Order may be made, which shall have same Effect as a Bill of Revivor.

LII. Upon any Suit in the said Court becoming abated by Death, Marriage, or otherwise, or defective by reason of some Change or Transmission of Interest or Liability, it shall not be necessary to exhibit any Bill of Revivor or Supplemental Bill in order to obtain the usual Order to revive such Suit, or the usual or necessary Decree or Order to carry on the Proceedings; but an Order to the Effect of the usual Order to revive or of the usual Supplemental Decree may be obtained as of course upon an Allegation of the Abatement of such Suit, or of the same having become defective, and of the Change or Transmission of Interest or Liability; and an Order so obtained, when served upon the Party or Parties who according to the present Practice of the said Court would be Defendant or Defendants to the Bill of Revivor or Supplemental Bill, shall from the Time of such Service be binding on such Party or Parties in the same Manner in every respect as if such Order had been regularly obtained according to the existing Practice of the said Court; and such Party or Parties shall thenceforth become a Party or Parties to the Suit, and shall be bound to enter an Appearance thereto in the Office of the Clerks of Records and Writs, within such Time and in like Manner as if he or they had been duly served with Process to appear to a Bill of Revivor or Supplemental Bill filed against him; provided that it shall be open to the Party or Parties so served, within such Time after Service as shall be in that Behalf prescribed by any General Order of the Lord Chancellor, to apply to the Court by Motion or Petition to discharge such Order on any Ground which would have been open to him on a Bill of Revivor or Supplemental Bill, stating the previous Proceedings in the Suit and the alleged Change or Transmission of Interest or Liability, and praying the usual Relief consequent thereon: Provided also, that if any Party so served shall be under any Disability other than Coverture, such Order shall be of no Force or Effect as against such Party until a Guardian or Guardians ad litem shall have been duly appointed for such Party, and such Time shall have elapsed thereafter as shall be prescribed by any General Order of the Lord Chancellor in that Behalf.

New Facts, &c. after Commencement of Suit to be introduced as Amendments to Bill, &c.

LIII. It shall not be necessary to exhibit any Supplemental Bill in the said Court for the Purpose only of stating or putting in Issue Facts or Circumstances which may have occurred after the Institution of any Suit; but such Facts or Circumstances may be introduced by way of Amendment into the original Bill of Complaint in the Suit if the Cause is otherwise in such a State as to allow of an Amendment being made in the Bill, and if not, the Plaintiff shall be at liberty to state such Facts or Circumstances on the Record, in such Manner and subject to such Rules and Regulations with respect to the Proof thereof, and the affording the Defendant Leave and Opportunity of answering and meeting the same, as shall in that Behalf be prescribed by any General Order of the Lord Chancellor.

Where Account required to be taken, Court may give special Directions as to the Mode of taking same.

LIV. It shall be lawful for the Court, in any Case where any Account is required to be taken, to give such special Directions, if any, as it may think fit, with respect to the Mode in which the Account should be taken or vouched, and such special Directions may be given, either by the Decree or Order directing such Account, or by any subsequent Order or Orders, upon its appearing to the Court that the Circumstances of the Case are such as to require such special Directions; and particularly it shall be lawful for the Court, in Cases where it shall think fit so to do, to direct that in taking the Account the Books of Account in which the Accounts required to be taken have been kept, or any of them, shall be taken as *primâ facie* Evidence of the Truth of the Matters therein contained, with Liberty to the Parties interested to take such Objections thereto as they may be advised.

Court may order Real Estate to be sold, if required.

LV. If after a Suit shall have been instituted in the said Court in relation to any Real Estate it shall appear to the Court that it will be necessary or expedient that the said Real Estate or any Part thereof should be sold for the Purposes of such Suit, it shall be lawful for the said Court to direct the same to be sold at any Time after the Institution thereof, and such Sale shall be as valid to all Intents and Purposes as if directed to be made by a Decree or Decretal Order on the Hearing of such Cause: and any Party to the Suit in possession of such Estate, or in receipt of the Rents and Profits thereof, shall be compelled to deliver up such Possession or Receipt to the Purchaser or such other Person as the Court shall direct.

Before Sale of Estate Abstract of Title to be laid before some Conveyancing Counsel.

Time for Delivery of Abstract.

LVI. Before any Estate or Interest shall be put up for Sale under a Decree or Order of the Court of Chancery, an Abstract of the Title thereto shall, with the Approbation of the Court, be laid before some Conveyancing Counsel to be approved by the Court, for the Opinion of such Counsel thereon, to the Intent that the said Court may be the better enabled to give such Directions as may be necessary respecting the Conditions of Sale of such Estate or Interest, and other Matters connected with the Sale thereof; and when an Estate or Interest shall be so put up for Sale, a Time for the Delivery of the Abstract of Title thereto to the Purchaser or his Solicitor shall be specified in the said Conditions of Sale.

LVII. Where

Where Real or Personal Property is the Subject of Proceedings, Court may allow Part or whole of the annual Income.

LVII. Where any Real or Personal Property shall form the Subject of any Proceedings in the Court of Chancery, and the Court shall be satisfied that the same will be more than sufficient to answer all the Claims thereon which ought to be provided for in such Suit, it shall be lawful for the said Court, at any Time after the Commencement of such Proceedings, to allow to the Parties interested therein, or any One or more of them, the whole or Part of the annual Income of such Real Property, or a Part of such Personal Property, or a Part or the whole of the Income thereof, up to such Time as the said Court shall direct, and for that Purpose to make such Orders as may appear to the said Court necessary or expedient.

As to Injunctions for Stay of Proceedings.

LVIII. The Practice of the Court of Chancery with respect to Injunctions for the Stay of Proceedings at Law shall, so far as the Nature of the Case will admit, be assimilated to the Practice of such Court with respect to Special Injunctions generally, and such Injunctions may be granted upon interlocutory Applications supported by Affidavit, in like Manner as other Special Injunctions are granted by the said Court.

Answer to be regarded as an Affidavit, on Motion for Injunction, &c.

LIX. Upon Application by Motion or Petition to the Court in any Suit depending therein for an Injunction or a Receiver, or to dissolve an Injunction, or discharge an Order appointing a Receiver, the Answer of the Defendant shall, for the Purpose of Evidence on such Motion or Petition, be regarded merely as an Affidavit of the Defendant, and Affidavits may be received and read in opposition thereto.

Where Directions not followed, Court may make Order and award Costs.

LX. In case any of the Directions herein contained with respect to the Practice and Course of Proceeding in the said Court of Chancery shall by Mistake of Parties fail to be followed in any Suit or Proceeding in the said Court, it shall be lawful for the said Court, if it shall think fit, upon Payment of such Costs as such Court shall direct, to make such Order giving effect to and rectifying such Proceedings as may be justified by the Merits of the Case.

Court not to direct Cases to be stated for Opinions of Law Courts.

LXI. It shall not be lawful for the said Court of Chancery, in any Cause or Matter, to direct a Case to be stated for the Opinion of any Court of Common Law, but the said Court of Chancery shall have full Power to determine any Questions of Law which in the Judgment of the said Court of Chancery shall be necessary to be decided previously to the Decision of the Equitable Question at issue between the Parties.

Court may determine legal Title.

LXII. In Cases where, according to the present Practice of the Court of Chancery, such Court declines to grant equitable Relief until the legal Title or Right of the Party or Parties seeking such Relief shall have been established in a Proceeding at Law, the said Court may itself determine such Title or Right, without requiring the Parties to proceed at Law to establish the same.

Lord Chancellor and Judges to make General Rules and Orders for carrying Purposes of this Act into effect.

LXIII. The Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice Chancellors, or any Three of them, may and they are hereby required from Time to Time to make General Rules and Orders for carrying the Purposes of this Act into effect, and for regulating the Times and Form and Mode of Procedure, and generally the Practice of the said Court, in respect of the Matters to which this Act relates, and for regulating the Fees and Allowances to all Officers of the said Court and Solicitors thereof in respect to such Matters, and, so far as may be found expedient, for altering the Course of Proceeding herein-before prescribed in respect to the Matters to which this Act relates, or any of them; and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority; and all such Rules and Orders shall take effect as General Orders of the said Court.

Such General Rules and Orders to be laid before Parliament.

LXIV. All General Rules and Orders of the Lord Chancellor, with such Advice and Assistance as aforesaid, shall immediately after the making and issuing thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting, within Five Days after the next Meeting thereof: Provided always, that if either of the Houses of Parliament shall, by any Resolution passed within Thirty-six Days after such Rules or Orders have been laid before such Houses of Parliament, resolve that the whole or any Part of such Rules or Orders ought not to continue in force, in such Case the whole, or such Part thereof as shall be so included in such Resolution, shall, from and after such Resolution, cease to be binding.

Power to Lord Chancellor to increase Salaries of Examiners.

LXV. 'And whereas the present Examiners of the Court have been heretofore appointed for the 'Purpose only of taking the Depositions of Witnesses in private, and upon written Interrogatories pre- 'pared by Counsel: And whereas the public Examination of Witnesses orally, under the Provisions of 'this Act, will materially alter the Nature of the Duties and increase the Responsibility of the said 'Examiners:' Be it therefore enacted, That it shall be lawful for the Lord Chancellor and he is hereby empowered to order and direct a Sum to be paid to each of the said Examiners, out of the Fund intituled "The Suitors Fee Fund," from and after the First of *November* One thousand eight hundred and fifty-two, such a Sum as shall together with the Sums now payable make up the annual Sum of One thousand five hundred Pounds: Provided always, that if either of the present Examiners should feel himself unable or should decline to continue his Services in the same Office upon the Conditions provided under this Act, it shall be lawful for the Lord Chancellor to order to be paid to such Examiner retiring an Annuity of an Amount not exceeding Three Fourths of the Salary which he has hitherto received.

Lord Chancellor may order Annuity to either declining to act.

Construction of Terms.

LXVI. In the Construction of this Act the Words "Bill of Complaint" shall mean also and include Information; the Word "Affidavit" shall mean also and include Affirmation; the Expression "Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners of the Great Seal of the United Kingdom for the Time being; and the Expression "General Order of the Lord Chancellor" shall mean General Order of the Lord Chancellor with such Advice and Assistance as aforesaid.

LXVII. This

Commencement of Act.

LXVII. This Act shall commence and take effect from and after the First Day of *November* One thousand eight hundred and fifty-two; provided that it shall be lawful for the Lord Chancellor, with such Advice and Assistance as aforesaid, to make and issue any such General Rules or Orders as aforesaid at any Time after the passing of this Act, so as the same be not made to take effect before the Time appointed for the Commencement of this Act.

SCHEDULE.

Form of Indorsement on Bill of Complaint.

VICTORIA R.

To the within-named Defendant *C.D.*, greeting.

WE command you ["and every of you," *where there is more than One Defendant*], That within Eight Days after Service hereof on you, exclusive of the Day of such Service, you cause an Appearance to be entered for you in Our High Court of Chancery to the within Bill of Complaint of the within-named *A.B.*, and that you observe what Our said Court shall direct. Witness Ourself at Westminster, the Day of in the Year of Our Reign.

Note.—If you fail to comply with the above Directions you will be liable to be arrested and imprisoned. Appearances are to be entered at the Record and Writ Clerks Office, Chancery Lane, London.

Form of Indorsement on Claim.

VICTORIA R.

To the within-named Defendant *C.D.*, greeting.

WE command you ["and every of you," *where there is more than One Defendant*], that within Eight Days after Service hereof on you, exclusive of the Day of such Service, you cause an Appearance to be entered for you in Our High Court of Chancery to the within Claim of the within-named *A.B.*; and further, that on the Fourteenth Day after the Service hereof, or on the Seal or Motion Day then next following, you do personally or by Counsel appear in the Court of Our Lord Chancellor before the Vice Chancellor [*naming him*] [*or*, in the Court of Our Master of the Rolls], at Ten of the Clock in the Forenoon, and then and there show Cause if you can why the said *A.B.* should not have such Relief against you as is within claimed, or why such Order as shall be just with reference to the Claim should not be made. Witness Ourself at Westminster the Day of in the Year of Our Reign.

Note.—Appearances are to be entered at the Record and Writ Clerks Office, Chancery Lane, London; and if you neglect to enter your Appearance, and either personally or by your Counsel to appear in the High Court of Chancery at the Place and on the Day and Hour above mentioned, you will be subject to such Order as the Court may think fit to make against you in your Absence for Payment or Satisfaction of the said Claim, or as the Nature and Circumstances of the Case may require.

CAP. LXXXVII.

An Act for the Relief of the Suitors of the High Court of Chancery. [1st *July* 1852.]

'WHEREAS several of the Officers of the Court of Chancery have from Time to Time received and do now receive for their own Use various Fees and Emoluments for Business done and transacted by them in or by virtue of their respective Offices: And whereas it is expedient that such Officers should not henceforth retain such Fees and Emoluments for their own Use, but that they should receive adequate Salaries for the Performance of their respective Duties: And whereas it is expedient that for the Relief of the Suitors of the said Court further Provision should be made with respect to the Fees now payable by them, and that increased Facilities should be afforded for the Despatch of the Business of the said Court, and that certain Offices connected with the said Court should be abolished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Officer hereafter to receive Fees for his own Use, but all Officers to be paid by Salary.

I. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two no Officer of the Court of Chancery or of any of the Judges thereof shall be entitled to receive and retain for his own Use any Fee or Reward whatsoever, and all Officers of the Court of Chancery and of the Judges thereof now entitled to receive and retain any Fees or other Payments for their own Use, which by virtue of this Act they will cease so to receive after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, and whose Salaries are not fixed by this Act, shall, while they continue to hold their respective Offices, receive in lieu of all Fees or other Payments whatsoever now received by or paid or payable to them for their own Use such Salary as, having regard to the Emoluments heretofore received by them, and to the Nature and Tenure of such Offices, the Commissioners of Her Majesty's Treasury shall think just, and upon the present Holders of such Offices respectively ceasing to hold the same the Commissioners of Her Majesty's Treasury shall fix the Salaries to be thereafter received in respect thereof with reference to the Nature and Duties of such Offices respectively.

II. It

Officers to continue to receive Fees until Lord Chancellor shall otherwise direct, and pay them into the Suitors Fee Fund.

II. It shall be lawful for all Officers of the Court of Chancery and of the Judges thereof heretofore entitled to receive any Fees or Emoluments for their own Use, and for their Successors in their respective Offices, and their several and respective Clerks or Agents, to continue to receive and take all and every the Fees and Emoluments which have been accustomed to be paid to them, until the Lord Chancellor shall by any Order or Orders otherwise direct, and all such Fees and Emoluments as shall accrue and be received by such Officers respectively, from and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, shall be accounted for and paid by them respectively once in every Month into the Bank of *England*, in the Name of the Accountant General of the Court of Chancery, to be placed to the Account there, intituled "The Suitors Fee Fund Account," the Amount so received and paid by such Officers respectively to be verified by the Affidavit of the accounting Party.

Officers not to take Gratuities.

III. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, if any Officer of the Court of Chancery or of any of the Judges thereof shall, for anything done or pretended to be done relating to his Office, Situation, or Employment, or under colour of doing anything relating to his Office, Situation, or Employment, wilfully take, demand, receive, or accept, or appoint or allow any Person whatsoever to take for him or on his Account, or for or on account of any Person by him named, any Fee, Gift, Gratuity, or Emolument, or anything of Value, other than his Salary and what is allowed or directed to be taken by him under this Act or any Order to be made under this Act, the Person so offending, when duly convicted, shall forfeit and pay the Sum of Five hundred Pounds, and shall be removed from any Office, Situation, or Employment he may hold in the said Court, and shall be rendered and he is hereby rendered incapable for ever thereafter of holding any Office, Situation, or Employment in the said Court, or otherwise serving Her Majesty, Her Heirs or Successors.

How Offenders to be prosecuted.

IV. Any such Offender may be prosecuted either by Information at the Suit of Her Majesty's Attorney General, or by Criminal Information before Her Majesty's Court of Queen's Bench, or by Indictment.

Allowances for copying to cease, and Power to Lord Chancellor to make Regulations as to Copies.

V. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two the several Allowances for copying provided for and directed to be paid to the Clerk of Reports, the Clerks of Entries, the Assistant Clerk of Affidavits, the Clerks of the Examiners, and the Copying or Writing Clerks of the Masters in Ordinary of the said Court, by any Act or Acts of Parliament now in force, shall cease; and it shall be lawful for the Lord Chancellor, by any Order or Orders to be from Time to Time made by him, to make such Regulations as to the making and delivering Copies of the Pleadings and other Proceedings in the said Court, and of the Documents relating thereto, and the Manner in which such Copies should be paid for, and the Amount of Charge for the same, and by whom the Amount to be so charged should be received, as may from Time to Time seem expedient.

Lord Chancellor may vary, &c. Fees, and provide for their Collection by Stamps.

VI. It shall be lawful for the Lord Chancellor, by any Order or Orders to be from Time to Time made by him, to vary, reduce, or abolish all or any of the Fees payable in relation to Proceedings in the Court of Chancery, and to substitute One or more Fee or Fees in lieu thereof, and to direct that all or any of such Fees shall, from a Day to be named in such Order or Orders and thenceforth, be collected by means of Stamps to be provided and used in manner herein-after mentioned.

After such Order, Fees not to be received in Money, but by means of Stamps.

VII. From and after the Day named in such Order or Orders, unless and until the Lord Chancellor shall otherwise direct, none of the Fees mentioned in such Orders respectively shall be received in Money, but by a Stamp denoting the Amount of the Fee which otherwise would be payable; and where any Fee shall be payable in respect of any Document such Stamp shall, at the Expense of the Party liable to pay the Fee, and in such Manner and under such Regulations as shall by any Order or Orders be directed, be stamped or affixed on the Vellum, Parchment, or Paper on which the Proceeding in respect whereof such Fee is payable is written, printed, or ingrossed, or which may be otherwise used in reference to such Proceeding.

Commissioners of Inland Revenue to give the necessary Directions as to the Stamps, to keep separate Accounts, and pay Monies into Suitors Fee Fund.

VIII. The Commissioners of Inland Revenue shall from Time to Time, upon the Receipt of any Order of the Lord Chancellor in that Behalf, give the necessary Directions for carrying the same into effect, and shall provide everything that is requisite for that Purpose, and shall do or cause to be done everything that is necessary for the Receipt and Collection of the Money to be paid for such Stamps; and the said Commissioners shall cause separate and distinct Accounts to be kept of all Sums of Money received or collected by them under the Provisions of any such Order or Orders, and of all Costs, Charges, and Expenses incurred by them or by their Direction in carrying the same into effect, and it shall be lawful for the said Commissioners to pay and to deduct and retain out of such Monies all such Costs, Charges, and Expenses, and also to deduct all Sums of Money repaid on Allowances for spoiled Stamps, as herein-after provided for; and after such Deduction they shall from Time to Time, and in such Manner as the Lord Chancellor shall by any Order direct, pay the Monies so to be received and collected into the Bank of *England*, to the Credit of the Accountant General of the Court of Chancery, to be placed to the Account there, intituled "The Suitors Fee Fund Account."

Provision for Sale of Stamps.

IX. It shall be lawful for the Lord Chancellor to direct any of the Officers of the Court of Chancery whose Duties may be diminished in consequence of the Substitution of Stamps for Money Payments, or otherwise, under this Act, to act under the Directions of the Commissioners of Inland Revenue in the Sale and Distribution of all or any of the Stamps to be used under this Act: Provided always, that in case it appear to the Lord Chancellor, having reference to the Duties to be performed by such Officers or any of them, that it is not convenient that they should act as aforesaid in the Sale and Distribution of Stamps, it shall be lawful for the Commissioners of Inland Revenue to appoint Persons for such Sale and Distribution, and to allow to such Persons so appointed by them such Discount or Poundage as they may think fit.

X. It

Commissioners of Inland Revenue may make Regulations as to Allowance for spoiled Stamps.

X. It shall be lawful for the Commissioners of Inland Revenue from Time to Time to make such Regulations as they shall think fit for the Allowance of such Stamps, issued under the Provisions of this Act, as may have been spoiled or rendered useless or unfit for the Purpose intended, or for which the Owner may have no immediate Use, or which through Mistake or Inadvertence may have been improperly or unnecessarily used, and such Allowance shall be made either by giving other Stamps in lieu of the Stamps so allowed, or by repaying the Amount or Value to the Owner or Holder thereof, after deducting the Discount or Poundage (if any) allowed on the Sale of Stamps of the like Kind.

Provisions of former Acts relating to Stamps to be applicable to Stamps under this Act.

XI. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall (so far as the same are applicable and consistent with the Provisions of this Act), in all Cases not hereby expressly provided for, be of full Force and Effect with respect to the Stamps to be provided under or by virtue of this Act, and to the Vellum, Parchment, or Paper on or to which the same Stamps shall be impressed or affixed, and be applied and put in execution for collecting and securing the Sums of Money denoted thereby, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if such Provisions had been herein repeated and specially enacted with reference to the said last-mentioned Stamps and Sums of Money respectively.

No Document to be received or used unless stamped.

XII. No Document which by any Order or Orders to be respectively made as aforesaid shall be required to have a Stamp impressed thereon or affixed thereto shall be received or filed, or be used in relation to any Proceeding in the Court of Chancery, or be of any Validity for any Purpose whatsoever, unless or until the same shall have a Stamp impressed thereon or affixed thereto, in the Manner directed by such Order: Provided always, that if at any Time it shall appear that any such Document which ought to have had a Stamp impressed thereon or affixed thereto has, through Mistake or Inadvertence, been received or filed or used without having such Stamp impressed thereon or affixed thereto, it shall be lawful for the Lord Chancellor, if he think fit, to order that such Stamp shall be impressed thereon or affixed thereto, and thereupon, when a Stamp shall have been impressed on such Document or affixed thereto, in compliance with any such Order, such Document, and every Proceeding in reference thereto, shall be as valid and effectual as if such Stamp had been impressed thereon or affixed thereto in the first instance.

Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed.

XIII. If any Officer of the Court of Chancery or other Person shall do or commit or connive at any fraudulent Act or Practice in relation to any Stamp to be used under the Provisions of this Act, or to any Fee or Sum of Money to be collected or which ought to be collected by means of any such Stamp, or if any such Officer or Person shall be guilty of any wilful Act, Neglect, or Omission in relation to any such Stamp or Fee as aforesaid, whereby any Fee or Sum of Money which ought to be collected for the Benefit of the said Fee Fund shall be lost to the said Fee Fund, or the Payment thereof evaded, every such Officer or Person so offending shall be dismissed from his Office or Employment, if the Lord Chancellor shall think fit so to order.

Power to abolish Fees in Lunacy, and to substitute a Per-centage in lieu thereof.

XIV. It shall be lawful for the Lord Chancellor, intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, by any Order or Orders, to be from Time to Time made by the Lord Chancellor, intrusted as aforesaid, to abolish all or any of the Fees payable in relation to Proceedings in Lunacy, and to direct that such of the Fees as shall not be abolished, if any, shall be collected by means of Stamps in the Manner herein-before provided with respect to Fees payable in relation to Proceedings in the Court of Chancery, and also to direct that in lieu of all or any of such Fees a Per-centage or *ad valorem* Payment shall be paid on the clear annual Incomes of the Persons found idiot, lunatic, or of unsound Mind, and on the Amount of the taxed Costs incurred in Proceedings in Lunacy, or on such annual Incomes only, or on the Amount of such taxed Costs only, the Amount of such annual Incomes as aforesaid, and the Amount of the Per-centage or *ad valorem* Payment to be paid thereon and on such taxed Costs, to be from Time to Time ascertained and fixed in such Manner, by such Means, and under such Regulations as the Lord Chancellor, intrusted as aforesaid, shall by any Order or Orders direct, and the Amount of such Per-centage or *ad valorem* Payment to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Chancery, to be placed to the Account there, intituled "The Suitors Fee Fund Account," at such Times and by such Persons as the Lord Chancellor, intrusted as aforesaid, shall by any Order or Orders direct: Provided always, that the Amount to be raised by such Per-centage or *ad valorem* Payment shall not exceed the Amount which may from Time to Time be required to provide for the Payment of the Salaries, Expenses, and Sums of Money payable under the Act of the Session holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Eighty-four, or any other Acts or Act of Parliament for the Time being in force with respect to Lunatics; and that a Statement of the Amount of such Per-centage or *ad valorem* Payment shall from Time to Time, within Fourteen Days next after the same shall have been settled, be laid on the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

Certain Statutory Jurisdiction of Lord Chancellor as to Lunatics to be exercised by Persons for the Time being intrusted.

XV. All the Jurisdiction, and all the Powers and Authorities of a judicial Nature, given by the Act of the Session holden in the First Year of the Reign of King *William* the Fourth, Chapter Sixty-five, by "The Trustee Act, 1850," and by any other Acts or Act of Parliament now in force, to the Lord Chancellor, intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, shall belong to and may be exercised by all or any of the Persons or Person for the Time being intrusted as aforesaid.

XVI. And

Salaries of Lord Chancellor and Judges of the Court of Chancery to be paid out of the Consolidated Fund.

XVI. 'And whereas under certain Acts of Parliament now in force the Salaries of the Master of the 'Rolls, and of the Vice Chancellor appointed under the Act of the Session holden in the Fifty-third Year 'of the Reign of King *George* the Third, Chapter Twenty-four, are payable out of and charged upon the 'Consolidated Fund of the United Kingdom, but the Salary of the Lord Chancellor (except that Portion 'thereof payable to him as Speaker of the House of Lords), and the Salaries of the Lords Justices of 'the Court of Appeal in Chancery, and of the other Vice Chancellors, are payable out of the Interest 'and Dividends arising from the Government or Parliamentary Securities placed in the Name of the 'Accountant General of the Court of Chancery which have been purchased from Time to Time with 'Monies taken out of the Common and General Cash belonging to the Suitors of the Court of Chancery, 'and lying dead and unemployed in the Bank of *England:* And whereas it is expedient that the Salaries 'of all the Judges of the Court of Chancery should be paid out of the Consolidated Fund of the United 'Kingdom, instead of out of the Interest of the Securities purchased with the Cash of the Suitors as 'aforesaid:' Be it therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and fifty-two there shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom, after paying or reserving sufficient to pay all such Sums of Money as by any Acts of Parliament now in force have been directed to be paid thereout, but with Precedence to all other Payments which shall hereafter be charged thereupon, the annual Salaries hereinafter mentioned; that is to say, to the Lord Chancellor such yearly Sum as with the Salary or Sum payable to him as Speaker of the House of Lords, to be certified as directed by the Act of the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Eighty-three, shall be sufficient to make up the net yearly Sum of Ten thousand Pounds; to each of the Lords Justices of the Court of Appeal in Chancery, Six thousand Pounds; to the Vice Chancellor for the Time being appointed under the Act passed in the Fifth Year of the Reign of Her present Majesty, Session One, Chapter Five, Five thousand Pounds; and to the Vice Chancellor appointed under the Act of the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Four, Five thousand Pounds; all which Salaries shall be in lieu of all Salaries theretofore payable to such Judges respectively, out of any Fund whatsoever, under any Acts or Act of Parliament now in force, and shall be payable and paid quarterly, free and clear from all Taxes and Deductions whatsoever, on the Four usual Days of Payment in the Year; that is to say, the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, by equal Portions, the First Payment to be made on the Fifth Day of *January* One thousand eight hundred and fifty-three, and a proportionate Part of such Salaries respectively to be paid for the Quarter current at the Death or Resignation of any of the Persons in the Receipt of such Salaries.

Repeal of Section 61. of 5 Vict. c. 5.

XVII. So much of the Act of the First Session holden in the Fifth Year of the Reign of Her present Majesty, Chapter Five, as enacts, that the Accountant General of the High Court of Chancery shall, on or before the First Day of *September* in every Year, pay into the Bank, to an Account, intituled "An "Account of Interest arising from Securities carried to an Account of Money placed out for the Benefit "and better Security of the Suitors of the High Court of Chancery," the Sum of One hundred and fifty Pounds, shall be repealed.

Brokerage received by Accountant General to be paid into Suitors Fee Fund.

XVIII. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, the Brokerage which shall or may from Time to Time be received by the present Accountant General of the Court of Chancery shall be paid by him into the Bank of *England*, to be there placed to his Credit as such Accountant General, to the Account intituled "The Suitors Fee Fund Account," at such Times and under such Regulations as the Lord Chancellor shall from Time to Time by any Order direct.

Salary to be paid to present Accountant General in lieu of Brokerage;

XIX. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, there shall be paid to the present Accountant General of the Court of Chancery, in lieu of the Brokerage heretofore received by him for his own Benefit, and in addition to the Salary and Allowance for Books and Stationery now received by him as Accountant General, the net yearly Salary of Two thousand seven hundred Pounds.

Not to affect his Rights as a Master in Ordinary.

XX. Nothing herein contained shall affect the Rights, Privileges, or Duties to which the present Accountant General is entitled or which he is liable to perform as One of the Masters in Ordinary of the Court of Chancery.

Power to Treasury to make Regulations as to Brokerage.

XXI. It shall be lawful for the Commissioners of Her Majesty's Treasury to make such Regulations with respect to the Broker to be employed in transacting the Business relating to the Funds of the Court of Chancery, and the Amount of Commission to be received by such Broker, or the Payment of such Broker by Salary or otherwise, as they shall from Time to Time think fit.

Salary of all future Accountants General to be 3,000*l.* per Annum.

XXII. From and after the Resignation or Death of the present Accountant General the Salary provided for the Accountant General of the said Court by the Act of the Session holden in the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four, and the Act of the Session holden in the Ninth Year of the Reign of King *George* the Third, Chapter Nineteen, shall cease, and there shall be paid to the Accountant General of the said Court for the Time being the net yearly Salary of Three thousand Pounds.

Certain Officers of Lord Chancellor removed, and their Offices abolished.

XXIII. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, the following Officers shall be removed, and their respective Offices shall cease and determine; that is to say, the Keeper or Clerk of Her Majesty's Hanaper, Deputy Clerk of the Hanaper, the Secretary of Decrees and Injunctions, One of the Two Gentlemen of the Chamber attending the Great Seal, the Chaff Wax, the Deputy Chaff Wax, the Sealer, and the Deputy Sealer, and the Duties theretofore performed

by the Secretary of Decrees and Injunctions shall thenceforth be performed by the Clerks of Records and Writs, and the respective Duties of the Offices of the Keeper or Clerk of Her Majesty's Hanaper and of Chaff Wax and Sealer shall thenceforth be performed by the Clerk of the Crown in Chancery and the Pursebearer to the Lord Chancellor respectively, as directed by the Act of the Session holden in the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Eighty-four, upon such Offices becoming vacant by the Death, Resignation, or Removal of the then respective Holders thereof, and such Pursebearer shall be thenceforth entitled to such yearly Sums for the Expenses of the Offices of Chaff Wax and Sealer as are by the said last-mentioned Act directed to be paid to him.

Certain Officers of the Lord Chancellor to be paid by Salary in lieu of Fees.

XXIV. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, there shall be paid to the Officers of the Lord Chancellor next herein-after named, in lieu of all Fees heretofore received by them respectively for their own Use, the following yearly Salaries; that is to say, to the principal Secretary of the Lord Chancellor One thousand two hundred Pounds, to the Gentleman of the Chamber attending the Great Seal Five hundred Pounds, to the Pursebearer to the Lord Chancellor Five hundred Pounds, and to the Trainbearer to the Lord Chancellor Two hundred Pounds; and it shall be lawful for the Lord Chancellor to appoint a Clerk to be employed in the Office of such principal Secretary, which Clerk shall receive by way of Salary such annual Sum not exceeding Two hundred Pounds, as the Lord Chancellor shall from Time to Time direct.

Secretary of Presentations and Secretary of Commissions of the Peace to account for Fees, &c.

XXV. From and after the Tenth Day of *October* One thousand eight hundred and fifty-two, the Persons or Person holding the Offices of Secretary of Presentations and Secretary of Commissions of the Peace shall account for all the Fees and Emoluments payable to and received by them or him by virtue of such Offices, and shall pay such Fees and Emoluments once in every Six Months into the Receipt of Her Majesty's Exchequer, and the same, when so paid, shall be carried to and made Part of the Consolidated Fund of the United Kingdom, the Amount so received and paid to be verified by the Affidavit of the accounting Party.

The Persons or Person holding such last-mentioned Offices to receive the yearly Sum of 800*l*.

XXVI. From and after the Tenth Day of *October* One thousand eight hundred and fifty-two, there shall be paid to the Persons or Person for the Time being holding such last-mentioned Offices the yearly Sum of Eight hundred Pounds, to be divided between such Persons, in case such Offices should be held by different Persons, in such Proportions as the Lord Chancellor shall direct, and such yearly Sum shall be issued and paid and payable out of and be charged and chargeable upon the Consolidated Fund of the United Kingdom (after paying or reserving sufficient to pay all such Sums of Money as by any Acts of Parliament now in force have been directed to be paid thereout, but with Precedence to all other Payments which shall hereafter be charged thereupon), and shall be payable and paid quarterly, free and clear from all Taxes and Deductions whatsoever, on the Four usual Days of Payment in the Year; that is to say, the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, by equal Portions, the First Payment to be made on the Fifth Day of *January* One thousand eight hundred and fifty-three, and a proportionate Part thereof to be paid for the Quarter current at the Death or Resignation of the Persons or Person in the Receipt of such yearly Sum.

Certain Offices abolished.

XXVII. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, the Offices of the Patentee of the Subpœna Office, the Deputy of the Patentee of the Subpœna Office, the Clerk of Affidavits, the Assistant Clerk of Affidavits, the Second Assistant Clerk of Affidavits, the Clerk of Reports, the Doorkeeper of the Court of Chancery, and the Crier of the Court of Chancery, and the Office of Usher of the Court of Chancery now held by *Thomas Francis Le Dieu*, shall be abolished.

Duties of Subpœna Office transferred to Clerks of Records and Writs.

XXVIII. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, the Execution of the Duties of the Subpœna Office shall be transferred to the Clerks of Records and Writs, and such Duties shall be performed by them in such Manner as they are directed to perform the same by the Act of the Session holden in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and five, after the Death, Resignation, or Removal from his Office of the present Patentee of the Subpœna Office.

Duties of Affidavit Office to be performed by Clerks of Records and Writs.

XXIX. From and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, the Duties of the Affidavit Office of the Court of Chancery shall be performed by the Clerks of Records and Writs, but Affidavits or Affirmations may be sworn, affirmed, or attested upon Honour and Declarations made before the Clerk of Inrolments for the Time being, as Occasion may require, for the better Despatch of Business; and the Duties of the Clerk of Reports shall be performed by such Person or Persons as the Lord Chancellor shall appoint for that Purpose, and such Person or Persons shall be entitled under this Act to such Salary or Salaries as the Commissioners of Her Majesty's Treasury shall by any Order direct, provided that the whole Amount of such Salaries shall not in any One Year exceed the Sum of Four hundred Pounds.

Orders in Lunacy, when signed, to be entered by the Registrar, and Office Copies to be furnished by him; the Accountant General to act upon such Orders.

XXX. Every Order made in Matters in Lunacy by the Lord Chancellor, or the Person or Persons intrusted as aforesaid, when drawn up by the Secretary of Lunatics, and signed by the Lord Chancellor, or the Persons or Person intrusted as aforesaid, shall be entered by such Secretary, who shall be henceforth called the Registrar in Lunacy, in a proper Book to be provided by him for that Purpose; and he shall furnish to every Person requiring the same Office Copies of such Orders, or of such Part thereof as may be required, which Copies shall be signed by such Registrar in Lunacy, and he shall provide a Seal for his Office, and shall cause to be sealed or stamped therewith all such Office Copies as aforesaid; and every such Office Copy, purporting to be so signed, and sealed or stamped with such Seal, shall at all Times, and on behalf of all Persons, and whether for the Purposes of this Act or otherwise, be admitted as Evidence of the Order of which it purports to be a Copy, without any further Proof thereof.

XXXI. Where

Orders in Lunacy in certain Cases to be acted upon in the same Manner as if drawn up by the Registrar of the Court of Chancery.

XXXI. Where any such Order in Lunacy relates to the Payment, Transfer, or carrying over of any Cash, Stocks, Funds, Annuities, Securities, or other Effects, to or into the Name of the Accountant General of the Court of Chancery, to the Credit of the Matter of any Person or Persons being idiot, lunatic, or of unsound Mind, or to the Payment, Transfer, or carrying over, or other Disposal by the said Accountant General of any Cash, Stocks, Funds, Annuities, Securities, or other Effects which may be standing in his Name to the Credit of the Matter of any Person or Persons being idiot, lunatic, or of unsound Mind, the said Accountant General, and all other Persons, including the Governor and Company of the Bank of *England*, and all other Companies and Societies, shall act upon such Order, signed by the Lord Chancellor, or the Persons or Person intrusted as aforesaid, after the same shall have been so entered as aforesaid, in the same Manner as if such Order had been also drawn up by the Registrar of the Court of Chancery, and passed and entered according to the Mode heretofore in force; and the Registrar in Lunacy shall certify under his Hand to the said Accountant General what Stocks or Funds he is by virtue of any such Order to transfer, and to whom, in the same Manner as the Registrars of the Court of Chancery have been heretofore accustomed to do.

Certificates and Reports of Masters in Lunacy to be only filed in Office of Registrar.

XXXII. It shall not be necessary hereafter to file any Certificate or Report of the Masters in Lunacy in the Report Office of the Court of Chancery, but the said Accountant General, and all other Persons including as aforesaid, shall act upon all Certificates and Reports of the Masters in Lunacy, filed in the Office of the Registrar in Lunacy, in the same Manner as if such Certificates and Reports respectively had been also filed in the Report Office of the Court of Chancery according to the Mode heretofore in force.

Forging the Signature of Registrar of Lunacy, or of his Seal, to be Felony.

XXXIII. If any Person shall forge the Signature of the Registrar in Lunacy, or shall forge or counterfeit the Seal of his Office, or knowingly concur in using any such forged or counterfeit Signature or Seal, or shall tender in Evidence any Document with a false or counterfeit Signature of such Registrar, or with a false or counterfeit Seal, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act of the Session holden in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and thirteen.

Master of Reports and Entries to countersign Cheques, &c.;

XXXIV. 'And whereas all Notes and Cheques for the Payment of Money drawn by the Accountant 'General of the Court of Chancery upon the Bank of *England* have been heretofore countersigned by the 'Registrars of the said Court, in pursuance of the Provisions of the Act of the Session holden in the 'Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two: And whereas all Copies 'and Extracts taken from the Registrar's Books deposited in the Office of the Master of the Reports and 'Entries have been heretofore signed by the said Registrars: And whereas the Performance of such 'Duties by the said Registrars is attended with Inconvenience, and interrupts them in the Execution of 'their other Duties; and it is expedient that the Master of Reports and Entries should be empowered to 'sign such Documents as well as the said Registrars:' Be it therefore enacted, That the Duties relating to the countersigning the Notes or Cheques drawn by the Accountant General of the said Court upon the Bank of *England*, and to the signing the Copies and Extracts made in or issuing from the Office of the Master of Reports and Entries, heretofore performed by the Registrars of the said Court, so far as it shall be found necessary or expedient to continue such Duties, shall be performed by the Master of Reports and Entries, or the Registrars of the said Court, in such Manner and under such Rules and Regulations as the Lord Chancellor shall from Time to Time by any Order direct.

and to perform other Duties as directed.

XXXV. The Master of Reports and Entries shall also perform all such other Duties as the Lord Chancellor shall from Time to Time by any Order direct.

Account of Monies of the Suitors of the Court kept at the Report Office to be discontinued, and Offices of Clerks of Accounts abolished.

XXXVI. 'And whereas under an Order of the said Court recited in the said last-mentioned Act, and 'thereby confirmed, an Account of all Monies, Securities, and Effects belonging to the Suitors of the 'said Court was directed to be kept at the Report Office: And whereas, since the passing of such Act, 'Three Accounts of such Monies, Securities, and Effects have been respectively kept, that is to say, One 'at the Report Office by the Clerks of Accounts, another in the Office of the Accountant General of the 'said Court, and a Third at the Bank of *England:* And whereas it is considered that the Account so 'kept at the Report Office is no longer necessary, and may be discontinued:' Be it therefore enacted, That from and after the First Day of *October* One thousand eight hundred and fifty-two, the Account so kept at the Report Office as aforesaid shall be discontinued, and the Offices of Clerks of Accounts shall be abolished, and so much of the said last-mentioned Order as requires, that when any Money belonging to the Suitors of the said Court should be directed to be paid by Order of the said Court the Note drawn for such Money upon Cheque Paper, as thereby directed, should be carried to the Report Office, and an Entry made thereof there, and Intratur written thereon, shall be repealed; and from and after the First Day of *October* One thousand eight hundred and fifty-two, every Note or Cheque for the Payment of Money, under any Order of the said Court, signed by the Accountant General of the said Court and countersigned by the Master of Reports and Entries, or One of the Registrars of the said Court, as herein-before required, shall be sufficient Authority to the Bank of *England* to pay the Money mentioned in such Note or Cheque to the Person named therein, or to such Person as he or she, by Indorsement, shall order to receive the same.

Lord Chancellor to make General Orders for carrying Act into effect.

XXXVII. It shall be lawful for the Lord Chancellor from Time to Time to make and issue such General Orders as he shall think fit, as well in relation to any Matter connected with the Offices by this Act abolished, and not hereby otherwise provided for, as for carrying the Provisions of this Act into execution, and also all such other Rules and Orders as he shall think fit for altering and regulating the Business of the several Offices of the said Court.

XXXVIII. Any

Orders under this Act may be varied.

XXXVIII. Any Order or Orders for the Time being made under this Act may from Time to Time be annulled, altered, or varied by the like Authority by which any such Order or Orders shall have been made, and new Orders may from Time to Time be made for any of the Purposes of this Act by the Authority by which Orders are hereby authorized to be made.

Duties and Salaries of Clerks in Accountant General's Office.

XXXIX. It shall be lawful for the Lord Chancellor, if he shall see fit, to authorize and direct the First, Second, and Third Clerks in each Division of the Office of the said Accountant General, from and after the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, to continue to perform the Acts or Duties hitherto performed by such Clerks, in addition to the Duties prescribed by Act of Parliament, as heretofore, in exclusion of any other Person, and to direct them to be paid such yearly Salaries as the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, shall think just; and it shall be lawful for the Lord Chancellor to fix the Fees to be paid for such Acts as aforesaid, which shall be accounted for in like Manner as the other Fees now received in the Office of the said Accountant General.

Amount of Salaries to Clerks of Taxing Masters.

XL. Instead of the Salaries directed to be paid by the Act of the Session holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter One hundred and three, to the Clerks of the Taxing Masters of the Court of Chancery, every such Clerk shall, from and after the Third Day of *November* One thousand eight hundred and fifty-two, be entitled to a Salary of Three hundred and fifty Pounds *per Annum*.

Deposits on Appeals to be paid into Bank, and placed to "The Appeal Deposit Account."

XLI. The Deposit now payable on setting down Appeals and Exceptions for Hearing shall continue to be payable, and such Deposits shall be paid to and received by the Senior Registrar of the Court of Chancery for the Time being, who shall once in every Three Months pay all Sums so received by him into the Bank of *England* to the Credit of the Accountant General of the said Court (the Amount so received and paid by such Registrar to be verified by Affidavit), and the several Sums when so paid in shall be from Time to Time placed to an Account to be intituled "The Appeal Deposit Account," and the Monies which shall from Time to Time be standing to such Account shall be paid and applied as the Court of Chancery shall from Time to Time in that Behalf order or direct.

Persons may sell by Auction, under an Order of the Court of Chancery, without being liable to Duty imposed by 8 & 9 Vict. c. 15.

XLII. 'And whereas by the Act of the Session holden in the Eighth and Ninth Years of the Reign 'of Her present Majesty, Chapter Fifteen, a certain Duty of Excise is imposed upon every Licence to 'be taken out by every Person exercising or carrying on the Trade or Business of an Auctioneer in any 'Part of the United Kingdom; and it is thereby enacted, that every Person who exercises or carries on 'the Business of an Auctioneer, or who acts in such Capacity at any Sale or Roup, and every Person 'who sells or offers for Sale any Goods or Chattels, Lands, Tenements, or Hereditaments, or any Interest 'therein, at any Sale or Roup where any Person or Persons become the Purchaser of the same by Com-'petition, and being the highest Bidder, or by any other Mode of Sale by Competition, shall, except as 'herein-after mentioned, be deemed to carry on the Trade or Business of an Auctioneer, and shall be 'required to take out such Licence as thereby directed; and that every Person who carries on the Trade 'or Business of an Auctioneer as aforesaid without taking out such Licence shall, except as therein-'after mentioned, forfeit One hundred Pounds: And whereas Doubts have arisen whether any Sale or 'Sales by way of Auction can now be made under any Order or Decree of the Court of Chancery before 'any Officer of the said Court, or the Persons by such Officer in that Behalf appointed, without ren-'dering such Officer or other Person liable to take out such Licence as by the said last-mentioned Act 'is directed to be taken out by all Persons acting as Auctioneers; and it is expedient that such Doubts 'should be removed:' Be it therefore enacted, That it shall be lawful for any Master in Ordinary of the Court of Chancery, and for the chief Clerk of any such Master, and for every other Person appointed in that Behalf by any such Master, to sell any Goods or Chattels, Lands, Tenements, or Hereditaments, or any Interests therein, under any Decree or Order of the said Court, by Auction or by any other Mode of Sale by Competition, without any Licence as an Auctioneer, and without being liable to the Duty imposed by the said last-mentioned Act, or any other Act or Acts now in force.

Indemnity in respect of former Sales.

XLIII. The Masters in Ordinary of the Court of Chancery and their chief Clerks shall be discharged and freed from all Suits, Prosecutions, Liabilities, Pains, and Penalties to which they or any or either of them are or is or might be liable for or on account of any Sale by or by way of Auction or Competition heretofore made or conducted by or before them or any or either of them.

Officers whose Emoluments are diminished in consequence of this Act may make Claim for Compensation to Commissioners of Treasury.

XLIV. It shall be lawful for the Keeper or Clerk of Her Majesty's Hanaper, Deputy Clerk of the Hanaper, the Patentee of the Subpœna Office, and for every Officer of the Court of Chancery, and for every Officer or Person employed in the Offices of the Masters in Lunacy, or the Registrar in Lunacy, whose Salary or Emoluments shall be taken away or diminished by the Operation of this Act, or by the Rules and Orders to be made thereunder, to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury for the Time being, and such Commissioners are hereby required, within the Space of Six Calendar Months after any such Claim shall have been made, by Examination upon Oath or otherwise (which Oath they and each of them are and is hereby authorized to administer), to inquire whether any and if any what Compensation ought to be made to such Clerk of the Hanaper, Deputy Clerk of the Hanaper, Patentee of the Subpœna Office, and to any Officer or Person claiming such Compensation, the said Commissioners having regard to the Conditions on which the Appointment of any such Officer or Person was made, or to any Notice which at the Time of such Appointment may have been given to such Officer or Person that his Office was to be holden subject to any Provision by Parliament for the Abolition or Regulation thereof, but with full Power for the said Commissioners to investigate and determine whether from the Nature of the Office or Mode of Accession thereto any such Conditions

Conditions or Notice could have been properly made or given, and also having regard to the holding of any Office, Place, or Situation in the said Court by such Officer or Person; and in all Cases in which it shall appear to the said Commissioners that Compensation ought to be granted, it shall be lawful for the said Commissioners, by Warrant under their Hands, to order and direct that such annual Compensation shall be made to the Persons so claiming such Compensation as aforesaid, or any of them, as to the said Commissioners in their Discretion shall seem just and reasonable; and all such Compensations shall be paid and payable out of such Funds and in such Manner as is herein-after in that Behalf directed: Provided always, that an Account of all such Compensations shall, within Fourteen Days next after the same shall be so granted, be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled then within Fourteen Days after the Meeting of Parliament then next following.

Payments to be made to Persons whose Offices are abolished.

XLV. Every Person now holding any Freehold Office or Office for Life or during Good Behaviour which is abolished by this Act, and in respect of which any annual or other fixed Salary is by virtue of any Act of Parliament or otherwise by Law payable, shall be entitled to receive such Salary during the Residue of the Term of his natural Life, in the same Manner and out of the same Fund as if this Act had not been passed; and every Person now holding any Freehold Office or Office for Life or during Good Behaviour, which is abolished by this Act, and in respect of which any Fees of Office are by Law or Custom payable, shall be entitled to receive from and after the passing of this Act, during his natural Life, an Annuity equal to the average annual Amount of such Fees of Office during the Three Years next preceding the passing of this Act; and the Amount of such Annuity shall be determined by the Lords Commissioners of Her Majesty's Treasury, in the same Manner, and shall be paid out of such Funds and in such Manner, as is by this Act directed with respect to the Compensations hereby provided to be given to Officers whose Salary or Emoluments shall be taken away or diminished by the Operation of this Act, or by the Rules and Orders to be thereunder made.

Lord Chancellor may order Pensions for retiring Officers.

5 & 6 Vict. c. 103.

XLVI. From and after the passing of this Act it shall be lawful for the Lord Chancellor, by any Order made on a Petition presented to him for that Purpose, to order (if he shall think fit) to be paid to any Person now or hereafter holding any Office or Appointment in the Court of Chancery, other than and except any Clerk of Enrolments, Clerk of Records and Writs, or Taxing Master, to whom, subsequently to the passing of this Act, the Lord Chancellor, under the Act passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty's Reign, intituled *An Act for abolishing certain Offices of the High Court of Chancery*, shall have ordered a retiring Allowance to be paid, and to any Officer or Person employed in the Offices of the Masters in Lunacy, or the Registrar in Lunacy, who shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, or shall have continued in any Office or Offices for Twenty Years and shall be desirous of resigning the same, a Superannuation Allowance under this Act, and thereupon such Officer or Person shall be entitled to receive such Superannuation Allowance as the Commissioners of Her Majesty's Treasury shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance, the said Commissioners shall take into Consideration the whole Period during which any such Officer or Person shall have been permanently employed in any Office or Situation in the said Courts or Offices, and shall proceed according to the Principles laid down by an Act passed in the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, "to alter, amend, and consolidate the "Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of "their having held Civil Offices in His Majesty's Service:" Provided always, that the Lord Chancellor shall in every such Order state the Cause for making the same, and shall cause a Copy of such Order to be laid on the Table of the House of Commons within Fourteen Days next after the making of the same if Parliament shall be then assembled, and if Parliament shall not be then sitting then within Fourteen Days next after the assembling thereof.

4 & 5 W. 4. c. 24.

Lord Chancellor may remove and give Pensions to disabled Officers.

XLVII. From and after the passing of this Act, it shall be lawful for the Lord Chancellor, by Order, to remove any Officer of the Court of Chancery, or any Officer or Person employed in the Offices of the Masters in Lunacy, or the Registrar in Lunacy, who shall be afflicted with any Infirmity which shall disable him from the due Execution of his Office, and who shall refuse to resign, or become incapable of resigning the same, and upon such Removal to order to be paid to any such Officer or Person so removed an Annuity or retiring Allowance, not exceeding Two Third Parts of the yearly Sum or Salary to which he shall be entitled at the Time of his Removal, such Annuity or retiring Allowance to be paid out of the Funds, and in the Manner in which retiring Allowances under this Act are herein-after directed to be paid.

Salaries to grow due from Day to Day, but to be payable quarterly out of Suitors Fee Fund.

XLVIII. Except as herein otherwise provided, all Salaries under this Act shall grow due from Day to Day, but shall be payable under an Order of the Lord Chancellor on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time by any Order direct, and shall be paid to the Parties entitled thereto, or their respective Executors or Administrators, out of the Fund standing in the Name of the Accountant General of the Court of Chancery, to the Account, intituled "The Suitors Fee Fund Account," but subject and without Prejudice to the Payment of all Salaries and other Sums of Money by any former Act or Acts now in force directed or authorized to be paid thereout.

Compensation to Chaff Wax, &c. to be paid out of Consolidated Fund.

XLIX. The Compensation to be made under this Act to the Persons holding the Offices of the Keeper or Clerk of Her Majesty's Hanaper, Deputy Clerk of the Hanaper, Chaff Wax, Deputy Chaff Wax, Sealer, and Deputy Sealer, shall be issued and payable out of and charged and chargeable upon the Consolidated

Consolidated Fund of the United Kingdom, after paying or reserving sufficient to pay all such Sums of Money as by any Acts of Parliament now in force have been directed to be paid thereout, but with Precedence to all other Payments which shall hereafter be charged thereupon, and such Compensations shall be paid quarterly, free and clear from all Taxes and Deductions whatsoever, on the Four usual quarterly Days of Payment in the Year; that is to say, the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year by equal Portions, the First Payment to be computed from the Twenty-eighth Day of *October* One thousand eight hundred and fifty-two, to be made on such of the same Days of Payment as shall happen next after the Commissioners of Her Majesty's Treasury shall have issued their Warrant for any such Compensation, and a proportionate Part thereof to be paid for the Quarter current at the Death of any of the Persons in the Receipt of such Compensation.

All other Compensations and Superannuation or retiring Allowances to grow due from Day to Day, but to be payable quarterly out of Suitors Fund.

L. Except as herein otherwise provided, all Compensations and Superannuation or retiring Allowances under this Act shall grow due from Day to Day, but shall be payable on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time by any Order direct, and shall be paid to the Parties entitled thereto, or their respective Executors or Administrators, out of the Interest and Dividends of the Government or Parliamentary Securities now or hereafter to be placed in the Name of the Accountant General of the Court of Chancery to the Two Accounts, intituled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," or either of them, by the Governor and Company of the Bank of *England*, by virtue of any Order or Orders of the Lord Chancellor, to be made from Time to Time for that Purpose, without any Draft from the Accountant General, but subject and without Prejudice to the Payment of all Salaries and other Sums of Money by any former Act or Acts now in force directed or authorized to be paid thereout.

Alteration of quarterly Days of Payment of certain Salaries out of Suitors Fee Fund.

LI. All Salaries payable under any Act or Acts now in force out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the Account intituled "The Suitors Fee Fund Account," by equal quarterly Payments on the Twenty-fifth Day of *February*, the Twenty-fifth Day of *May*, the Twenty-fifth Day of *August*, and the Twenty-fifth Day of *November* in every Year, shall from and after the passing of this Act be respectively payable and paid by equal quarterly Payments on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, and a proportionate Part of the First of such last-mentioned quarterly Payments, to be computed from the last Day of Payment of such Salaries, shall be made on the First of such quarterly Days of Payment hereby appointed which shall happen next after the passing of this Act, and upon the Resignation, Death, or Removal from Office of any Person entitled to receive any such Salary, such Person, or his Executors or Administrators, as the Case may be, shall be paid such proportionate Part of the Salary aforesaid as shall have accrued since the last quarterly Payment thereof to the Time of such Resignation, Death, or Removal from Office.

Provisions for Expenses of the Officers of the Court.

LII. It shall be lawful for the Lord Chancellor by any Order or Orders to be from Time to Time made for that Purpose, to order Payment, at such Times, and in such Manner, and out of such of the Funds hereby charged as he shall think fit, of all such Sums as shall appear to him to be reasonable and proper to be paid for providing suitable Courts, Rooms, and Buildings in which the Business of the Court of Chancery may from Time to Time be carried on, and for keeping Order in the several Courts, and for the Care and cleaning of all such Courts, Rooms, and Buildings, and for the Rent, Taxes, Rates, Insurance from Fire, and other Outgoings charged upon or payable for or in respect thereof, and for the Enlargement, Alteration, or Improvement, Repairs, furnishing, and fitting up of the same, and for the Books and Stationery which may be required for the Business of the said Court and the Offices thereof, and for the making, writing, printing, counting, and examining official Documents and Records of the said Court, and Office and other Copies of such Documents and Records, and for Coals and Candles, and other necessary Articles for the said Courts and Offices, and for all other necessary Expenses relating thereto, and for the Expenses of the Pursebearer and the Running Porter to the Great Seal, and the Messenger to the Lord Chancellor during his Absence from Town, and for the petty Expenses now borne by the Porter's Fund; and it shall be lawful for the Master of the Rolls to appoint a Clerk or Clerks to be employed in the Office of the Secretary at the Rolls, which Clerk or Clerks shall receive by way of Salary such annual Sum or Sums as the Master of the Rolls shall from Time to Time fix and determine; provided always, that such annual Sum or Sums shall not in the whole in any One Year exceed the Sum of Three hundred Pounds.

Surplus of Suitors Fund to be from Time to Time carried over to and to become Part of Suitors Fee Fund.

LIII. 'And whereas many of the Fees payable to the Suitors Fee Fund have been lately abolished, 'and several of them have been reduced, and under the Provisions of this Act there will be a further 'Reduction of the Fees payable to the said Fund: And whereas, in order to effect such Reduction, and 'at the same Time to keep up the said Fund to an Amount sufficient to satisfy the Charges thereon, as 'well under this Act as under any former Act, it is expedient to make such Addition to the said Fund 'as herein-after provided:' Be it therefore enacted, That so much of any Act or Acts now in force as directs that the surplus Interest and annual Produce which hath arisen and shall arise from the Monies placed out on the several Accounts, intituled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and

better

better Security of the Suitors of the High Court of Chancery," beyond what shall be sufficient to answer the Purposes of the several Acts relating to such Securities, and also the Interest produced from the Securities purchased with such surplus Interest and annual Produce, shall from Time to Time be placed out in the Purchase of Government or Parliamentary Securities in the Name of the Accountant General of the said Court, and placed to the Credit of the said Account, intituled "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," shall be repealed, and the surplus Interest and annual Produce hereafter to arise from the Monies placed out on the Two several last-mentioned Accounts, beyond what shall be sufficient to answer the Purposes of this Act, and the several other Acts relating to such Securities, shall be carried over by the said Accountant General and be placed to the said Account, intituled "The Suitors Fee Fund Account," and shall thereupon become Part of the Fund standing to such Account.

Provision in case of Surplus or Deficiency of Suitors Fee Fund.

LIV. If at the End of any Year there shall be a Surplus standing to the Credit of the said Account, intituled "The Suitors Fee Fund Account," after Payment of the several Salaries and Sums of Money charged thereon by this Act or any former Act, it shall be lawful for the Lord Chancellor by any Order to direct that such Surplus, or such Part thereof as to the Lord Chancellor shall seem fit, shall be invested in the Purchase of Parliamentary or Government Securities in the Name of the said Accountant General, to be placed to the Account, intituled "Account of Monies placed out to provide for the Officers of the High Court of Chancery," and it shall be lawful for the Lord Chancellor in like Manner to direct the Investment of the Dividends or Interest to accrue from Time to Time on the Securities now or at any Time hereafter under this Act or any former Act to be placed to the said last-mentioned Account, or so much of such Dividends and Interest as he shall think fit, in the Purchase of Parliamentary or Government Securities in the Name of the said Accountant General, to be by him placed to the Credit of the said last-mentioned Account, and as often as there shall be a Deficiency in the said Account, intituled "The Suitors Fee Fund Account," at any of the Times appointed for Payment of any of the Salaries or Sums of Money charged thereon, it shall be lawful for the Lord Chancellor to direct the said Accountant General to make good such Deficiency by carrying over and placing to the said Account, intituled "The Suitors Fee Fund Account," such Sum as the Lord Chancellor may consider sufficient for that Purpose, out of the Interest and Dividends to arise from the Government or Parliamentary Securities standing to the said Account, intituled "Account of Monies placed out to provide for the Officers of the High Court of Chancery," or by a Sale of so much of the said Securities as may be necessary for that Purpose.

Interpretation of Term "Lord Chancellor."

LV. In the Construction of this Act, unless such Meaning be repugnant to or inconsistent with the Context, the Expression "Lord Chancellor" shall mean and include the Lord High Chancellor of *Great Britain*, and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

CAP. LXXXVIII.

An Act to remove Doubts as to the Constitution of the Bishopric of *Christchurch* in *New Zealand*, and to enable Her Majesty to constitute such Bishopric and to subdivide the Diocese of *New Zealand*. [1st *July* 1852.]

'WHEREAS Her Majesty, by Letters Patent under the Great Seal, bearing Date the Fourteenth 'Day of *October* One thousand eight hundred and forty-one, and in the Fifth Year of Her Reign, 'did make, ordain, and constitute the Colony of *New Zealand* into a Bishop's See or Diocese, by the 'Name or Style of the Bishopric of *New Zealand*, and did nominate and appoint *George Augustus* '*Selwyn* Clerk to be Bishop and ordinary Pastor of the said See for the Term of his natural Life, sub-'ject to such Right of Resignation as in the said Letters Patent is expressed: And whereas, by reason 'of the Extent of the said Diocese, it is expedient that Provision should be made for the Subdivision 'thereof: And whereas, in order to such Subdivision, the said *George Augustus Selwyn* hath, by an 'Instrument under his Hand and Seal, bearing Date the Ninth Day of *May* One thousand eight hundred 'and fifty-one, resigned and surrendered so much of the said See or Diocese of *New Zealand* as lies to 'the Southward of a Geographical Line drawn across the *Middle Island*, otherwise called *New Munster*, 'at the Northern Boundary of the *Canterbury* Territory: And whereas Doubts are entertained as to the 'Validity of the said Instrument of Resignation:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Surrendered Portion of Diocese of New Zealand erected in to distinct See

I. The said Instrument of Resignation shall be deemed and taken to be, and the same is hereby declared to be, valid and effectual in the Law for the Purpose of enabling Her Majesty to erect and constitute the said surrendered Portion of the said Diocese of *New Zealand* into a distinct See or Diocese.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

Cap. i.

An Act for repealing the Act relating to "The *Mansfield* Gaslight Company," and for conferring upon the Company further and additional Powers; and for other Purposes. [3d *May* 1852.]

[4 *Geo.* 4. *c.* c. *repealed*, § 1. *Company re-incorporated*, § 6. *Capital of the Company to be* 15,000*l. in* 50*l. Shares*, § 14.]

Cap. ii.

An Act for the Incorporation, Establishment, and Regulation of the "Patent Solid Sewage Manure Company," and for enabling the said Company to purchase and work Letters Patent. [3d *May* 1852.]

[*Capital of the Company to be* 100,000*l. in* 20*l. Shares*, §§ 11 *and* 12.]

Cap. iii.

An Act for establishing a Public Library, Museum, and Gallery of Arts at *Liverpool*, and to make Provision for the Reception of a Collection of Specimens illustrative of Natural History presented by the Earl of *Derby* for the Benefit of the Inhabitants of the Borough of *Liverpool* and the Neighbourhood thereof, and others resorting thereto. [3d *May* 1852.]

Cap. iv.

An Act for repealing the *Wolverhampton* Gas Act, 1847, and for reconstituting the Company with additional Powers; and for other Purposes. [3d *May* 1852.]

[10 *&* 11 *Vict. c.* xv. *repealed, and Company re-incorporated*, §§ 1 *and* 2. *Capital to be* 88,960*l. in* 10*l. Shares*, § 13. *Act to comprise Wolverhampton, Wednesfield, and Tettenhall*, § 38. *Saving the Rights of the London and North-western Railway Company*, § 44. *Birmingham Canal Company protected*, § 44.]

Cap. v.

An Act to amend an Act for draining certain Fen Lands and Low Grounds in the Parish of *Yaxley* in the County of *Huntingdon*, and to remove certain Doubts, and facilitate the Execution of the said Act. [3d *May* 1852.]

Cap. vi.

An Act for providing a covered Market in the Borough of *Scarborough* in the County of *York*, for improving the Approaches thereto, for removing the present Market, and for regulating the Markets and Fairs in such Borough. [3d *May* 1852.]

[*Rights of the Corporation to Market Tolls not to be affected until purchased by the Company*, § 46. *Rights of the Corporation to Harbour Dues saved*, § 47.]

Cap. vii.

An Act for enabling the Company of Proprietors of the *East London* Waterworks to raise a further Sum of Money; and for other Purposes. [3d *May* 1852.]

[*Power to raise a further Capital of* 300,000*l*, § 1. *Company not to be exempt from the Public Health Act*, § 22.]

Cap. viii.

An Act to repeal the *Barnsley* Gas Act, and to make other Provisions in lieu thereof, and to authorize the raising of a further Sum of Money. [28th *May* 1852.]

[1 *&* 2 *Geo.* 4. *c.* lxxiv. *repealed*, § 1. *Company to continue incorporated*, § 6. *Capital to be* 12,000*l. in* 10*l. Shares*, § 13. *Company empowered to raise* 12,000*l. additional Capital*, § 16. *Saving the Rights of Lord of Manor*, § 44.]

Cap. ix.

An Act to extend the Powers of the Act relating to the *Yeovil* Branch of the *Bristol and Exeter* Railway, and to authorize a Deviation in the Line of such Branch Railway [28th *May* 1852.]

Cap. x.

An Act for the Improvement of the Municipal Borough of *Macclesfield.* [28th *May* 1852.]

[*Saving the Rights of the London and North-western Railway Company,* § 57; *of the Crown,* § 58; *and of the Corporation,* § 59.]

Cap. xi.

An Act for providing a convenient Place or Fair Green, with proper Approaches thereto, for holding Fairs for the Sale of Cattle and other Animals, Wool, and Flax, in the Province of *Munster* at or near the City of *Limerick,* and for regulating such Fairs. [28th *May* 1852.]

Cap. xii.

An Act for improving, diverting, and maintaining as Turnpike the Road leading from *Skipton* to *Craco* in the Parish of *Burnsal,* all in the West Riding of the County of *York.* [28th *May* 1852.]

[*One full Toll only to be paid on the Road in the same Day,* § 17. *Sum to be borrowed not to exceed* 4,500*l.*, § 21. *Act to commence on the Second Saturday after its passing, and to continue in force for Twenty-one Years,* § 29.]

Cap. xiii.

An Act to authorize the *Portsea Island* Gaslight Company to raise a further Sum of Money. [28th *May* 1852.]

[*Power to raise* 30,000*l.*, § 2.]

Cap. xiv.

An Act for better lighting with Gas the Borough of *Derby* and its Neighbourhood, and for other Purposes. [28th *May* 1852.]

Cap. xv.

An Act to repeal *An Act for lighting with Gas the Town of* Belfast *and the Suburbs thereof,* and to make other Provisions for that Purpose. [28th *May* 1852.]

Cap. xvi.

An Act to enable the *Vale of Neath* Railway Company to construct certain Extensions of their Lines of Railway, and for other Purposes. [28th *May* 1852.]

Cap. xvii.

An Act to repeal an Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for amending, improving, and maintaining the Road from* Lockwood *to* Meltham *and the Branch of Road to* Meltham Mills, *all in the Parish of* Almondbury *in the West Riding of the County of* York, and for the widening and better maintaining and repairing the said Road, and for other Purposes. [28th *May* 1852.]

[*No more than Three full Tolls to be taken on the whole Line in One Day,* § 10. *Power to repass Once for each full Toll,* § 11. *No Tolls to be taken, or Money laid out in Towns,* § 26. *Act to commence on* 31*st October after passing, and to continue for Twenty-one Years,* § 28.]

Cap. xviii.

An Act for the Extension of the Boundaries of the Municipal Borough of *Stockton* in the County of *Durham*; and for transferring to the Corporation of the said Borough the Properties and Effects now vested in certain Commissioners having Jurisdiction in the Township of *Stockton;* and to provide for the better draining, cleansing, paving, watching, lighting, and otherwise improving the said Borough. [28th *May* 1852.]

Cap. xix.

An Act for increasing the Capital of the *Stockton and Darlington* Railway Company, and for other Purposes. [28th *May* 1852.]

[*Capital increased by* 200,000*l. in* 25*l. Shares,* § 3.]

Cap. xx.

An Act for the Establishment of a new Market in *Barnstaple,* and for the Improvement and Regulation of the existing Markets and Fairs therein. [28th *May* 1852.]

Cap. xxi.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Newport* in the *Isle of Wight* to raise Monies for the Improvement of the Navigation of the River *Medina,* within the Borough, and to alter and amend certain ancient Tolls and Duties payable to the said Mayor, Aldermen, and Burgesses. [28th *May* 1852.]

Cap. xxii.

An Act for making a Canal from the *Droitwich* Canal at *Droitwich* in the County of *Worcester*, to join the *Worcester and Birmingham* Canal at or near *Hanbury Wharf* in the Parish of *Hanbury* in the same County, and to be called "The *Droitwich Junction* Canal." [28th *May* 1852.]

[*Birmingham Canal Company protected*, § 54.]

Cap. xxiii.

An Act for supplying the Inhabitants of the Township of *Ilkley* in the West Riding of the County of *York* with Water. [28th *May* 1852.]

Cap. xxiv.

An Act for reviving and continuing the Powers granted by "The *Great Southern and Western* Railway (*Ireland*) Extension, *Portarlington* to *Tullamore*, Act, 1847," for the compulsory Purchase of Lands and Completion of Works. [28th *May* 1852.]

Cap. xxv.

An Act for defining and regulating the Capital of the *Norfolk* Railway Company, and for authorizing Arrangements with the *Halesworth, Beccles, and Haddiscoe* Railway Company, and for other Purposes. [28th *May* 1852.]

Cap. xxvi.

An Act for enabling the *Dudley* Waterworks Company to raise a further Sum of Money,* and for amending the Provisions of the Act relating to such Company. [28th *May* 1852.]

* £25,000.

Cap. xxvii.

An Act for better supplying with Water the Boroughs of *Sunderland* and *South Shields* and other Places in the County of *Durham*. [28th *May* 1852.]

Cap. xxviii.

An Act for establishing a Market and for providing a Market House and Slaughter-houses at *Aberdare* in the County of *Glamorgan*. [28th *May* 1852.]

Cap. xxix.

An Act to amend an Act passed in the Seventh Year of the Reign of Her Majesty Queen *Victoria*,* for inclosing Lands in the Hamlet of *Thetford* in the *Isle of Ely*, and for draining certain Lands in the said Hamlet and in other Parishes in the said Isle, so far as relates to such draining. [28th *May* 1852.]

* 7 & 8 *Vict. c.* xxix.

Cap. xxx.

An Act to enable the *Eastern Counties* Railway Company to construct a Railway to the River *Nene* or *Wisbech River* below *Wisbech*, in lieu of a Portion of the Railway authorized by "The *Wisbech, Saint Ives, and Cambridge Junction* Railway Act, 1846," and to erect Warehouses in connexion with such Railway; and for other Purposes. [28th *May* 1852.]

[*East Anglian Railways Company protected*, § 9. *A Station or Lodge to be erected at the Points where the Railway crosses Roads in the Parishes of Wisbech St. Peter and Walsoken on the Level*, § 11. *Board of Trade may require Bridges in lieu of level Crossings*, § 12. *The Railway to form Part of the Eastern Counties Railway*, § 15.]

Cap. xxxi.

An Act to amend an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to enable the Magistrates of the County Palatine of* Chester *to appoint Special High Constables for the several Hundreds or Divisions, and Assistant Petty Constables for the several Townships of that County.* [28th *May* 1852.]

Cap. xxxii.

An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Township of *Rhyl* in the County of *Flint*, for making a Cemetery, and for establishing and regulating a Market and Market Places therein. [28th *May* 1852.]

Cap. xxxiii.

An Act to enable the *Eastern Counties* Railway Company to construct Branch Railways to the *East and West India Docks and Birmingham Junction* Railway, and to enlarge and improve their Goods Station in the Parish of *Saint Matthew Bethnal Green;* and for other Purposes. [28th *May* 1852.]

[*The Railways to be completed within Three Years from the passing of the Act*, § 6. *Junction to be under the Control of the East and West India Docks and Birmingham Junction Railway Company*, § 8. *Saving the Rights of the said Company*, § 10. *Railways to form Part of the Eastern Counties Railway*, § 22.]

Cap. xxxiv.

An Act for the Dissolution of the "*Union Arcade* Company" (*Glasgow*), and for the Abandonment of the Undertaking. [28th *May* 1852.]

Cap. xxxv.

An Act to enable the *Cork and Bandon* Railway Company to raise further Capital,* and to make Arrangements with respect to their present Capital and Mortgage Debt; and for other Purposes. [28th *May* 1852.]

* £48,000.

Cap. xxxvi.

An Act for enabling the *York, Newcastle, and Berwick* Railway Company to make a Deviation in the Line of their *Thirsk and Malton* Branch; and to enable the *Malton and Driffield Junction* Railway Company to subscribe towards and enter into Agreements with respect to the said Branch; and for other Purposes. [28th *May* 1852.]

Cap. xxxvii.

An Act for enabling the *Malton and Driffield Junction* Railway Company to subscribe towards the Construction of the *Thirsk and Malton* Branch of the *York, Newcastle, and Berwick* Railway, and to make Arrangements as to their Capital; and for other Purposes. [28th *May* 1852.]

Cap. xxxviii.

An Act to amend and extend the Provisions of the Act relating to "The *London and Southampton* Turnpike Road through *Bishops Waltham*," and to create a further Term therein; and for other Purposes. [28th *May* 1852.]

Cap. xxxix.

An Act to repeal the Act for more effectually repairing the Road leading from the *High Street* in the Town of *Arundel* in the County of *Sussex* to the Turnpike Road leading from *Petworth* to *Stopham* on *Fittleworth Common* in the said County, and to make other Provisions in lieu thereof. [28th *May* 1852.]

[*Tolls to be paid but once a Day*, § 13. *Exemptions under General Turnpike Acts not to extend to Chalk or Thrashing Machines, or Drills in certain Cases*, § 17. *Only One Toll Gate to be erected*, § 18. *Act to commence on* 1*st of November after the passing of the Act, and to remain in force for Twenty-one Years*, § 28.]

Cap. xl.

An Act for managing and repairing the Turnpike Road leading from the Eastern Side of a certain Bridge called *Spittle Hill Bridge* over *Moorgate Beck* in the Parish of *Clarborough* in the County of *Nottingham* to *Littleborough Ferry* in the same County. [28th *May* 1852.]

[5 *Geo.* 4. *c.* xvii. *repealed*, § 1. *Only One full Toll to be taken for passing and repassing on the same Day*, § 13. *No Money to be taken or laid out in Towns*, § 23. *Act to commence on the* 30*th October after the passing, and to continue in force for Twenty-one Years*, § 25.]

Cap. xli.

An Act to amend the Acts relating to the *Dundalk and Enniskillen* Railway, and to extend the same from *Ballybay* to *Enniskillen*. [28th *May* 1852.]

Cap. xlii.

An Act for incorporating the *Deptford* Gaslight and Coke Company. [28th *May* 1852.]

Cap. xliii.

An Act to consolidate and amend the Acts relating to the *Londonderry and Coleraine* Railway Company; and to authorize the said Company to contribute towards the Construction of a new Bridge over the River *Foyle* and other Works at *Londonderry*. [28th *May* 1852.]

Cap. xliv.

An Act to consolidate and amend the Acts relating to the *Londonderry and Enniskillen* Railway Company, and to grant further Powers to the said Company for the Extension and Completion of the Railway, and for other Purposes. [28th *May* 1852.]

Cap. xlv.

An Act to amend the Acts relating to the *Forth and Clyde* Navigation, to alter the Place of Meeting, and to make further Provision for the Management of the Affairs of the Company of Proprietors of the said Navigation. [28th *May* 1852.]

Cap. xlvi.

An Act to enable *Cary Charles Elwes* Esquire to construct Waterworks for the Supply of Water to *Glamford Briggs* and the Neighbourhood thereof in *Lincolnshire*. [28th *May* 1852.]

Cap. xlvii.

An Act for further amending the Local and Personal Acts, Ninth and Tenth of *Victoria*, Chapter One hundred and twenty-seven, and Tenth and Eleventh of *Victoria*, Chapter Two hundred and sixty-one, relating to the *Liverpool* Corporation Waterworks; and for authorizing Deviations, and the Construction of Reservoirs; and for other Purposes. [28th *May* 1852.]

Cap. xlviii.

An Act for incorporating the *Aberdeen* Fire and Life Assurance Company, by the Name of "The *Scottish* Provincial Assurance Company;" for enabling the said Company to sue and be sued, and to take and hold Property; and for other Purposes relating to the said Company. [28th *May* 1852.]

Cap. xlix.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Sheffield* to make certain Bridges over the River *Dun*, Roads, Streets, and other Works, all within the Borough of *Sheffield*. [28th *May* 1852.]

Cap. l.

An Act for better paving, draining, lighting, cleansing, supplying with Water, regulating in regard to Markets, Interments, Hackney Carriages, and other Purposes, and otherwise improving the Borough of *Cheltenham* in the County of *Gloucester*. [28th *May* 1852.]

Cap. li.

An Act to confirm an Agreement therein mentioned between the *Eastern Counties* Railway Company and the *Newmarket* Railway Company. [28th *May* 1852.]

Cap. lii.

An Act for repairing and managing the Roads leading from *Porthdinllaen*, by way of *Tan-y-Graig*, *Pwllheli*, *Llanystymdwy*, and *Cerrig-y-Rhwydwr*, to or near *Capel Cerrig*, and from *Pwllheli* aforesaid, by way of *Crugan*, to the Village of *Llanbedrog*, all in the County of *Caernarvon*. [28th *May* 1852.]

[5 *Geo.* 4. *c.* cxvi. *repealed, and this Act to be put in force*, § 1. *Persons having paid the Tolls to pass and repass twice during the same Day*, § 12. *Tolls not to be laid out on Streets in Pwllheli, or within the Limits of any Act of Parliament for the Improvement of any Town*, § 21. *Act to commence on the Fourth Wednesday after the passing, and to continue in force for Twenty-one Years*, § 22.]

Cap. liii.

An Act for the better Regulation of the *British Empire* Mutual Life Assurance Company; for enabling the said Company to take and hold Property; and for other Purposes relating to the said Company. [28th *May* 1852.]

Cap. liv.

An Act for more effectually repairing the Roads leading from *Romsey* to *Stockbridge* and *Wallop*, and other Roads therein mentioned, in the County of *Southampton*. [28th *May* 1852.]

[7 & 8 *Geo.* 4. *c.* lxi. *repealed, and this Act to be put in force*, § 1. *Persons having paid Toll to return free*, § 10. *Act to continue in force for Twenty-one Years*, § 30.]

Cap. lv.

An Act for the Establishment of a Turnpike Road from *Southam* to *Kineton*, both in the County of *Warwick*. [28th *May* 1852.]

[*Tolls to be paid only once a Day, except for Horses drawing a different Carriage*, § 14. *Act to commence on the First Monday after the passing, and to continue in force for Twenty-one Years*, § 22.]

Cap. lvi.

An Act for the Amalgamation of the Accidental Death Insurance Company and the Railway Assurance Company, and for enabling such amalgamated Company to insure against Death or other personal Injury arising from Accident or Violence. [28th *May* 1852.]

Cap. lvii.

An Act for amalgamating the *East and West Yorkshire Junction* Railway Company with the *York and North Midland* Railway Company, and for vesting the Undertaking of the former Company in that of the latter, and for other Purposes. [28th *May* 1852.]

Cap. lviii.

An Act to explain and amend the Act for supplying the Burghs of *Dumfries* and *Maxwelltown* and Suburbs with Water. [28th *May* 1852.]

Cap. lix.

An Act for continuing the Term and amending and extending the Provisions of the Acts relating to the *Haw Passage Bridge* in the County of *Gloucester*. [28th *May* 1852.]

Cap. lx.

An Act to repeal the Acts relating to the Road from the Town of *Bedford* in the County of *Bedford* to *Kimbolton* in the County of *Huntingdon*, and to substitute other Provisions. [28th *May* 1852.]

[35 *Geo.* 3. *c.* cxlviii. *and* 57 *Geo.* 3. *c.* xxviii. *repealed*, § 1. *Only Three full Tolls to be taken for passing and repassing on same Day through all the Gates*, § 12. *Act to commence on the* 1st *of November after the passing, and to continue in force for Twenty-one Years*, § 24.]

Cap. lxi.

An Act for enabling the *Deeside* Railway Company to alter the Line and Levels of Part of their Railway, and to abandon Parts thereof; for altering the Capital of the Company, and repealing and amending the Act relating thereto; and for other Purposes. [28th *May* 1852.]

Cap. lxii.

An Act for constructing a Bridge across the River *Kelvin* near *Hillhead*, *Glasgow*, in the County of *Lanark*, with Approaches and Works. [17th *June* 1852.]

Cap. lxiii.

An Act for making a Railway from *Highbridge* to *Glastonbury* in the County of *Somerset*, to be called "The *Somerset Central* Railway;" and for other Purposes. [17th *June*. 1852.]

Cap. lxiv.

An Act for regulating the Markets and Fairs and the Tolls and Customs of the Borough of *Athlone*. [17th *June* 1852.]

Cap. lxv.

An Act to enable The *Newmarket* Railway Company to make certain Alterations in the Levels of their Railway, and to construct a new Line of Railway between *Newmarket* in the County of *Cambridge* and *Bury St. Edmunds* in the County of *Suffolk*; to alter their Capital; and for other Purposes. [17th *June* 1852.]

Cap. lxvi.

An Act for reclaiming from the Sea certain Lands on and near the Eastern and South-eastern Coast of *Essex*. [17th *June* 1852.]

[*Company incorporated by the Name of "The South Essex Estuary and Reclamation Company,"* § 2. *Capital* 400,000*l. in* 50*l. Shares*, §§ 5, 6. 5*l. per Share to be the greatest Amount of any one Call*, § 5. *Number of Directors to be Six, and Three to form a Quorum*, §§ 9, 11. *Land, when reclaimed, to be Part of Essex and Tithe-free, and when embanked, to be constituted into Parishes by Her Majesty in Council*, §§ 19, 20, 21. *Company not to interfere with Havengoe Creek, New England Creek, or Shelford Creek, without the Consent of the Admiralty*, § 23. *The Company not to injure the Drainage of Lands nor the Navigation of Rivers*, § 28. *Works to be completed within Fourteen Years after the passing of the Act*, § 33. *Works below High-water Mark not to be executed without the Consent of the Admiralty*, § 34. *Company to maintain the Navigable Channels of the East and West Swin, and Channels leading to the Rivers Crouch, Blackwater, and Colne*, § 35. *Company not to construct Works or Bridges in or across any Tidal Water without the Consent of the Admiralty*, § 37. *Allotments to be made to Her Majesty in right of Her Crown*, § 42. *Act not to prejudice the Crown's Right to the Manor of Dengie or any other Manors*, § 48. *Saving the Rights of the Commissioners of Sewers for Foulness Island and Dengie Levels*, §§ 53, 54. *Saving the Rights of the Crown and other Persons*, § 81.]

Cap. lxvii.

An Act for supplying the Borough of *Lancaster* in the County Palatine of *Lancaster* and adjacent Places with Water, and for other Purposes. [17th *June* 1852.]

Cap. lxviii.

An Act for better paving, lighting, watching, cleansing, and otherwise improving the Town of *Runcorn* and certain Parts of the Township of *Halton* in the County of *Chester*, for regulating the Markets therein, and for other Purposes. [17th *June* 1852.]

Cap. lxix.

An Act for better lighting with Gas the Town of *Saint Helen's*, the Hamlet of *Hardshaw-cum-Windle*, and the several Townships of *Windle*, *Parr*, *Eccleston*, and *Sutton*, all in the Parish of *Prescot* in the County Palatine of *Lancaster*. [17th *June* 1852.]

Cap. lxx.

An Act for better supplying with Water the Town of *Ulverston* in the County of *Lancaster*, and for other Purposes. [17th *June* 1852.]

Cap. lxxi.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Abbey Tintern* and *Bigswear* Roads. [17th *June* 1852.]

[5 *Geo.* 4. *c.* xxix. *repealed*, § 1. *Tolls to be paid but once a Day*, § 14. *No more than Two full Tolls to be paid on the whole Line of Roads*, § 15. *No Money to be taken or laid out in Towns*, § 23. *Money not to be borrowed without the Consent of the Secretary of State*, § 24. *Act to commence on the* 31*st of October after the passing, and to continue in force for Twenty-one Years.*]

Cap. lxxii.

An Act for effecting Improvements in the City of *London*. [17th *June* 1852.]

[*Corporation of London empowered to widen and improve the North End of Dowgate Hill, Threadneedle Street, opposite Old Broad Street, the South-east Corner of Mark Lane, and Part of the North Side of Great Tower Street.*]

Cap. lxxiii.

An Act for making a Railway from the *Middlesbrough and Redcar* Railway near *Middlesbrough* to or near to *Guisbrough*, with Branches to the *Cleveland Hills*, and for making Arrangements with the *Stockton and Darlington* Railway Company. [17th *June* 1852.]

Cap. lxxiv.

An Act for more effectually repairing the Road from *Sharples* to *Hoghton* in the County of *Lancaster*. [17th *June* 1852.]

[4 *Geo.* 4. *c.* xxii. *repealed*, § 1. *Tolls to be paid but once a Day at the same Gate*, § 13. *Only Three full Tolls to be taken for passing and repassing on the same Day through all the Gates*, § 14. *Act to commence on the First Friday after the passing, and to continue in force for Twenty-one Years*, § 26.]

Cap. lxxv.

An Act for more effectually repairing the Road leading from *North Shields* to *Morpeth Castle*, and several Branches of Road communicating therewith, all in the County of *Northumberland*. [17th *June* 1852.]

[54 *Geo.* 3. *c.* xxix. *repealed*, § 1. *Only Two Tolls to be payable on the Roads*, § 14. *Persons having paid Tolls to return free*, § 15. *Act to commence on the* 31*st October after the passing, and to continue in force for Twenty-one Years*, § 27.]

Cap. lxxvi.

An Act for supplying the Inhabitants of the Town of *Merthyr Tydfil* and adjacent Places with Water. [17th *June* 1852.]

Cap. lxxvii.

An Act for the more easy Recovery of Small Debts and Demands within the City of *London* and the Liberties thereof. [17th *June* 1852.]

10 & 11 Vict. c. 71.
11 & 12 Vict. c. 152.

'WHEREAS an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands within the City of* London *and the Liberties thereof:* And whereas an Act was passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and fifty-two, for amending the said Act: And whereas it is expedient to repeal the said recited Acts, for the Purpose of extending the Provisions thereof to Debts, Damages, and Demands not exceeding the Sum of Fifty Pounds:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts repealed.

I. That from and after the Commencement of this Act the said recited Acts shall be and the same are hereby repealed, save only and except so far as relates to any Judgment given, or any Act, Matter, or Thing done, or directed or ordered to be done, previously to the Commencement of this Act, which Judgment shall be enforced, and all which Acts, Matters, and Things shall, if done, be as valid and effectual, or if directed or ordered to be done shall be done, and when done shall be as valid and effectual, as if this Act had not passed.

Actions hereafter commenced in Sheriffs Court for Sums not above 50*l.* to be determined under the Provisions of this Act.

II. That all Pleas of personal Actions, where the Debt or Damage claimed is not more than Fifty Pounds, whether on Balance of Account or otherwise, which shall after the Commencement of this Act be commenced or tried in the Sheriff's Court, shall be holden in the said Court without Writ, and shall be heard and determined in a summary Way, and according to the Provisions of this Act: Provided always, that the said Court shall not under the Provisions of this Act have Cognizance of any Action of Ejectment, or in any Action in which, although the Debt or Damage claimed may not exceed Fifty Pounds, the Title to any corporeal or incorporeal Hereditaments, or to any Tithe, Toll, Fair, Market, or Franchise, shall be in question, or in which the Validity of any Devise, Bequest, or Limitation under any

Will

Will or Settlement may be disputed, or in any Action for any Libel or Slander, or for Criminal Conversation, or for Seduction, or for Breach of Promise of Marriage.

All other Actions and Proceedings to be carried on as if this Act had not passed.

III. Provided always, That all Pleas of personal Actions, and all other Proceedings in the Sheriffs Court, except Pleas of personal Actions under the Provisions of this Act, where the Debt or Damage claimed is not more than Fifty Pounds, or, not being more than Fifty Pounds, is excepted from the Provisions of this Act, shall and may be commenced and carried on in the said Court as if this Act had not been passed; and all Proceedings in personal Actions where the Debt or Damage claimed is not more than Fifty Pounds, which may have been actually commenced in the Sheriffs Court before the Commencement of this Act, and which might have been commenced in the said Court under the Provisions of the said recited Acts or either of them, shall be continued, executed, and enforced against all Persons liable thereto, in the same Manner as if they had been commenced therein under the Provisions of this Act; and all other Proceedings in the said Court, not being Proceedings in personal Actions, where the Debt or Damage claimed is not more than Fifty Pounds, and which could not have been commenced in the said Court under the Provisions of this Act, shall be continued, executed, and enforced against all Persons liable thereto, in the same Manner in all respects as they might have been continued, executed, and enforced in case this Act had not passed.

In certain Cases Court shall have Power to try Causes, although the Matters be beyond its Jurisdiction.

IV. That if both Parties shall agree, by a Memorandum signed by them or by their Attornies, in the Presence of the Chief Clerk or of One of the Assistant Clerks, that the Court shall have Power to try any of the Actions herein-before respectively mentioned, in which the Sum sought to be recovered shall exceed the Sum of Fifty Pounds, or any Action in which the Title to Land, whether of Freehold, Copyhold, Leasehold, or other Tenure, or to any Tithe, Toll, Market, Fair, or Franchise, shall be in question, then and in such Case the Court shall have Jurisdiction and Power to try such Action: Provided always, that the said Parties or their Attornies shall state in their said Memorandum of Agreement that they know such Cause of Action to be above the said Sums respectively, or that they know such Title to come in question in such Action; and provided that such Memorandum shall be filed with the Clerk of the Court at the Time of filing the Demand of the Plaintiff: Provided always, that no such Memorandum shall give any Authority to the said Court to try any Action in which the Validity of any Devise, Bequest, or Limitation under any Will or Settlement may be disputed, or in any Action for any Libel or Slander, or for Criminal Conversation, or for Seduction, or for Breach of Promise of Marriage.

Court to be held at Guildhall, or where Corporation shall direct.

V. That the Court shall, as well for the Purposes of this Act as for all other Purposes, be held at the *Guildhall* within the City of *London*, or at such other Place within the said City as the Mayor, Aldermen, and Commons shall from Time to Time by any Order direct or appoint.

Place and Time for holding Court.

VI. That it shall be lawful for the Mayor, Aldermen, and Commons from Time to Time to appoint the Place and Day or Days for holding the Sheriffs Court for the Purposes of this Act.

Judge of Sheriffs Court to preside in Actions.

VII. That the Judge of the Sheriffs Court, and in case there shall be more than One Judge of such Court, then One of such Judges, shall preside at the Trial in the said Court of all Actions and Proceedings commenced or directed or authorized to be carried on therein under the Provisions of this Act.

Power to Judge of Court in case of Illness, &c. to appoint a Deputy.

VIII. That in case of Illness or unavoidable Absence, not occasioned by his other official Duties, the Cause whereof shall be entered on the Minutes of the Court, it shall be lawful for the Judge of the Court, or, in case of the Inability of the Judge to make such Appointment, for the Mayor, Aldermen, and Commons, to appoint some other Person, who shall have practised as a Barrister at Law for at least Seven Years, to act as the Deputy of such Judge during such Illness or unavoidable Absence; and it shall also be lawful for the Judge, with the Approval of the Mayor, Aldermen, and Commons, to appoint a Deputy, who shall have practised as a Barrister for at least Seven Years, to act for him for any Time or Times not exceeding in the whole Two Months in any consecutive Period of Twelve Months; and every Deputy so appointed, during the Time for which he shall be so appointed, shall have all the Powers and Privileges and perform all the Duties of the Judge of the said Court.

Chamberlain to be Treasurer of the Court.

IX. That the Chamberlain for the Time being of the City of *London* shall, for the Purposes of this Act, be and be considered as the Treasurer of the Sheriffs Court.

Clerks, &c. to assist the Chamberlain in his Duties of Treasurer, and to be paid such extra Salary as Corporation shall think fit.

X. That the several Clerks and other Officers and Servants for the Time being employed in the Office of the Chamberlain of the said City shall from Time to Time perform such Duties in reference to the Court and the Office of Treasurer thereof, hereby imposed on the said Chamberlain, as the Chamberlain for the Time being in his Character of Treasurer of the Court shall require; and every Clerk, Officer, and Servant of the Chamberlain, so employed in performing any of the Duties of the Treasurer of the Court, shall receive and be paid by the Mayor, Aldermen, and Commons, out of the general Fund of the Court, such extra Salary or Allowance as a Remuneration for their Services as the Mayor, Aldermen, and Commons shall from Time to Time think sufficient and proper.

Chief Clerk of the Court to be appointed by Corporation.

XI. That every Chief Clerk of the Court to be hereafter appointed shall be an Attorney of One of Her Majesty's Superior Courts of Common Law, who shall have practised as an Attorney for at least Five Years; and such Clerk shall be appointed by the Mayor, Aldermen, and Commons; and it shall be lawful for the Mayor, Aldermen, and Commons, in case of the Inability or Misbehaviour of the Clerk for the Time being of the Court, or for any other Cause which may appear reasonable to the Mayor, Aldermen, and Commons, to remove such Clerk, and to appoint some other Person, qualified as aforesaid, to be Clerk of the Court; and, until otherwise directed by the Mayor, Aldermen, and Commons, every such Clerk shall be paid by Fees, as herein-after provided; and in case any Assistant Clerk or Clerks shall be necessary for carrying on the Business of the Court, such Assistant Clerk or Clerks shall, during such Time as the Chief Clerk shall be paid by Fees, be provided and paid by the Chief Clerk of the Court;

Court; but if the Chief Clerk shall at any Time be paid by a Salary, and not by Fees, then the Assistant Clerk or Clerks shall be appointed by the Mayor, Aldermen, and Commons, and shall be paid out of the general Fund of the Court such yearly Salary for their Services as the Mayor, Aldermen, and Commons shall from Time to Time think proper.

In case of Illness of Chief Clerk a Deputy may be appointed.

XII. That it shall be lawful for the Chief Clerk of the Court, with the Approval of the Judge, or in case of the Inability of the Chief Clerk to make such Appointment, for the Judge, from Time to Time to appoint a Deputy, qualified to be appointed Chief Clerk of the Court, to act for the Chief Clerk of the Court at any Time when he shall be prevented by Illness or unavoidable Absence from acting in such Office, and to remove such Deputy at his Pleasure; and such Deputy, while acting under such Appointment, shall have the like Powers and Privileges, and be subject to the like Provisions, Duties, and Penalties for Misbehaviour, as if he were the Chief Clerk of the Court for the Time being.

Duties of Clerks.

XIII. That the Clerk of the Court, with such Assistant Clerk or Clerks as aforesaid, in case any such shall be employed, shall issue all Summonses, Warrants, Precepts, and Writs of Execution, and register all Orders and Judgments of the Court, and keep an Account of all Proceedings of the Court, and shall take charge of and keep an Account of all Court Fees and Fines payable or paid into Court, and of all Monies paid into and out of Court, and shall enter an Account of all such Fees, Fines, and Monies in a Book belonging to the Court, to be kept by him for that Purpose, and shall from Time to Time at such Times as shall be directed by Order of the Court submit his Accounts to be audited or settled by the Treasurer.

Offices of Clerk, Treasurer, and Bailiff not to be conjoined.

XIV. That it shall not be lawful for the Clerk of the Court, or the Partner of any such Clerk, or any Person in the Service or Employment of any such Clerk or his Partner, to act as Treasurer or as a Bailiff of the Court, or for the Treasurer, his Partner or Clerk, or any Person in the Service or Employment of such Treasurer or his Partner, to act as Clerk or as a Bailiff, or for any Bailiff, his Partner or Clerk, or any Person in the Service or Employment of any Bailiff or his Partner, to act as Clerk or Treasurer of the Court.

Officers not to act as Attornies in the Court.

XV. That no Clerk, Treasurer, Bailiff, or other Officer of the Court shall, either by himself or his Partner, be directly or indirectly engaged as Attorney or Agent for any Party in any Proceeding in the Court.

Penalty on Non-observance of the Two previous Enactments.

XVI. That any Person who, being the Clerk of the Court or the Partner of such Clerk, or a Person in the Service or Employment of any such Clerk or of his Partner, shall accept the Office of Treasurer or of a Bailiff of the Court, or who, being the Treasurer of the Court, or the Partner of any such Treasurer, or a Person in the Service or Employment of any such Treasurer or of his Partner, shall accept the Office of Clerk or of a Bailiff in the Execution of this Act, or who, being One of the Bailiffs of such Court, or the Partner of any such Bailiff, or a Person in the Service or Employment of any such Bailiff or of his Partner, shall accept the Office of Clerk or Treasurer in the Execution of this Act, and also every Clerk, Treasurer, Bailiff, or other Officer of the Court who shall be, by himself or his Partner, or in any Way, directly or indirectly, concerned as Attorney or Agent for any Party in any Proceeding in the Court, shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same in any of Her Majesty's Superior Courts of Record, by Action of Debt or on the Case, and shall also be liable to be dismissed by the Mayor, Aldermen, and Commons, who are hereby authorized and empowered to dismiss such Clerk, Treasurer, Bailiff, or other Officer accordingly.

Appointment of Bailiffs.

XVII. That there shall be One or more Bailiff or Bailiffs of the Court; and such Bailiff or Bailiffs shall be appointed by the Mayor, Aldermen, and Commons; and it shall be lawful for the Mayor, Aldermen, and Commons, or the Judge of the Court, by an Order of Court, in case of the Inability or Misbehaviour of such Bailiff or Bailiffs, or for any other Cause which may appear reasonable to the Mayor, Aldermen, and Commons, to remove such Bailiff or any of such Bailiffs; and One of the Bailiffs of the Court, if there shall be more than One, shall be called the Chief Bailiff of the Court.

Duties of the Bailiffs.

XVIII. That the said Bailiffs shall attend every Sitting of the Court for such Time as shall be required by the Judge, unless when their Absence shall be allowed for reasonable Cause by the Judge, and shall by themselves serve all the Summonses and Orders, and execute all the Warrants, Precepts, and Writs issued out of the Court under the Provisions of this Act; and the said Bailiffs shall, in the Execution of their Duties, conform to all such General Rules as shall be from Time to Time made for regulating the Proceedings of the Court as herein-after provided, and subject thereunto to the Order and Direction of the Judge; and the said Bailiffs shall be entitled to receive all Fees and Sums of Money allowed by this Act in the Name of Fees payable to the Bailiff, out of which they shall provide for the Execution of the Duties for which such Fees are allowed, and for the Payment of the Bailiffs according to such Scale of Remuneration as shall be from Time to Time approved by the Judge; and every such Bailiff shall be responsible for all the Acts and Defaults of himself, in like Manner as the Sheriff of any County in *England* is responsible for the Acts and Defaults of himself and his Officers.

Regulations as to Actions brought against Bailiff, &c., acting under Order of the Court.

XIX. That from and after the Commencement of this Act no Action shall be brought against any Bailiff, or against any Person acting by the Order and in aid of any Bailiff, for anything done in Obedience to any Warrant under the Hand of the Clerk of the Court and the Seal of the Court, until Demand hath been made or left at the Office of such Bailiff, by the Party intending to bring such Action, or by his Attorney or Agent, in Writing signed by the Party demanding the same, of the Perusal and Copy of such Warrant, and the same hath been refused or neglected by the Space of Six Days after such Demand; and in case after such Demand, and Compliance therewith by showing the said Warrant to and permitting a Copy to be taken thereof by the Party demanding the same, any Action shall be brought against

against such Bailiff or other Person acting in his Aid for any such Cause as aforesaid, without making the Clerk of the Court who signed or sealed the said Warrant Defendant, then, on producing or proving such Warrant at the Trial of such Action, the Jury shall give their Verdict for the Defendant, notwithstanding any Defect of Jurisdiction or other Irregularity in the said Warrant; and if such Action be brought jointly against such Clerk and also against such Bailiff or Person acting in his Aid as aforesaid, then, on Proof of such Warrant, the Jury shall find for such Bailiff and for such Person so acting as aforesaid, notwithstanding such Defect or Irregularity as aforesaid; and if the Verdict shall be given against the said Clerk, then in such Case the Plaintiff shall recover his Costs against him, to be taxed in such Manner by the proper Officer as to include such Costs as such Plaintiff is liable to pay to such Defendant for whom such Verdict shall be found as aforesaid; and if any Action shall be brought the Defendant shall and may plead the General Issue, and give the special Matter in Evidence at any Trial had thereupon.

Clerk and Bailiff to remain in Office until removed.

XX. Provided always, That the Persons holding the Offices or performing the Duties of Clerk or Bailiff in the Court under the first-recited Act at the Time of the Commencement of this Act shall continue to execute their several Offices, subject to the Power of Removal provided in this Act.

Treasurers, Clerks, and Bailiffs to give Security.

XXI. That the Treasurer, Clerk, Deputy Clerk, and Bailiff of the Court who may receive any Monies in the Execution of their Duty, shall give Security for such Sum, and in such Manner and Form, as the Mayor, Aldermen, and Commons from Time to Time shall order, for the due Performance of their several Offices, and for the due accounting for and Payment of all Monies received by them under this Act, or which they may become liable to pay for any Misbehaviour in their Office: Provided always, that the Security given by the Chamberlain of the City of *London* to the Mayor and Commonalty and Citizens, for the faithful Execution of his Office, shall be considered as a Security given by the Treasurer within the Meaning of this Act.

Fees to be taken according to Schedule, and Tables to be exhibited in conspicuous Places.

XXII. That on every Proceeding in the Court under the Provisions of this Act there shall be payable such Fees as are set down in the Schedule to this Act annexed, or which shall be set down in any Schedule of Fees reduced or altered under the Power herein-after contained for that Purpose, and none other; and that such Fees shall be divided as follows, Nineteen Fortieth Parts thereof to be the Judge's Fees, Nineteen Fortieth Parts thereof to be the Clerk's Fees, and Two Fortieth Parts thereof to be the High Bailiff's Fees, and that the Fees called High Bailiff's Fees shall be payable to the High Bailiff; and a Table of such Fees shall be put up in some conspicuous Place in the Place where the Court shall be held, and in the Clerk's Office; and the Fees on every Proceeding shall be paid in the first instance by the Plaintiff or Party on whose Behalf such Proceeding is to be had, on or before such Proceeding, and in default of Payment thereof shall be enforced by Order of the Judge by such Ways and Means as any Debt or Damage ordered to be paid by the Court can be recovered; and the Fees upon Execution shall be paid into Court at the Time of the Issue of the Warrant of Execution, and shall be paid by the Clerk of the Court to the Bailiff upon the Return of the Warrant of Execution, and not before: Provided always, that it shall be lawful for the Mayor, Aldermen, and Commons to lessen the Amount of the Fees to be taken in the Court under the Provisions of this Act in such Manner as to them shall seem fit, and again to increase such Fees so that the Scale of Fees given in the Schedule to this Act be not in any Case surpassed; and in case the Fees allowed to be taken by the Judge, Clerk, or Bailiffs of the Court shall appear to the Mayor, Aldermen, and Commons to be more than sufficient, it shall be lawful for the Mayor, Aldermen, and Commons to order that a certain Part of their Fees only shall be paid to them respectively, as the greatest Salaries to be by them respectively received; and in such Case, and so long as such Direction shall be in force, the Amount of the Residue of the Fees shall be accounted for and paid to the Treasurer of the Court for the Purposes of this Act, and shall form Part of the General Fund of the Court.

Power to Corporation to pay Officers of Court by Salaries instead of Fees.

XXIII. That it shall be lawful for the Mayor, Aldermen, and Commons to order that the Judge, Clerk, Bailiffs, and Officers of the Court, or any of them, shall be paid by Salaries instead of Fees, or in any Manner other than is provided by this Act; and if the Mayor, Aldermen, and Commons shall make such Order, or if any Act shall be passed whereby it shall be provided that the Court shall be otherwise constituted than is provided by this Act, no such Clerk or Bailiff, nor any Judge, Treasurer, or other Officer of the Court, shall be entitled to any Compensation on account of ceasing to hold his Office or to receive the Fees allowed by this Act, or on account of his Emoluments being affected by such Alteration, unless he shall have acted as Clerk, Bailiff, or other Officer of the Court of Requests for the Recovery of Small Debts in the City of *London* previously to the passing of the first-recited Act, in which Case he shall be entitled to Compensation for the Loss of his Fees or Emoluments in like Manner and subject to the same Regulations as he would have been entitled to under the Provisions herein contained in case he had been deprived of any Fees or Emoluments by reason of the passing of the first-recited Act; and in such Case all Sums payable in the Name of Fees to such Officers of the Court as shall be paid by Salaries shall be paid from Time to Time to the Treasurer of the Court, who shall pay the said several Salaries out of the Proceeds of such Fees, and the Surplus shall form Part of the General Fund of the Court; and whenever the Net Amount of the Fees shall not be sufficient to pay the said several Salaries, the Deficiency shall be made good and paid out of the Corporate Funds of the said City, or such of them as the Mayor, Aldermen, and Commons shall think proper and direct.

Fees and Fines to be accounted for to Treasurer.

XXIV. That the Clerk of the Court from Time to Time, as often as he shall be required so to do by the Treasurer or Judge of the Court, and in such Form as the Treasurer or Judge shall require, shall deliver to the Treasurer a full Account in Writing of the Fees received in the Court under the Authority of this Act, and a like Account of all Fines imposed by the Court under the Provisions of this Act, and

of the Expenses of levying the same, and shall pay over to the Treasurer, quarterly or oftener in every Year, by Order of the Court, the Monies remaining in his Hands over and above his own Fees, and such Balance as he shall be allowed, by Order of the Court, to retain for the current Expenditure of the Court.

Clerk's Account to be settled and audited by Treasurer.

XXV. That the Treasurer of the Court shall from Time to Time, quarterly or oftener, as shall be directed by Order of the Court, audit and settle the Accounts of the Clerk and other Officers of the Court, and shall receive the Balance of the various Monies which such Clerk and other Officers shall have received under this Act, and shall pay over to the Judge of the Court the Amount of his Fees, and make all such other Payments as it shall be requisite to make thereout in accordance with the Provisions of this Act, and shall from Time to Time carry the Balance remaining in his Hands, or so much thereof as he shall be directed to carry, to such Account as the Mayor, Aldermen, and Commons shall direct.

Treasurer of Court to render Accounts to Corporation.

XXVI. That the Treasurer of the Court shall, once in every Year, and oftener if required, on such Day as the Mayor, Aldermen, and Commons from Time to Time shall appoint, render to the Mayor, Aldermen, and Commons a true Account in Writing of all Monies received and of all Monies disbursed by him on account of the Court during the Period comprised in such Account, in such Form, and with such Particulars of Receipt and Disbursement, or otherwise, as the Mayor, Aldermen, and Commons shall from Time to Time require.

Corporation to direct how Balances shall be applied.

XXVII. That the Mayor, Aldermen, and Commons shall from Time to Time make such Rules as to them shall seem meet for securing the Balances and other Sums of Money in the Hands of any Officer of the Court, and for the due accounting for and Application of all such Balances and other Sums of Money.

Clerk to send to Corporation Annual Account of all Sums paid by him to Treasurer.

XXVIII. That the Clerk of the Court shall, once in every Year, and oftener if required, on such Days as shall be appointed by the Mayor, Aldermen, and Commons, make out and send to the Mayor, Aldermen, and Commons an Account of all Sums paid over by him to the Treasurer of the Court, including all unclaimed Balances carried to the Account of the General Fund as herein-after provided; and every such Account, duly vouched by Receipts given under the Hand of the Treasurer, shall be a Voucher to charge the Treasurer in his Account before the Mayor, Aldermen, and Commons.

Power to Corporation to provide Court Houses, Offices, &c.

XXIX. That it shall be lawful for the Mayor, Aldermen, and Commons, if they shall think proper so to do, to build, purchase, or otherwise provide Messuages and Lands with all necessary Appurtenances fit for holding the Sheriffs Court therein, as well for the Purposes of this Act as for the other Purposes of the said Court, and for the Offices necessary for carrying on the Business of the said Court; or, instead of providing separate Buildings, may contract with any Person, being the Owner of or having the Control and Management of any Building, for the Use and Occupation thereof, or of so much thereof as may be needed for the Purposes of the Court, and subject to such annual Rent, and to such Conditions as to the Repairs, Alterations, or Improvements of such Building, as may be agreed upon; and all Lands, Messuages, and other Real and Personal Estates and Effects belonging to the Court shall vest in the Mayor and Commonalty and Citizens of the City of *London*, in trust for the Purposes of the Court.

Power to Corporation to appoint a Prison for Purposes of this Act.

XXX. That it shall be lawful for the Court to use as a Prison for the Purposes of the Court any Prison within or for the City of *London* and Liberties thereof now or hereafter to be used as a Prison for Debtors, which the Mayor, Aldermen, and Commons may from Time to Time approve of, and such Prison shall for the Purposes of this Act be deemed a Common Gaol of the City of *London*.

Powers of 8 & 9 Vict. c. 18. for purchasing Land to apply to this Act.

XXXI. That the Provisions of the Lands Clauses Consolidation Act, 1845, shall apply to the Purchase of Lands by the Mayor, Aldermen, and Commons for the Purposes of the Sheriffs Court, except so much thereof as relates to the Purchase and taking of Lands otherwise than by Agreement; and in construing the said Act the Mayor and Commonalty and Citizens, acting by the Mayor, Aldermen, and Commons, shall be deemed the Promoters of the Undertaking for which such Lands are required.

Corporation empowered to borrow Money for the Purposes of this Act.

XXXII. That for the Purpose of defraying the Expenses of building, purchasing, or providing any Messuages and Lands for the Purposes aforesaid, it shall be lawful for the Mayor, Aldermen, and Commons to borrow and take up at Interest so much Money as they shall find to be necessary, and to enter into and execute such Securities as may be required; and the Securities so entered into shall be binding on them, and on the Treasurer of the Court and his Successors in the Office of Treasurer, for securing Repayment of the Monies borrowed, with Interest for the same, out of the General Fund herein-after mentioned; and the Treasurer shall enter in a Book belonging to the Court, to be kept by him for that Purpose, the Names of the several Persons by whom any Money shall be advanced for the Purpose aforesaid, in the Order in which the same shall be advanced; and the Monies so borrowed shall be paid off in the same Order.

A General Fund to be raised for paying off Money borrowed.

XXXIII. That for raising a Fund for providing a Building fit for holding the Sheriffs Court therein, and Offices, and for paying off any Monies which may have been borrowed under the Authority of the first-recited Act, or which may be borrowed under this Act, and the Interest due in respect thereof, the Clerk of the Court, while it shall be necessary to raise such Fund, shall demand and receive from the Plaintiff in any Suit brought in the Court under the Provisions of this Act the Sum of Sixpence when the Debt or Damage claimed shall exceed Twenty Shillings and shall not exceed Forty Shillings, and for every Claim exceeding Forty Shillings One Twentieth Part thereof, neglecting any Sum less than Sixpence in estimating such Twentieth Part, or such other Sum, in either Case not exceeding the Rates herein-before mentioned, as the Mayor, Aldermen, and Commons from Time to Time shall order, which Sum, if not paid in the first instance by the Plaintiff upon Suit brought in the Court, may be deducted from the Sum recovered for the Plaintiff, and shall be considered as Costs in the Cause; and the Clerk of the Court shall keep an Account of all Monies so paid to him, and shall pay over the Amount from Time to Time to the Treasurer of the Court; and the Amount thereof shall accumulate to form a Fund

to be called "The General Fund of the Sheriffs Court of the City of *London*," and shall be applied in the first place toward paying the Interest of the several Sums so borrowed, and in the second place toward paying the Rent and other Expenses necessarily incurred in holding the Court, and in the third place toward paying off the several Principal Sums borrowed in the Order in which they were borrowed, and in the fourth place toward defraying the other Expenses herein charged on the said General Fund, in such Manner as the Mayor, Aldermen, and Commons shall direct; and the Surplus which shall from Time to Time accumulate, after providing for all the said Expenses, shall be paid over to the Credit of the Mayor and Commonalty and Citizens of the City of *London*, subject nevertheless to any Charge which may arise from any future Deficiency in the same Fund.

If separate Court House built, &c., the Clerk to have the Charge thereof, and appoint and dismiss Servants, &c.

XXXIV. That if a separate Court House shall be built, purchased, or hired for the Purposes of the Sheriffs Court, the Clerk of the Court shall have the Care of such Court House and Offices of the Court, and shall appoint, and have Power to dismiss, the necessary Servants for taking charge of such Court House and Offices, at such Salaries as shall be from Time to Time authorized by the Judge, with the Consent of the Mayor, Aldermen, and Commons; and the Mayor, Aldermen, and Commons shall in every Case make all necessary Contracts or otherwise provide for repairing and furnishing, and for cleaning, lighting, and warming the Court House for the Time being and Offices, and for supplying the Court and Offices with Law and Office Books and Stationery, and for defraying all other necessary Expenses, not otherwise provided for, incident to the holding of the Court; and the Charge of the Court House and Offices, and Expenses thereby incurred, shall be paid out of the General Fund of the Court: Provided always, that the Treasurer or Clerk of the Court, or the Partner of such Treasurer or Clerk, or any Person in the Service or Employment of such Treasurer or Clerk, shall not be directly or indirectly concerned or interested in any such Contract, or in supplying any Articles for the Use of the Court and Offices; provided also, that no Payment of any such Charge shall be allowed in the Clerk's Accounts until allowed under the Hand of the Judge.

Judge to hold the Court where Corporation shall direct.

Notices for holding Courts to be put up in a conspicuous Place.

XXXV. That the Judge of the Court shall attend and hold the Court for the Purposes of this Act at the *Guildhall* of the said City, or at the Place where the Mayor, Aldermen, and Commons shall have ordered that the Court shall be holden, at such Times as they shall appoint for that Purpose, so that a Court shall be holden for the Purposes of this Act once at least in every Month; and Notice of the Days on which the Court will be holden for the Purposes of this Act shall be put up in some conspicuous Place in the Court and in the Office of the Clerk of the Court, and no other Notice thereof shall be needed; and whenever any Day so appointed for holding the Court shall be altered, Notice of such intended Alteration, and of the Time when it will take effect, shall be put up in some conspicuous Place in the Court and in the Clerk's Office; and the Judge may, if he shall think fit, adjourn the Court, and all Plaints and Proceedings therein, to the same or any future Day, and may from Time to Time hold additional Courts besides those herein-before authorized to be appointed by this Act.

Process of the Court to be under Seal.

XXXVI. That the Seal made or used for the Sheriffs Court for the Purposes of the said first-recited Act shall, until the same be varied or altered, be the Seal for the Court for the Purposes of this Act; and all Summonses and other Process issuing out of the Court, under the Provisions of this Act, shall be sealed or stamped with the Seal of the Court; and every Person who shall forge the Seal or any Process of the Court, or who shall serve or enforce any such forged Process knowing the same to be forged, or deliver or cause to be delivered to any Person any Paper falsely purporting to be a Copy of any Summons or other Process of the Court, knowing the same to be false, or who shall act or profess to act under any false Colour or Pretence of the Process of the Court, shall be guilty of Felony.

Provisions of 7 & 8 Vict. c. 96., 8 & 9 Vict. c. 127., and 13 & 14 Vict. c. 61., not to extend to this Act.

XXXVII. That none of the Provisions and Enactments of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws of Insolvency, Bankruptcy, and Execution*, or of an Act passed in the Ninth Year of the Reign of Her said Majesty, intituled *An Act for the better securing the Payment of Small Debts*, or of an Act passed in the Fourteenth Year of the Reign of Her said Majesty, intituled *An Act to extend the Act for the more easy Recovery of Small Debts and Demands in* England, *and to amend the same*, or of any Act altering or amending the said Acts or either of them, shall extend or relate to or affect the Jurisdiction and Practice of the Sheriffs Court in any Action or Proceeding to be commenced or carried on therein under the Powers and Provisions of this Act.

Suits to be by Plaint.

XXXVIII. That on the Application of any Person desirous to bring a Suit in the Court, the Clerk of the Court shall enter in a Book, to be kept for this Purpose in his Office, a Plaint in Writing stating the Names and the last known Places of Abode of the Parties, and the Substance of the Action intended to be brought, every One of which Plaints shall be numbered in every Year according to the Order in which it shall be entered; and thereupon a Summons, stating the Substance of the Action, and bearing the Number of the Plaint on the Margin thereof, shall be issued under the Seal of the Court, according to such Form, and be served on the Defendant so many Days before the Day on which the Court shall be holden at which the Cause is to be tried, as shall be directed by the Rules made for regulating the Practice of the Court, as herein-after provided; and Delivery of such Summons to the Defendant, or in such other Manner as shall be specified in the said Rules of Practice, shall be deemed good Service; and no Misnomer or inaccurate Description of any Person or Place in any such Plaint or Summons shall vitiate the same, so that the Person or Place be therein described so as to be commonly known.

Summons may issue, if Defendant dwells or carries on Business in the City.

XXXIX. That such Summons may issue, provided the Defendant or One of the Defendants shall dwell or carry on Business or have Employment within the City of *London* or the Liberties thereof at the Time of the Action brought, or provided the Defendant or One of the Defendants shall have dwelt or

or carried on Business or shall have had Employment therein at some Time within Six Months next before the Time of the Action brought, or if the Cause of Action either wholly or in part arose therein.

Places within or adjoining the City of London to be deemed Parts thereof.

XL. That all Precincts and Extra-parochial Places within the City of *London* or the Liberties thereof, or adjoining thereto, shall, for the Purposes of this Act, be deemed to be Parts of the City of *London* and the Liberties thereof.

Processes out of District of Court may be served by Bailiff of any other Court holden under 9 & 10 Vict. c. 95.

XLI. That any Summons or other Process which under this Act shall be required to be served out of the City of *London* or the Liberties thereof may be served by the Bailiff of any Court holden in any Part of *England*, under an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, or any Act altering or amending the same; and such Service shall be as valid as if the same had been made under the Provisions of this Act by the Bailiff of the Sheriffs Court within the City of *London* or the Liberties thereof.

As to Service of Process of County Courts in the City of London.

XLII. That any Summons or other Process which, under the before-mentioned Act for the more easy Recovery of Small Debts and Demands in *England*, or under any Act altering or amending the same, shall be required to be served out of the District of the Court from which the same shall have issued, may be served within the City of *London* or the Liberties thereof by the Bailiff of the Sheriffs Court; and such Service shall be as valid as if the same had been made by the Bailiff of the Court out of which such Summons or other Process shall have issued within the Jurisdiction of the Court.

Proof of Service out of District, or in the Absence of the Bailiff.

XLIII. That Service of any Summons or other Process of the Court which shall require to be served out of the City of *London* or the Liberties thereof may be proved by Affidavit purporting to be sworn before any Judge of a County Court, or before a Master Extraordinary in Chancery, or any Person now authorized by Law to take Affidavits; and the Fee for taking such Affidavit shall not be more than One Shilling, and shall be Costs in the Cause; and in every Case of the unavoidable Absence of the Bailiff by whom any Summons or other Process of the Court shall have been served the Service of such Summons or other Process may be proved, if the Judge shall think fit, in the same Manner as a Summons served out of the City of *London* or the Liberties thereof, but without additional Charge to either of the Parties to the Suit.

Demands not to be divided for the Purpose of bringing Two or more Suits.

XLIV. That it shall not be lawful for any Plaintiff in any Plaint to divide any Demand or Cause of Action for the Purpose of bringing Two or more Suits in the Court; but any Plaintiff having any Demand or Cause of Action for more than Fifty Pounds, for which a Plaint might be entered under this Act if not more than Fifty Pounds, may abandon the Excess of such Demand over and above Fifty Pounds, and thereupon the Plaintiff shall, on proving his Case, recover to an Amount not exceeding Fifty Pounds; and the Judgment of the Court upon such Plaint shall be in full Discharge of all Claims in respect of such Demand or Cause of Action, and Entry of the Judgment shall be made accordingly.

No Second Suit for the same Cause.

Treble Costs.

XLV. That if any Party shall sue another in the Court for any Debt or other Cause of Action for which he hath already sued him, and obtained Judgment, in any Court, the Proof of such former Suit having been brought and Judgment obtained may be given, and the Party so suing shall not be entitled to recover in such Second Suit, and shall be adjudged to pay Three Times the Costs of such Second Suit to the opposite Party.

Minors may sue for Wages.

XLVI. That it shall be lawful for any Person under the Age of Twenty-one Years to prosecute any Suit in the Court for any Sum of Money not greater than Fifty Pounds, which may be due to him for Wages or Piecework, or for Work as a Servant, in the same Manner as if he were of full Age.

As to Cases of Partnership and Intestacy.

XLVII. That the Jurisdiction of the Court shall extend to the Recovery of any Demand not exceeding the Sum of Fifty Pounds which is the whole or Part of the unliquidated Balance of a Partnership Account, or the Amount or Part of the Amount of a distributive Share under an Intestacy, or of any Legacy under a Will.

Executors may sue and be sued.

XLVIII. That it shall be lawful for any Executor or Administrator to sue and be sued in the Court, in like Manner as if he were a Party in his own Right, and Judgment and Execution shall be such as in the like Case would be given or issued in any Superior Court.

No Privilege allowed.

XLIX. That no Privilege, except as herein-after excepted, shall be allowed to any Person, to exempt him from the Jurisdiction of the Court.

One of several Persons liable may be sued.

L. That where any Plaintiff shall have any Demand recoverable in the Court against Two or more Persons jointly answerable, it shall be sufficient if any of such Persons be served with Process, and Judgment may be obtained and Execution issued against the Person or Persons so served, notwithstanding that others jointly liable may not have been served or sued, or may not be within the Jurisdiction of the Court; and every such Person against whom Judgment shall have been obtained under this Act, and who shall have satisfied such Judgment, shall be entitled to demand and recover in the Court Contribution from any other Person jointly liable with him.

Judge to determine Questions, unless a Jury be summoned.

LI. That the Judge of the Court shall be the sole Judge in all Actions brought in the Court, and shall determine all Questions, as well of Fact as of Law, unless a Jury shall be summoned as herein-after mentioned; and no Suitors shall in any Case be summoned to hold or have any Jurisdiction in the Court.

Actions may be tried by Jury when Parties require it.

LII. That in all Actions where the Amount claimed shall exceed Five Pounds it shall be lawful for the Plaintiff or Defendant to require a Jury to be summoned to try the said Action; and in all Cases where the Amount claimed shall not exceed Five Pounds it shall be lawful for the Judge, in his Discretion, on the Application of either of the Parties, to order that such Action be tried by a Jury; and in every Case such Jury shall be summoned according to the Provisions herein-after contained: Provided always, that the Party requiring a Jury to be summoned shall give to the Clerk of the Court, or leave

at

at his Office, such Notice thereof as shall be directed by the Rules made for regulating the Practice of the Court as herein-after provided; and the said Clerk shall cause Notice of such Demand of a Jury, made either by the Plaintiff or Defendant, to be communicated to the other Party to the said Action, either by Post or by causing the same to be delivered at his usual Place of Abode or Business, but it shall not be necessary for either Party to prove on the Trial that such Notice was communicated to the other Party by the Clerk.

Party requiring a Jury to make a Deposit.

LIII. That every Party requiring any Jury to be summoned shall at the Time of giving the said Notice, and before he shall be entitled to have such Jury summoned, pay to the Clerk of the Court the Sum of Five Shillings for Payment of the Jury, and such Sum shall be considered as Costs in the Cause, unless otherwise ordered by the Judge.

Who shall be Jurors.

LIV. That the Secondaries of the said City shall cause to be delivered to the Clerk of the Court a List of Persons qualified and liable to serve as Jurors in the Courts of Assize and Nisi Prius for the said City, within Fourteen Days from the First Day of *January* in each Year, each List containing only the Names of Persons residing within the Jurisdiction of the Court, for which List the said Secondaries shall be entitled to receive out of the General Fund of the Court a Fee after the Rate of Twopence for every Folio of Seventy-two Words; and whenever a Jury shall be required under the Provisions of this Act, the Clerk of the Court shall cause so many of the Persons named in the List as shall be needed, in the Opinion of the Judge, to be summoned to attend the Court at a Time and Place to be mentioned in the Summons, and shall administer or cause to be administered to such of them as shall be impannelled to try any Cause or Causes an Oath to give a true Verdict according to the Evidence; and the Persons so summoned shall attend at the Court at the Time mentioned in the Summons, and in default of Attendance shall forfeit such Sum of Money as the Judge shall direct, not being more than Five Pounds for each Default; and the Delivery of such Summons to the Person whose Attendance is required on such Jury, or Delivery thereof to his Wife or Servant, or any Inmate at the usual Place of Abode, trading, or dealing of such Person, shall be deemed good Service: Provided always, that no Person shall be summoned or compelled to serve on such Jury more than Twice within One Year, or who shall have been summoned and shall have attended upon any Jury at the Assizes, or any Court of Nisi Prius, or at the Central Criminal Court, within Six Months next before the Delivery of such Summons.

Number of the Jury.

LV. That whenever there are any Jury Trials, Five Jurymen shall be impannelled and sworn, as Occasion shall require, to give their Verdicts in the Causes which shall be brought before them in the Court, and, being once sworn, shall not need to be re-sworn in each Trial; and either of the Parties to any such Cause shall be entitled to his lawful Challenge against all or any of the said Jurors, in like Manner as he would be entitled in any Superior Court; and the Jurymen so sworn shall be required to give an unanimous Verdict.

Proceedings on hearing the Plaint.

LVI. That on the Day in that Behalf named in the Summons the Plaintiff shall appear, and thereupon the Defendant shall be required to appear to answer such Plaint; and on Answer being made in Court the Judge shall proceed in a summary Way to try the Cause and give Judgment, without further Pleading or formal Joinder of Issue.

Power to Judge to alter or amend Summons, &c.

LVII. That it shall be lawful for the Judge, if he shall think fit, to cause the Summons to be altered or amended in such Particulars and on such Terms as he shall think reasonable; but no Evidence shall be given by the Plaintiff on the Trial of any such Cause as aforesaid of any Demand or Cause of Action, except such as shall be stated in the Summons hereby directed to be issued or so amended as aforesaid.

Notices of special Defences given to the Clerk, who shall communicate the same to the Plaintiff.

LVIII. That no Defendant in the Court be allowed to set off any Debt or Demand claimed or recoverable by him from the Plaintiff, or to set up by way of Defence or to claim and have the Benefit of Infancy, Coverture, or any Statute of Limitations, or of his Discharge under any Statute relating to Bankrupts, or any Act for the Relief of Insolvent Debtors, without the Consent of the Plaintiff, unless such Notice thereof as shall be directed by the Rules made for regulating the Practice of the Court shall have been given to the Clerk of the Court; and in every Case in which the Practice of the Court shall require such Notice to be given the Clerk of the Court shall, as soon as conveniently may be after receiving such Notice, communicate the same to the Plaintiff by the Post, or by causing the same to be delivered at his usual Place of Abode or where he carries on Business or has Employment; but it shall not be necessary for the Defendant to prove on the Trial that such Notice was communicated to the Plaintiff by the Clerk.

Confession of Debts, or Parts of Debts, &c., and Judgment thereupon.

LIX. That any Person against whom a Plaint shall be entered in the Court may, if he think fit, whether he be summoned upon such Plaint or not, in the Presence of the Clerk or Assistant Clerk of the Court, or in the Presence of an Attorney of One of the Superior Courts, sign a Statement confessing and admitting the Amount of the Debt or Demand, or Part of the Amount of the Debt or Demand for which such Plaint shall have been entered; and such Clerk or Assistant Clerk shall, as soon as conveniently may be after receiving such Statement, send Notice thereof to the Plaintiff by the Post, or by causing the same to be delivered at his usual Place of Abode or Business or Employment, and thereupon it shall not be necessary for the said Plaintiff to prove the Debt or Demand so confessed and admitted as aforesaid; but the Judge, at the next Sitting of the Court, whether the Parties or either of them attend the Court or not, shall, upon Proof by Affidavit of the Signature of the Party, if such Statement were not made in the Presence of the Clerk or Assistant Clerk, proceed to give Judgment for the Debt or Demand so confessed and admitted, in the same Manner and subject to the same Conditions as if he had tried the Cause and given Judgment thereupon under the Provisions of this Act.

Agreement as to the Amount of Debt, &c., and

LX. That if the Person against whom a Plaint shall be entered in the Court can agree with the Person on whose Behalf such Plaint shall have been entered upon the Amount of the Debt or Demand in respect of

Conditions of Payment.

of which such Plaint shall have been entered, and upon the Terms and Conditions upon which the same shall be paid or satisfied, it shall be lawful for such Persons respectively, in the Presence of the Clerk or Assistant Clerk of the Court, or in the Presence of an Attorney of One of the Superior Courts, to sign a Statement of the Amount of the Debt or Demand so agreed upon between such Persons respectively, and of the Terms and Conditions upon which the same shall be paid or satisfied; such Clerk or Assistant Clerk shall receive such Statement, and shall thereupon, upon Proof by Affidavit of the Signature of the Party, if such Statement were not made in the Presence of the Clerk or Assistant Clerk, enter up Judgment for the Plaintiff for the Amount of the Debt or Demand so agreed on, and upon the Terms and Conditions mentioned in such Statement; and such Judgment shall to all Intents and Purposes be the same, and have the same Effect, and shall be enforced and enforceable in the same Manner, as if it had been a Judgment of the Judge of the Court.

Suits may be settled by Arbitration.

LXI. That the Judge may in any Case, with the Consent of both Parties to the Suit, order the same, with or without other Matters within the Jurisdiction of the Court, in dispute between such Parties, to be referred to Arbitration, to such Person or Persons, and in such Manner and on such Terms, as he shall think reasonable and just, and such Reference shall not be revocable by either Party, except by Consent of the Judge; and the Award of the Arbitrator or Arbitrators or Umpire shall be entered as the Judgment in the Cause, and shall be as binding and effectual to all Intents as if given by the Judge; provided that the Judge may, if he think fit, on Application to him at the First Court held after the Expiration of One Week after the Entry of such Award, set aside any such Award so given as aforesaid, or may, with the Consent of both Parties aforesaid, revoke the Reference, or order another Reference to be made in the Manner aforesaid.

Forms of Procedure in Court to be framed by the Recorder, &c.

LXII. That the Recorder for the Time being of the said City, the Common Serjeant for the Time being of the said City, and the Judge or Judges for the Time being of the Sheriffs Court shall have Power and they are hereby required, from Time to Time, to make and issue all the General Rules for regulating the Practice and Proceedings of the Court, and also to frame Forms for every Proceeding in the Court for which they shall think it necessary that a Form be provided, and also for keeping all Books, Entries, and Accounts to be kept by the Clerk of the Court, and from Time to Time to alter any such Rules or Forms, and the Rules so made and the Forms so framed shall be observed and used in the Court; and in any Case not expressly provided for herein or by the said Rules the general Principles of Practice in the Superior Courts of Common Law may be adopted and applied, at the Discretion of the Judge, to Actions and Proceedings in the Court under the Provisions of this Act: Provided always, that the Rules made and issued for regulating the Practice and Proceedings of the Court now held under the said first-recited Act, and the Forms framed for the Proceedings in the said last-mentioned Court, and for keeping the Books, Entries, and Accounts directed to be kept by the Clerk of the Court, shall be valid and effectual until new Rules and Forms be made, framed, and issued as authorized and directed by the Provisions of this Act.

Forms to be approved by Chief Justices.

LXIII. Provided always, That no such General Rules and Forms shall be in force until the same shall have been approved by the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, or One of them.

Proceedings if Plaintiff does not appear or prove his Case.

LXIV. That if upon the Day of the Return of any Summons, or at any Continuation or Adjournment of the Court or of the Cause for which the said Summons shall have been issued, the Plaintiff shall not appear, the Cause shall be struck out; and if he shall appear, but shall not make Proof of his Demand to the Satisfaction of the Court, it shall be lawful for the Judge to nonsuit the Plaintiff, or to give Judgment for the Defendant, and in either Case, where the Defendant shall appear, and shall not admit the Demand, to award to the Defendant by way of Costs and Satisfaction for his Trouble and Attendance such Sum as the Judge in his Discretion shall think fit; and such Sum shall be recoverable from the Plaintiff, by such Ways and Means as any Debt or Damage ordered to be paid by the same Court can be recovered: Provided always, that if the Plaintiff shall not appear when called upon, and the Defendant or some one duly authorized on his Behalf shall appear, and admit the Cause of Action to the full Amount claimed, and pay the Fees payable in the first instance by the Plaintiff, the Court, if it shall think fit, may proceed to give Judgment as if the Plaintiff had appeared.

If Plaintiff do not appear on Day of Hearing, Costs may be awarded to Defendant for Attendance, &c.

LXV. That in every Case where the Plaintiff shall not appear, either by himself or his Attorney, upon the Day of the Return of any Summons for Hearing, or at any Continuation or Adjournment of the said Hearing, and the Defendant shall appear either by himself or his Attorney upon such Day of Hearing, Continuation, or Adjournment, it shall be lawful for the Judge to award to the Defendant or to his Attorney, by way of Costs of his Attendance and Satisfaction for his Trouble, such Sum as the Judge in his Discretion shall think fit; and the Sum so awarded shall be recoverable from the Plaintiff by such Ways and Means as any Debt or Damage ordered to be paid by the Court can be recovered.

Proceedings if the Defendant does not appear.

LXVI. That if on the Day so named in the Summons, or at any Continuation or Adjournment of the Court or Cause in which the Summons was issued, the Defendant shall not appear, or sufficiently excuse his Absence, or shall neglect to answer when called in Court, the Judge, upon due Proof of Service of the Summons, may proceed to the Hearing or Trial of the Cause on the Part of the Plaintiff only, and the Judgment thereupon shall be as valid as if both Parties had attended: Provided always, that the Judge in any such Case, at the same or any subsequent Court, may set aside any Judgment so given in the Absence of the Defendant, and the Execution thereupon, and may grant a new Trial of the Cause, upon such Terms (if any) as to Payment of Costs, giving Security for Debt or Costs, or such other Terms as he may think fit, on sufficient Cause shown to him for that Purpose.

LXVII. That

Judge may grant Time.

LXVII. That the Judge may in any Case make Orders for granting Time to the Plaintiff or Defendant to proceed in the Prosecution or Defence of the Suit, and also may from Time to Time adjourn any Court, or the Hearing or further Hearing of any Cause, in such Manner as to the Judge may seem fit.

Defendant may pay Money into Court in Satisfaction of Demand.

Notice of such Payment to be given to Plaintiff.

LXVIII. That it shall be lawful for the Defendant in any Action brought under this Act, within such Time as shall be directed by the Rules made for regulating the Practice of the Court, to pay into Court such Sum of Money as he shall think a full Satisfaction for the Demand of the Plaintiff, together with the Costs incurred by the Plaintiff up to the Time of such Payment; and Notice of such Payment shall be communicated by the Clerk of the Court to the Plaintiff by Post, or by causing the same to be delivered at his usual Place of Abode or where he carries on Business or has Employment, and the said Sum of Money shall be paid to the Plaintiff; but if he shall elect to proceed, and if the Plaintiff shall recover no further Sum in the Action than shall have been so paid into Court, the Plaintiff shall pay to the Defendant the Costs incurred by him in the said Action after such Payment; and such Costs shall be settled by the Court, and an Order shall thereupon be made by the Court for the Payment of such Costs by the Plaintiff.

Parties and others may be examined.

LXIX. That on the Hearing or Trial of any Action, or on any other Proceeding in the Court, the Parties thereto, their Wives, and all other Persons, may be examined, either on behalf of the Plaintiff or Defendant, upon Oath, or solemn Affirmation in those Cases in which Persons are by Law allowed to make Affirmation instead of taking an Oath, to be administered by the proper Officer of the Court.

Persons giving false Evidence guilty of Perjury.

LXX. That every Person who in any Examination upon Oath or solemn Affirmation, before any Judge of the Court, in any Action or Proceeding therein under the Provisions of this Act, shall wilfully and corruptly give false Evidence, shall be deemed guilty of Perjury.

Summonses to Witnesses.

LXXI. That either of the Parties to the Suit or any other Proceeding in the Court may obtain, at the Office of the Clerk of the Court, Summonses to Witnesses, to be served by One of the Bailiffs of the Court, with or without a Clause requiring the Production of Books, Deeds, Papers, and Writings in their Possession or Control; and in any such Summons any Number of Names may be inserted: Provided always, that any such Summons requiring to be served out of the Jurisdiction of the said Court may be served by any Person authorized to serve the same by any of the Parties to the Suit.

Penalty on Witnesses neglecting Summons.

LXXII. That every Person on whom any such Summons shall have been served, either personally or in such other Manner as shall be directed by the General Rules or Practice of the Court, and to whom at the same Time Payment or a Tender of Payment of his Expenses shall have been made, on such Scale of Allowance as shall be from Time to Time settled by the General Rules of Practice of the Court, and who shall refuse or neglect, without sufficient Cause, to appear or to produce any Books, Papers, or Writings required by such Summons to be produced, and also every Person present in Court who shall be required to give Evidence, and who shall refuse to be sworn and give Evidence, shall forfeit and pay such Fine, not exceeding Ten Pounds, as the Judge shall set on him; and the whole or any Part of such Fine, in the Discretion of the Judge, after deducting the Costs, shall be applicable toward indemnifying the Party injured by such Refusal or Neglect, and the Remainder thereof shall form Part of the General Fund of the said Court.

As to enforcing Payment of Fines, &c.

LXXIII. That Payment of any Fine imposed by the Court may be enforced, upon the Order of the Judge, in like Manner as Payment of any Debt adjudged in the Court, and shall be accounted for as herein provided.

Costs to abide the Event of the Action.

LXXIV. That all the Costs of any Action or Proceeding in the Court, not herein otherwise provided for, shall be paid by or apportioned between the Parties in such Manner as the Judge shall think fit, and in default of any special Direction shall abide the Event of the Action, and Execution may issue for the Recovery of any such Costs in like Manner as for any Debt adjudged in the Court.

Judgments, how far final.

LXXV. That every Order and Judgment of the Court, except as herein provided, shall be final and conclusive between the Parties; but the Judge shall have Power to nonsuit the Plaintiff in every Case in which satisfactory Proof shall not be given to him entitling either the Plaintiff or the Defendant to the Judgment of the Court, and shall also in every Case whatever have the Power, as often as he shall think fit, to order a new Trial to be had, upon such Terms as he shall think reasonable, and in the meantime to stay the Proceedings.

No Actions to be removed into Superior Courts, but on certain Conditions.

LXXVI. That no Plaint entered in the Court under the Provisions or by the Authority of this Act, or by this Act directed to be continued therein, shall be removed or removable from the Court into Her Majesty's Superior Courts of Record by any Writ or Process, unless the Debt or Damage claimed shall exceed Five Pounds, and then only by Leave of a Judge of One of the said Superior Courts, in Cases which shall appear to the Judge fit to be tried in One of the Superior Courts, and upon such Terms as to Payment of Costs, giving Security for Debt or Costs, or such other Terms as he shall think fit.

No Actions to be removed in any Case into the Lord Mayor's Court, &c.

LXXVII. That no Plaint entered in the Court under the Provisions of this Act, or by this Act directed to be continued therein, shall in any Case be removed or removable from the Court by Writ of Levetur querela, or any other Writ or Process, into the Court of our Lady the Queen holden before the Lord Mayor and Aldermen in the Chamber of the *Guildhall* of the City of *London*, or into the Court of Hustings in the City of *London*, nor be liable to be re-heard or examined by the Lord Mayor of the City of *London* by Markment or other customary Process.

Power to Parties dissatisfied with Judgment to appeal to a Superior Court.

LXXVIII. That if either Party in any Cause of an Amount exceeding Twenty and not exceeding Fifty Pounds shall be dissatisfied with the Determination or Direction of the Court in point of Law, or upon the Admission or Rejection of any Evidence, such Party may appeal from the same to any of the Superior Courts of Common Law at *Westminster*, Two or more of the Puisne Judges whereof shall sit out

out of Term as a Court of Appeal for that Purpose; provided that such Party shall within Ten Days after such Determination or Direction give Notice of such Appeal to the other Party or his Attorney, and also give Security, to be approved by the Clerk of the Court, for the Costs of the Appeal, whatever be the Event of the Appeal, and for the Amount of the Judgment, if he be the Defendant, and the Appeal be dismissed: Provided nevertheless, that such Security, so far as regards the Amount of the Judgment, shall not be required in any Case where the Judge of the Court shall have ordered the Party appealing to pay the Amount of such Judgment into the Hands of the Clerk of the Court, and the same shall have been paid accordingly; and the said Court of Appeal may either order a new Trial, on such Terms as it thinks fit, or may order Judgment to be entered for either Party, as the Case may be, and may make such Order with respect to the Costs of the said Appeal as such Court may think proper, and such Orders shall be final.

Appeal to be in the Form of a Case, &c.

LXXIX. That such Appeal shall be in the Form of a Case agreed on by both Parties or their Attornies; and if they cannot agree the Judge of the Court, upon being applied to by them or their Attornies, shall settle the Case, and sign it; and such Case shall be transmitted by the Appellant to the Rule Department of the Masters Office of the Court in which the Appeal is to be brought.

No Certiorari to be allowed.

LXXX. That, save and except in the Manner and according to the Provisions herein mentioned, no Judgment, Order, or Determination given or made by the Judge of the Court, nor any Cause or Matter brought before him, or pending in the Court, shall be removed by Appeal, Motion, Writ of Error, Certiorari, or otherwise into any other Court whatever.

Who may appear for any Party in the Court.

LXXXI. That no Person shall, unless by Leave of the Court, be entitled to appear for any other Party to any Proceeding in the Court unless he be an Attorney of One of Her Majesty's Superior Courts of Record, or a Barrister-at-Law instructed by such Attorney on behalf of the Party; but no Barrister or Attorney, or other Person, except by Leave of the Judge, shall be entitled to be heard to argue any Question, as Counsel, Attorney, or Agent for any other Person, in any Proceeding in the Court; and no Person, not being an Attorney admitted to One of Her Majesty's Superior Courts of Record, shall be entitled to have or recover any Sum of Money for appearing or acting on behalf of any other Person in the Court; and the Judge shall have Power, and he is hereby required, from Time to Time, to settle and regulate the Fees to be taken by Barristers-at-Law and Attornies practising in the Court, and in what Cases the Expense of employing Barristers and Attornies shall be allowed on Taxation of Costs.

Court may make Orders for Payment by Instalments.

LXXXII. That the Judge may make Orders concerning the Time or Times, and by what Instalments, any Debt or Damages, or Costs, for which Judgment shall be obtained in the Court, shall be paid; and all such Monies shall be paid into Court, unless the Judge shall otherwise direct.

As to cross Judgments.

LXXXIII. That if there shall be cross Judgments between the Parties, Execution shall be taken out by that Party only who shall have obtained Judgment for the larger Sum, and for so much only as shall remain after deducting the smaller Sum, and Satisfaction for the Remainder shall be entered, as well as Satisfaction on the Judgment for the smaller Sum; and if both Sums shall be equal, Satisfaction shall be entered upon both Judgments.

Court may award Execution against Goods.

LXXXIV. That whenever the Judge shall, under the Provisions of this Act, have made an Order for the Payment of Money, the Amount shall be recoverable, in case of Default or Failure of Payment thereof forthwith, or at the Time or Times and in the Manner thereby directed, by Execution against the Goods and Chattels of the Party against whom such Order shall be made; and the Clerk of the Court, at the Request of the Party prosecuting such Order, shall issue under the Seal of the Court a Writ of Fieri facias as a Warrant of Execution to the Chief Bailiff of the Court, who by such Warrant shall be empowered to levy or cause to be levied, by Distress and Sale of the Goods and Chattels of such Party, such Sum of Money as shall be so ordered, wheresoever they may be found within the City of *London* or the Liberties thereof, and also the Costs of the Execution; and all Constables and other Peace Officers within their several Jurisdictions shall aid in the Execution of every such Warrant.

Execution not to issue till after Default in Payment of some Instalment, and then to issue for whole Sum due.

LXXXV. That if the Judge shall have made any Order for the Payment of any Sum of Money by Instalments, Execution upon such Order shall not issue against the Party until after Default in Payment of some Instalment according to such Order; and Execution or successive Executions may then issue for the whole of the said Sum of Money and Costs then remaining unpaid, or for such Portion thereof as the Judge shall order, either at the Time of making the original Order or at any subsequent Time, under the Seal of the Court.

What Goods may be taken in Execution.

LXXXVI. That every Bailiff or Officer executing any Process of Execution issuing out of the Court against the Goods and Chattels of any Person may by virtue thereof seize and take any of the Goods and Chattels of such Person (excepting the Wearing Apparel and Bedding of such Person or his Family, and the Tools and Implements of his Trade, which shall to the Extent of Five Pounds be protected from such Seizure), and may also seize and take any Money or Bank Notes (whether of the Bank of *England* or any other Bank), and any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or Securities for Money belonging to any such Person against whom any such Execution shall have issued as aforesaid.

Securities seized to be held by Bailiff.

LXXXVII. That the Bailiff executing any such Process of Execution shall hold any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money which shall have been so seized or taken as aforesaid as a Security or Securities for the Amount directed to be levied by such Execution, or so much thereof as shall not have been otherwise levied or raised, for the Benefit of the Plaintiff; and the Plaintiff may sue thereon in his own Name or in the Name of the Defendant, or in the Name of any Person in whose Name the Defendant might have sued, for the Recovery of the Sum or Sums secured or made payable thereby, when the Time of Payment thereof shall have arrived.

LXXXVIII. That

Parties having obtained an unsatisfied Judgment may obtain a Summons on Charge of Fraud.

LXXXVIII. That it shall be lawful for any Party who has obtained a Judgment or Order in the Court, either under this Act or under the said recited Act, for the Payment of any Debt or Damages, or Costs, which Judgment or Order shall not be satisfied, and for any Party who has obtained a Judgment or Order in any County Court established under or by virtue of the before-mentioned Act for the more easy Recovery of Small Debts and Demands in *England*, which last-mentioned Judgment or Order shall not be satisfied, to obtain a Summons from the Court, in case the Party against whom such Judgment or Order shall have been obtained shall then dwell or carry on Business or have Employment within the City of *London* or the Liberties thereof, such Summons to be in such Form as shall be directed by the Rules made for regulating the Practice of the Court; and it shall be lawful for any Party who has obtained any such Judgment or Order in the Court, which said last-mentioned Judgment or Order shall not be satisfied, to obtain a Summons from any County Court established under or by virtue of the last-mentioned Act for the more easy Recovery of Small Debts and Demands in *England*, within the Limits of which Court the Party against whom such last-mentioned Judgment or Order shall have been obtained shall then dwell or carry on Business, such last-mentioned Summons to be in such Form as shall be directed by the Rules made for regulating the Practice of the said County Court, which Summonses, as the Case may be, are to be respectively served personally upon the Person to whom it is directed, requiring him to appear at such Time as shall be directed by the said Rules, to answer such Things as are named in such Summons; and if he shall appear in pursuance of such Summons, he may be examined upon Oath touching his Estate and Effects, and the Manner and Circumstances under which he contracted the Debt or incurred the Damages or Liability which is or are the Subject of the Action in which Judgment has been obtained against him, and as to the Means and Expectation he then had and as to the Property and Means he still hath of discharging the said Debt or Damages or Liability, and as to the Disposal he may have made of any Property; and the Person obtaining such Summons as aforesaid, and all other Witnesses whom the Judge shall think requisite, may be examined upon Oath touching the Inquiries authorized to be made as aforesaid; and the Costs of such Summons and of all Proceedings thereon shall be deemed Costs in the Cause.

Commitment for Frauds, &c.

LXXXIX. That if the Party so summoned shall not attend as required by such Summons, or shall not allege a sufficient Excuse for not attending, or shall, if attending, refuse to be sworn or to disclose any of the Things aforesaid, or if he shall not make Answer touching the same to the Satisfaction of the Judge, or if it shall appear to the Judge, either by the Examination of the Party or by any other Evidence, that such Party, if a Defendant, in incurring the Debt or Liability which is the Subject of the Action in which Judgment has been obtained, has obtained Credit from the Plaintiff under false Pretences, or by means of Fraud or Breach of Trust, or has wilfully contracted such Debt or Liability without having had at the same Time a reasonable Expectation of being able to pay or discharge the same, or shall have made or caused to be made any Gift, Delivery, or Transfer of any Property, or shall have charged, removed, or concealed the same with Intent to defraud his Creditors or any of them, or if it shall appear to the Satisfaction of the Judge that the Party so summoned has then, or has had since the Judgment obtained against him, sufficient Means and Ability to pay the Debt or Damages, or Costs, so recovered against him, either altogether or by any Instalment or Instalments which the Court in which the Judgment was obtained shall have ordered, and if he shall refuse or neglect to pay the same as shall have been so ordered, or as shall be ordered pursuant to the Power herein-after provided, it shall be lawful for the Judge, if he shall think fit, to order that any such Party may be committed to some Gaol or House of Correction of the County, District, or Place in which the Party summoned is resident, or to some Gaol or House of Correction or other Prison within or for the City of *London* or the Liberties thereof, for any Period not exceeding Forty Days.

Power of Judge to rescind or alter Orders.

XC. That it shall be lawful for the Judge of any Court before whom such Summons shall be heard, if he shall think fit, whether or not he shall make any Order for the Committal of the Defendant, to rescind or alter any Order that shall have been previously made against any Defendant so summoned before him, for the Payment by Instalments or otherwise of any Debt or Damages recovered, and to make any further or other Order, either for the Payment of the whole of such Debt or Damages and Costs forthwith, or by any Instalments, or in any other Manner as such Judge may think reasonable and just.

Power to examine and commit at Hearing of the Cause.

XCI. That in every Case where the Defendant in any Suit brought or continued in the Court, or, as the Case may be, in any County Court, shall have been served with the Summons to appear, or shall personally appear at the Trial of the same, the Judge at the Hearing of the Cause or at any Adjournment thereof, if Judgment shall be given against the Defendant, shall have the same Power and Authority of examining the Defendant and the Plaintiff and other Parties, touching the several Things hereinbefore mentioned, and of committing the Defendant to Prison, and of making an Order, as he might have and exercise under the Provisions herein-before contained in case the Plaintiff had obtained a Summons for that Purpose after the Judgment obtained as herein-before mentioned.

Mode of issuing and executing Warrants of Commitment.

XCII. That whenever any Order of Commitment shall have been made as aforesaid, the Clerk of the Court shall issue, under the Seal of the Court, a Warrant of Commitment directed to One of the Bailiffs of the Court, who by such Warrant shall be empowered to take the Body of the Person against whom such Order shall be made; and in like Manner, whenever any Order of Commitment shall have been made by the Judge of any County Court, the Clerk of such Court may issue, under the Seal of the Court, a Warrant of Commitment directed to One of the Bailiffs of the Court, who by such Warrant shall be empowered to take the Body of the Person against whom such Order shall be made; and all Constables and other Peace Officers within their several Jurisdictions shall aid in the Execution of every such Warrant; and the Gaoler or Keeper of every Gaol, House of Correction, and Prison mentioned in any such

Order shall be bound to receive and keep the Defendant therein until discharged under the Provisions of this Act, or otherwise by due Course of Law; and no Protection, Order, or Certificate granted by any Court of Bankruptcy or for the Relief of Insolvent Debtors shall be available to discharge any Defendant from any Commitment under such last-mentioned Order.

Imprisonment not to operate as a Satisfaction for the Debt, &c.

XCIII. That no Imprisonment under this Act shall in anywise operate as a Satisfaction or Extinguishment of the Debt or other Cause of Action on which a Judgment had been obtained, or protect the Defendant from being anew summoned and imprisoned for any new Fraud or other Default rendering him liable to be imprisoned under this Act, or deprive the Plaintiff of any Right to take out Execution against the Goods and Chattels of the Defendant, in the same Manner as if such Imprisonment had not taken place.

How Execution may be had out of the Jurisdiction of the Court.

XCIV. That in all Cases where a Warrant of Execution shall have issued against the Goods and Chattels of any Party, or an Order for his Commitment shall have been made under this Act, and such Party or his Goods and Chattels shall be out of the Jurisdiction of the Court, it shall be lawful for the Chief Bailiff of the Court to send such Warrant of Execution or of Commitment to the Clerk of any County Court constituted under the before-mentioned Act for the more easy Recovery of Small Debts and Demands in *England* within the Jurisdiction of which such Party or his Goods and Chattels shall then be or be believed to be, with a Warrant thereto annexed, under the Hand of the Chief Bailiff and Seal of the Court holden under the Provisions of this Act, requiring Execution of the same; and the Clerk of the County Court to which the same shall be sent shall seal or stamp the same with the Seal of his Court, and issue the same to the High Bailiff of his Court; and thereupon such Bailiff shall be authorized and required to act in all respects as if the original Warrant of Execution or Commitment had been directed to him by the Court of which he is the High Bailiff, and shall, within such Time as shall be specified in the Rules of Practice, return to the Chief Bailiff of the Court holden under the Provisions of this Act what he shall have done in the Execution of such Process; and in case a Levy shall have been made shall, within such Time as shall be specified in the Rules of Practice, pay over all Monies received in pursuance of the Warrant to the Chief Bailiff of the Court holden under the Provisions of this Act, retaining the Fees for Execution of the Process; and where any Order of Commitment shall have been made, and the Person apprehended, he shall be forthwith conveyed, in Custody of the Bailiff or Officer apprehending him, to the Gaol or House of Correction or other Prison of the Court within the Jurisdiction of which he shall have been apprehended, and kept therein for the Time mentioned in the Warrant of Commitment, unless sooner discharged under the Provision of this Act; and all Constables and other Peace Officers shall be aiding and assisting within their respective Districts in the Execution of such Warrant: Provided always, that if such Party, or his Goods and Chattels, shall not be within the Jurisdiction of any County Court constituted under the before-mentioned Act, it shall be lawful for the Bailiff of the Court holden under the Provisions of this Act to apply to any Justice of the Peace acting for the County or Place in which such Party or his Goods and Chattels shall happen to be, and upon such Officer producing to such Justice such Warrant, and making Oath (which Oath such Justice is hereby empowered to administer) that the same has been duly issued out of the Court, and that the Person or Goods and Chattels (as the Case may be) of such Person is or are not to be found within the Jurisdiction of the Court, but is or are believed by such Officer to be within the County or Place where such Justice acts, such Justice shall sign his Name on the Back of such Warrant, and thereupon such Bailiff shall have Power to take the Body or Goods and Chattels of such Person (as the Case may be) wheresoever the same shall be found within such County or Place, and deal forthwith, in like Manner as if the same had been taken within the Jurisdiction of the Court; and all Constables and other Peace Officers are hereby required to be aiding, within their respective Jurisdictions, in the Execution of the Warrant so endorsed as aforesaid.

How Execution out of any County Court may be had within the Jurisdiction of this Court.

XCV. That in all Cases where a Warrant of Execution shall have issued against the Goods and Chattels of any Party, or an Order for his Commitment shall have been made, under the before-mentioned Act for the more easy Recovery of Small Debts and Demands in *England*, and such Party or his Goods and Chattels shall be or be believed to be within the City of *London* or the Liberties thereof, it shall be lawful for the High Bailiff of the County Court from which such Warrant of Execution shall have issued, or by which such Order of Commitment shall have been made, to send such Warrant or Order to the Chief Bailiff of the Sheriffs Court, with a Warrant thereto annexed under the Hand of the High Bailiff and the Seal of the County Court from which the original Warrant or Order issued, requiring Execution of the same, and the Clerk of the Sheriffs Court shall seal or stamp the same with the Seal of the Court holden under the Provisions of this Act, and shall issue the same to the Chief Bailiff of the Court; and thereupon such Chief Bailiff shall be authorized and required to act in all respects as if the original Warrant of Execution or Order of Commitment had been directed to him by the Court holden under the Authority of this Act, and shall, within such Time as shall be specified in the Rules of Practice, return to the High Bailiff of the County Court from which the same originally issued what he shall have done in the Execution of such Process; and in case a Levy shall have been made shall, within such Time as shall be specified in the Rules of Practice, pay over all Monies received in pursuance of the Warrant to the High Bailiff of the Court from which the same shall have originally issued, retaining the Fees for Execution of the Process; and where any Order of Commitment shall have been made, and the Person apprehended mentioned in such Order shall be within the City of *London* or the Liberties thereof, he shall be forthwith conveyed in the Custody of the Bailiff or Officer apprehending him to some Gaol, House of Correction, or other Prison within the City of *London* or the Liberties thereof, and kept therein

therein for the Time mentioned in the Warrant of Commitment, unless sooner discharged under the Provisions of the before-mentioned Act for the Recovery of Small Debts and Demands in *England*, or under any Act altering or amending the same.

Power to Judge to suspend Execution in certain Cases.

XCVI. That if it shall at any Time appear to the Satisfaction of the Judge, by the Oath or Affirmation of any Person, or otherwise, that any Defendant is unable, from Sickness or other sufficient Cause, to pay and discharge the Debt or Damages recovered against him, or any Instalment thereof ordered to be paid as aforesaid, it shall be lawful for the Judge, in his Discretion, to suspend or stay any Judgment, Order, or Execution given, made, or issued in such Action, for such Time and on such Terms as the Judge shall think fit, and so from Time to Time, until it shall appear, by the like Proof as aforesaid, that such temporary Cause of Disability has ceased.

Regulating the Sale of Goods taken in Execution.

XCVII. That no Sale of any Goods which shall be taken in Execution as aforesaid shall be made until after the End of Five Days at least next following the Day on which such Goods shall have been so taken, unless such Goods be of a perishable Nature, or upon the Request in Writing of the Party whose Goods shall have been taken; and until such Sale the Goods shall be deposited by the Bailiff in some fit Place, or they may remain in the Custody of a fit Person, approved by the Chief Bailiff, to be put in possession by the Bailiff; and it shall be lawful for the Chief Bailiff, from Time to Time, as he shall think proper, to appoint such and so many Persons for keeping Possession, and so many Sworn Brokers and Appraisers, for the Purpose of selling or valuing any Goods, Chattels, or Effects taken in Execution under this Act, as shall appear to him to be necessary, and to direct Security to be taken from each of them for such Sum and in such Manner as he shall think fit, for the faithful Performance of their Duties without Injury or Oppression; and the Judge or Chief Bailiff may dismiss any Person, Broker, or Appraiser so appointed; and no Goods taken in Execution under this Act shall be sold for the Purpose of satisfying the Warrant of Execution, except by One of the Brokers or Appraisers so appointed; and the Brokers or Appraisers so appointed shall be entitled to have out of the Produce of the Goods so distrained or sold Sixpence in the Pound on the Value of the Goods for the Appraisement thereof, whether by One Broker or more, over and above the Stamp Duty, and for Advertisements, Catalogues, Sale and Commission, and Delivery of Goods, One Shilling in the Pound on the net Produce of the Sale.

As to the Liability of Goods taken in Execution under 8 Anne, c. 17.

Landlords may claim certain Rents in arrear.

XCVIII. That so much of an Act passed in the Eighth Year of the Reign of Queen *Anne*, intituled *An Act for the better Security of Rents, and to prevent Frauds committed by Tenants*, as relates to the Liability of Goods taken by virtue of any Execution, shall not be deemed to apply to Goods taken in Execution under the Process of the Court; but the Landlord of any Tenement in which any such Goods shall be so taken shall be entitled, by any Writing under his Hand or under the Hand of his Agent, to be delivered to the Bailiff or Officer making the Levy, (which Writing shall state the Amount of the Rent claimed to be in arrear and unpaid, and the Time for and in respect of which such Rent is claimed to be due, in like Manner as is required by Law in Cases of ordinary Distress for Rent,) to claim the Rent so in arrear and unpaid, not exceeding the Rent of Four Weeks where the Tenement is let by the Week, and not exceeding the Rent accruing due in Two Terms of Payment where the Tenement is let for any other Term less than a Year, and not exceeding in any Case the Rent accruing due in One Year; and in case of any such Claim being so made the Bailiff or Officer making the Levy shall distrain as well for the Amount of the Rent so claimed, and the Costs of such additional Distress, as for the Amount of Money and Costs for which the Warrant of Execution issued under this Act, and shall not proceed to sell the same or any Part thereof within Five Days next after such Distress taken; and for every such additional Distress for Rent in arrear the Bailiff of the Court shall be entitled to have, as the Costs of the Distress, instead of the Fees allowed by this Act for making such Distress and keeping Possession thereof, the Fees allowed by an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to regulate the Costs of Distresses levied for the Payment of small Rents;* and if any Replevin be made of the Goods so distrained, so much of the Goods taken under the said Warrant of Execution shall be sold as will satisfy the Money and Costs for which the said Warrant issued, and the Costs of the Sale, and the Surplus of such Sale, and the Goods so distrained, shall be returned as in other Cases of Distress for Rent, and Replevin thereof; but no Execution Creditor under this Act shall be satisfied his Debts out of the Proceeds of such Execution and Distress, or Execution only, where the Tenant shall replevy, until the Landlord, who shall conform to the Provisions of this Act, shall have been paid the Rent in arrear for the Period herein-before mentioned.

Bailiffs making Levies may distrain for Rent and Costs.

Bailiff entitled to Fees allowed by 57 G. 3 c. 93. in certain Cases.

No Execution shall be stayed by Writ of Error.

XCIX. That no Judgment or Execution shall be stayed, delayed, or reversed upon or by any Writ of Error or Supersedeas thereon to be sued for the reversing of any Judgment given in the Court.

Execution to be superseded on Payment of Debt and Costs.

C. That in or upon every Warrant of Execution issued against the Goods and Chattels of any Person whomsoever the Clerk of the Court shall cause to be inserted or endorsed the Sum of Money and Costs adjudged, with the Sums allowed by this Act, as increased Costs for the Execution of such Warrant; and if the Party against whom such Execution shall be issued shall, before an actual Sale of the Goods and Chattels, pay or cause to be paid or tendered unto the Clerk of the Court, or of any other Court out of which such Warrant of Execution has issued, or to the Bailiff holding the Warrant of Execution, such Sum of Money and Costs as aforesaid, or such Part thereof as the Person entitled thereunto shall agree to accept, in full of his Debt or Damages and Costs, together with the Fees herein directed to be paid, the Execution shall be superseded, and the Goods and Chattels of the said Party shall be discharged and set at liberty.

Debtor to be discharged from Custody upon

CI. That any Person imprisoned under this Act who shall have paid or satisfied the Debt or Demand, or the Instalments thereof payable, and Costs, remaining due at the Time of the Order of Imprisonment being

Payment of Debt and Costs.

being made, together with the Costs of obtaining such Order, and all subsequent Costs, shall be discharged out of Custody, upon the Certificate of such Payment or Satisfaction, signed by the Clerk of the Court, by Leave of the Judge.

Minutes of Proceedings to be kept.

CII. That the Clerk of the Court shall cause a Note of all Plaints and Summonses, and of all Orders, and of all Judgments and Executions, and Returns thereto, and of all Fines, and of all other Proceedings of the Court, to be fairly entered from Time to Time in a Book belonging to the Court, which shall be kept at the Office of the Court; and such Entries in the said Book, or a Copy thereof, bearing the Seal of the Court, and purporting to be signed and certified as a true Copy by the Clerk of the Court, shall at all Times be admitted in all Courts and Places whatsoever as Evidence of such Entries, and of the Proceeding referred to by such Entry or Entries, and of the Regularity of such Proceeding, without any further Proof.

Suitors Money unclaimed in Six Years to go to General Fund.

CIII. That the Clerk of the Court shall, in the Month of *March* in each Year, make out a correct List of all Sums of Money belonging to Suitors in the Court of Requests abolished by the first-recited Act, or in the Court held under the Provisions of such Act, which shall have been paid into Court, and which shall have remained unclaimed for Five Years before the First Day of the Month of *January* then last past, specifying the Names of the Parties for whom or on whose Account the same were so paid into Court, and a Copy of such List shall be put up, and remain during Court Hours, in some conspicuous Part of the Court House, and at all Times in the Clerk's Office; and all Sums of Money which shall have been paid into Court to the Use of any such Suitor or Suitors thereof, and which shall have remained unclaimed for the Period of Six Years after the same shall have been paid into and which are now in the Hands of the Treasurer or any Officer of the Court or otherwise held in trust for such Suitors, and all further Sums of Money which shall hereafter be paid into the Court to the Use of any Suitor or Suitors thereof, shall, if unclaimed for the Period of Six Years after the same shall have been so paid into Court, be applicable as Part of the General Fund of the Court, and shall be carried to the Account of such Fund; and no Person shall be entitled to claim any Sum which shall have remained unclaimed for Six Years, but no Time during which the Person entitled to claim such Sum shall have been an Infant, or Feme Covert, or of unsound Mind, or beyond the Seas, shall be taken into account in estimating the said Period of Six Years.

Power of Committal for Contempt.

CIV. That if any Person shall wilfully insult the Judge, or any Juror, or any Bailiff, Clerk, or Officer of the Court for the Time being, during his sitting or Attendance in Court, or in going to or returning from the Court, or shall wilfully interrupt the Proceedings of the Court, or otherwise misbehave in Court, it shall be lawful for any Bailiff or Officer of the Court, with or without the Assistance of any other Person, by the Order of the Judge, to take such Offender into Custody, and detain him until the rising of the Court; and the Judge shall be empowered, if he shall think fit, by a Warrant under his Hand, and sealed with the Seal of the Court, to commit any such Offender to any Prison to which he has Power to commit Offenders under this Act, for any Time not exceeding Seven Days, or to impose upon any such Offender a Fine not exceeding Five Pounds for every such Offence, and in default of Payment thereof to commit the Offender to any such Prison as aforesaid for any Time not exceeding Seven Days, unless the said Fine be sooner paid.

Penalty for assaulting Bailiffs, or rescuing Goods taken in Execution.

CV. That if any Officer or Bailiff of the Court shall be assaulted while in the Execution of his Duty, or if any Rescue shall be made, or attempted to be made, of any Goods levied under Process of the Court, the Person so offending shall be liable to a Fine not exceeding Five Pounds, to be recovered by Order of the Court, or before a Justice of the Peace, as herein-after provided; and it shall be lawful for the Bailiff of the Court, or any Peace Officer, in any such Case to take the Offender into Custody (with or without Warrant), and bring him before such Court or Justice accordingly.

Bailiffs made answerable for Escapes, and Neglect to levy Execution.

CVI. That in case any Bailiff of the Court who shall be employed to levy any Execution against Goods and Chattels shall, by Neglect or Connivance or Omission, lose the Opportunity of levying any such Execution, then, upon Complaint of the Party aggrieved by reason of such Neglect, Connivance, or Omission (and the Fact alleged being proved to the Satisfaction of the Court, on the Oath of any credible Witness), the Judge shall order such Bailiff to pay such Damages as it shall appear that the Plaintiff has sustained thereby, not exceeding in any Case the Sum of Money for which the said Execution issued; and the Bailiff shall be liable thereto, and upon Demand made thereof, and on his Refusal so to pay and satisfy the same, Payment thereof shall be enforced by such Ways and Means as are herein provided for enforcing a Judgment recovered in the Court.

Remedies against and Penalties on Bailiffs and other Officers for Misconduct.

CVII. That if any Clerk, Bailiff, or Officer of the Court, acting under Colour or Pretence of the Process of the Court, shall be charged with Extortion or Misconduct, or with not duly paying or accounting for any Money levied by him under the Authority of this Act, it shall be lawful for the Judge to inquire into such Matter in a summary Way, and for that Purpose to summon and enforce the Attendance of all necessary Parties, in like Manner as the Attendance of Witnesses in any Case may be enforced, and to make such Order thereupon for the Repayment of any Money extorted, or for the due Payment of any Money so levied as aforesaid, and for the Payment of such Damages and Costs, as he shall think just, and also, if he shall think fit, to impose such Fine upon the Clerk, Bailiff, or Officer, not exceeding Ten Pounds for each Offence, as he shall deem adequate; and in default of Payment of any Money so ordered to be paid, Payment of the same may be enforced by such Ways and Means as are herein provided for enforcing a Judgment recovered in the Court.

Penalty on Officers taking

CVIII. That every Treasurer, Clerk, Bailiff, or other Officer employed in putting this Act or any of the Powers thereof in execution, who shall wilfully and corruptly exact, take, or accept any Fee or Reward

Reward whatsoever, other than and except such Fees as are or shall be appointed and allowed respectively as aforesaid, for or on account of anything done or to be done by virtue of this Act, or on any account whatsoever relative to putting this Act into execution, shall, upon Proof thereof before the Court, be for ever incapable of serving or being employed under this Act in any Office of Profit or Emolument, and shall also be liable for Damages as herein provided. Fees, besides those allowed.

CIX. That if any Claim shall be made to or in respect of any Goods or Chattels taken in Execution under the Process of the Court, or in respect of the Proceeds or Value thereof, by any Landlord for Rent, or by any Person not being the Party against whom such Process has issued, it shall be lawful for the Clerk of the Court, upon Application of the Officer charged with the Execution of such Process, as well before as after any Action brought against such Officer, to issue a Summons, calling before the Court as well the Party issuing such Process as the Party making such Claim; and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts of Record, or in any local or inferior Court, in respect of such Claim, shall be stayed; and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing such Action to pay the Costs of all Proceedings had upon such Action after the Issue of such Summons out of the Court holden under the Provisions of this Act; and the Judge of the Court shall adjudicate upon such Claim, and make such Order between the Parties in respect thereof, and of the Costs of the Proceedings, as to him shall seem fit; and such Order shall be enforced in like Manner as any Order made in any Suit brought in such Court. Claims as to Goods taken in Execution to be adjudicated in Court.

CX. That all Actions of Replevin in Cases of Distress for Rent in arrear, or Damage faisant, made within the Jurisdiction of the Court, may be brought in the Court without Writ. Concerning Actions of Replevin.

CXI. That in case either Party to any such Action of Replevin shall declare to the Court that the Title to any corporeal or incorporeal Hereditament, or to any Leasehold Premises, or to any Tithe, Toll, Market, Fair, or Franchise, or to the whole or any Part of the Distress, is in question, or that the Rent or Damage in respect of which the Distress shall have been taken is more than the Sum of Fifty Pounds, and shall become bound, with Two sufficient Sureties, to be approved by the Clerk of the Court, in such Sums as to the Judge shall seem reasonable, regard being had to the Nature of the Claim and the alleged Value or Amount of the Property in dispute, or of the Rent or Damage, to prosecute the Suit with Effect and without Delay, and to prove before the Court by which such Suit shall be tried that such Title as aforesaid is in dispute between the Parties, or that there was Ground for believing that the said Rent or Damage was more than Fifty Pounds, then, and not otherwise, the Action may be removed before any Court competent to try the same. How Actions of Replevin may be removed.

CXII. That when and so soon as the Term and Interest of the Tenant of any House, Land, or other corporeal Hereditament, situate either in the whole or in part within the Jurisdiction of the Court, where the Value of the Premises or the Rent payable in respect of such Tenancy did not exceed the Sum of Fifty Pounds by the Year, and upon which no Fine shall have been paid, shall have ended, or shall have been duly determined by a legal Notice to quit, and such Tenant, or, if such Tenant do not actually occupy the Premises or occupy only a Part thereof, any Person by whom the same or any Part thereof shall be then actually occupied, shall neglect or refuse to quit and deliver up Possession of the Premises or of such Part thereof respectively, it shall be lawful for the Landlord or his Agent to enter a Plaint in the Court, and thereupon a Summons shall issue to the Person so neglecting or refusing; and if the Tenant or Occupier shall not thereupon appear at the Time and Place appointed, and show Cause to the contrary, and shall still neglect or refuse to deliver up Possession of the Premises, or of such Part thereof of which he is then in possession, to the said Landlord or his Agent, it shall be lawful for such Landlord or Agent to give to the Court Proof of the holding and of the End or other Determination of the Tenancy, with the Time or Manner thereof, and, where the Title of the Landlord has accrued since the letting of the Premises, the Right by which he claims the Possession; and upon Proof of the Service of the Summons, and of the Neglect or Refusal of the Tenant or Occupier, as the Case may be, it shall be lawful for the Judge to issue a Warrant under the Seal of the Court to any Bailiff of the Court, requiring and authorizing him, within a Period to be therein named, not less than Seven or more than Ten clear Days from the Date of such Warrant, to give Possession of the Premises to such Landlord or Agent, and to levy upon the Goods and Chattels of the Person or Persons so holding over, in the same Manner as upon a Judgment obtained in the Court, such Sum of Money as shall be ordered by the Court to be paid to the Landlord for his Costs occasioned by such holding over as aforesaid; and such Warrant shall be a sufficient Warrant to the said Bailiff to enter upon the Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly, and to make such Levy as aforesaid: Provided always, that Entry upon any such Warrant shall not be made on a *Sunday*, *Good Friday*, or *Christmas Day*, or at any Time except between the Hours of Nine in the Morning and Four in the Afternoon; provided also, that nothing herein contained shall be deemed to protect any Person by whom any such Warrant shall be sued out of the Court from any Action which may be brought against him by any such Tenant or Occupier for or in respect of such Entry and taking possession, where such Person had not, at the Time of suing out the same as aforesaid, lawful Right to the Possession of the same Premises. Possession of small Tenements may be recovered by Plaint in the Court. If Tenant, &c. neglect to appear, or refuse to give Possession, Judge may, on Proof of Service of Summons, issue a Warrant to enforce the same.

CXIII. That such Summons as last aforesaid may be served either personally or by leaving the same with some Person being in and apparently residing at the Place of Abode of the Person or Persons so holding over as aforesaid; provided that if the Person or Persons so holding over, or any or either of them, cannot be found, and the Place of Abode of such Person or Persons shall either not be known, The Manner in which such Summons shall be served.

or

or Admission thereto cannot be obtained for serving such Summons, the posting of the said Summons on some conspicuous Part of the Premises so held over shall be deemed to be good Service upon such Person or Persons respectively.

Judges, Clerks, &c. not liable to Actions on account of Proceedings taken.

CXIV. That it shall not be lawful to bring any Action or Prosecution against the Judge or against the Clerk of the Court by whom such Warrant as aforesaid shall have been issued, or against any Bailiff or other Person by whom such Warrant may be executed or Summons affixed, for issuing such Warrant or executing the same respectively, or affixing such Summons, by reason that the Person by whom the same shall be sued out had not lawful Right to the Possession of the Premises.

Where Landlord has a lawful Title, he shall not be deemed a Trespasser by reason of Irregularity.

CXV. That where the Landlord, at the Time of applying for such Warrant as aforesaid, had lawful Right to the Possession of the Premises, or of the Part thereof so held over as aforesaid, neither the said Landlord nor his Agent, nor any other Person acting in his Behalf, shall be deemed to be a Trespasser by reason merely of any Irregularity or Informality in the Mode of proceeding for obtaining Possession under the Authority of this Act, but the Party aggrieved may, if he think fit, bring an Action on the Case for such Irregularity or Informality, in which the Damage alleged to be sustained thereby shall be specially laid, and may recover full Satisfaction for such special Damage, with Costs of Suit; provided that if the special Damage so laid be not proved the Defendant shall be entitled to a Verdict, and that if proved, but assessed by the Jury at any Sum not exceeding Five Shillings, the Plaintiff shall recover no more Costs than Damages, unless the Judge before whom the Trial shall have been holden shall certify that, in his Opinion, full Costs ought to be allowed.

How Execution of Warrant of Possession may be stayed.

CXVI. That in every Case in which the Person by whom any such Warrant shall be sued out of the Court had not at the Time of suing out the same lawful Right to the Possession of the Premises, the suing out of any such Warrant as last aforesaid shall be deemed a Trespass by him against the Tenant or Occupier of the Premises, although no Entry shall be made by virtue of the Warrant; and in case any such Tenant or Occupier will become bound with Two sufficient Sureties, to be approved by the Clerk of the Court, in such Sum as to the Judge shall seem reasonable, regard being had to the Value of the Premises, and to the probable Cost of such Action, to sue the Person by whom such Warrant was sued out with Effect and without Delay, and to pay all the Costs of the Proceeding in such Action in case a Verdict shall pass for the Defendant, or the Plaintiff shall discontinue or not prosecute his Action, or become Nonsuit therein, Execution upon the Warrant shall be stayed until Judgment shall have been given in such Action of Trespass; and if upon the Trial of such Action of Trespass a Verdict shall pass for the Plaintiff, such Verdict and Judgment thereupon shall supersede the said Warrant.

Proceedings on the Bond for staying Warrant of Possession, &c.

CXVII. That every Bond given on the Removal of any Action out of the Court, or upon staying the Execution of any such Warrant of Possession as aforesaid, or on moving for a new Trial, or to set aside a Verdict, Judgment, or Nonsuit, shall be made to the other Party to the Action at the Costs of such other Party, and shall be approved by the Judge and attested under the Seal of the Court; and if the Bond so taken be forfeited, or if, upon the Proceeding for securing which such Bond was given, the Judge before whom such Proceeding shall be had shall not certify upon the Record in Court that the Condition of the Bond hath been fulfilled, the Party to whom the Bond shall have been so made may bring an Action of Debt, and recover thereon: Provided always, that the Court in which such Action as last aforesaid shall be brought may, by a Rule of Court, give such Relief to the Parties liable upon such Bond as may be agreeable to Justice and Reason, and such Rule shall have the Nature and Effect of a Defeazance to such Bond.

Concurrent Jurisdiction with Superior Courts.

CXVIII. That all Actions and Proceedings which before the Commencement of this Act might have been brought in any of Her Majesty's Superior Courts of Record, where the Plaintiff dwells more than Twenty Miles from the Defendant, or where any Officer of the Court holden under the Provisions of this Act shall be a Party, except in respect of any Claim to any Goods and Chattels taken in Execution of the Process of the Court, or the Proceeds or Value thereof, may be brought and determined in any such Superior Court, at the Election of the Party suing or proceeding, as if this Act had not been passed.

As to Actions brought for Small Debts in Superior Courts.

CXIX. That if any Action shall be commenced after the Commencement of this Act in any of Her Majesty's Superior Courts of Record, for any Cause other than those lastly herein-before specified, for which a Plaint might have been entered in the Court holden under the Provisions of this Act, and a Verdict shall be found for the Plaintiff for a Sum not more than Fifty Pounds if the said Action is founded on Contract, or less than Five Pounds if it be founded on Tort, the said Plaintiff shall have Judgment to recover such Sum only, and no Costs; and if a Verdict shall not be found for the Plaintiff, the Defendant shall be entitled to his Costs as between Attorney and Client, unless in either Case the Judge who shall try the Cause shall certify on the Back of the Record that the Action was fit to be brought in such Superior Court.

Plaintiffs recovering in the Superior Courts Sums less than 20*l.* in Actions of Contract, or 5*l.* in Actions of Tort, over which the Sheriff's Court has Jurisdiction, to have no Costs.

CXX. That if in any Action commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record, in Covenant, Debt, Detinue, or Assumpsit, not being an Action for Breach of Promise of Marriage, the Plaintiff shall recover a Sum less than Twenty Pounds, or if in any Action commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record, in Trespass, Trover, or Case, not being an Action for Malicious Prosecution, or for Libel, or for Slander, or for Criminal Conversation, or for Seduction, the Plaintiff shall recover a Sum less than Five Pounds, the Plaintiff shall have Judgment to recover such Sum only, and no Costs, except in the Cases herein-after provided, and except in the Case of a Judgment by Default, and it shall not be necessary to enter any Suggestion on the Record to deprive such Plaintiff of Costs, nor shall any such Plaintiff be entitled to Costs by reason of any Privilege as Attorney or Officer of such Court or otherwise.

CXXI. Pro-

Judge at the Trial may certify, to entitle the Plaintiff to Costs.

CXXI. Provided always, That if the Plaintiff shall in any such Action as aforesaid recover a Sum less than the Sum in that Behalf herein-before mentioned, by Verdict, and the Judge or other presiding Officer before whom such Verdict shall be obtained shall forthwith certify on the Back of the Record that it appeared to him at the Trial that the Cause of Action was One for which a Plaint could not have been entered in the Sheriffs Court, or that it appeared to him at the Trial that there was a sufficient Reason for bringing the said Action in the Court in which the said Action was brought, the Plaintiff in such Case shall have the same Judgment to recover his Costs that he would have had if this Act had not been passed.

If the Court or a Judge at Chambers make an Order, the Plaintiff to have Costs.

CXXII. Provided also, That if in any such Action, whether there be a Verdict in such Action or not, the Plaintiff shall make it appear to the Satisfaction of the Court in which such Action was brought, or to the Satisfaction of a Judge at Chambers, upon Summons, that the said Action was brought for a Cause in which concurrent Jurisdiction is given to the Superior Courts by this Act, or for which no Plaint could have been entered in the Court, or that the said Cause was removed from a County Court by Certiorari, then and in such Case the Court in which the said Action is brought, or the said Judge at Chambers, may thereupon, by Rule or Order, direct that the Plaintiff shall recover his Costs, and thereupon the Plaintiff shall have the same Judgment to recover his Costs that he would have had if this Act had not been passed.

Penalties and Costs to be recovered before a Justice, and levied by Distress.

CXXIII. That all Penalties, Fines, and Forfeitures by this Act inflicted or authorized to be imposed (the Manner of recovering and applying whereof is not hereby otherwise particularly directed) shall, upon Proof before any Justice of the Peace having Jurisdiction within the County or Place where the Offender shall reside or be, or the Offence shall be committed, either by the Confession of the Party offending, or by the Oath of any credible Witness, be levied, with the Costs attending the Summons and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand of any such Justice, and the Overplus (if any), after such Penalties, Fines, and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels.

In default of Security, Offender may be detained till Return of Warrant of Distress.

CXXIV. That if any such Penalties, Fines, and Forfeitures respectively shall not be paid forthwith upon Conviction, it shall be lawful for such Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security, to the Satisfaction of such Justice, for his Appearance before him on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Eight Days from the Time of taking any such Security, which Security such Justice shall be empowered to take by way of Recognizance or otherwise as to him shall seem fit.

In default of Distress, Offender may be committed.

CXXV. That if upon Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by Confession of the Offender or otherwise, that he hath not within the Jurisdiction of such Justice sufficient Goods and Chattels whereon to levy all such Penalties, Forfeitures, Costs, and Charges, such Justice may, at his Discretion, without issuing any Warrant of Distress, commit the Offender to the Common Gaol or House of Correction for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Penalties not otherwise applied to go to General Fund.

CXXVI. That the Monies arising from any such Penalties, Forfeitures, and Fines as aforesaid, when paid and levied, shall (if not by this Act directed to be otherwise applied) be from Time to Time paid to the Clerk of the Court, and shall be applied in aid of the General Fund thereof.

Justices may proceed by Summons in the Recovery of Penalties.

CXXVII. That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable before a Justice of the Peace it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before him; and all such Proceedings by Summons, without Information in Writing, shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Form of Conviction.

CXXVIII. That in all Cases where any Conviction shall be had for any Offence committed against this Act the Form of Conviction may be in the Words or to the Effect following; (that is to say,)

'BE it remembered, That on this Day of in the Year of our Lord
'*A.B.* is convicted before of Her Majesty's Justices of the Peace for the
'[*or* before the Judge of the Sheriffs Court], acting under the Provisions of "The London (City) Small
'Debts Extension Act, 1852," of having [*state the Offence*]; and I [*or* we] the said do
'adjudge the said to forfeit and pay for the same the Sum of or to be committed
'to for the Space of . Given under Hand and Seal the Day and Year aforesaid.'

Proceedings not invalid for Want of Form.

CXXIX. That no Order, Verdict, or Judgment, or other Proceeding, made concerning any of the Matters aforesaid, shall be quashed or vacated for Want of Form.

Distress not unlawful for Want of Form.

CXXX. That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser from the Beginning on account of any Irregularity which shall afterwards be committed by the Party so distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

CXXXI. That

Limitation of Actions for Proceedings in Execution of this Act.

CXXXI. That for the Protection of Persons acting in the Execution of this Act all Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Three Months after the Fact committed, and not afterwards or otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Month at least before the Commencement of the Action; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if after Action brought a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Judges may hear Applications for Writs of Prohibition, either in Term or in Vacation.

CXXXII. That it shall be lawful for any Judge of any of Her Majesty's Superior Courts of Common Law at *Westminster*, as well in Term Time as in Vacation, to hear and determine Applications for Writs of Prohibition directed to the Judge of the Court holden under the Provisions of this Act, and to make such Rules or Orders for the issuing of such Writs as might have been made by the Court; and all such Rules or Orders so made by any such Judge shall have the same Force and Effect as Rules of Court for such Purposes now have; and such Writs shall be issued by virtue of such Rules or Orders as well in Term Time as in Vacation: Provided always, that any Rule or Order made by any such Judge, or any Writ issued by virtue thereof, may be discharged or varied or set aside by such Judge, or any other such Judge, or by the Court, on Application made thereto by any Party dissatisfied with such Rule or Order.

Before whom Affidavits may be sworn.

CXXXIII. That all Affidavits to be used in the Court shall and may be sworn before a Judge of the Court or any County Court, or any Master Extraordinary in Chancery, or Commissioner for taking Affidavits in any of the Superior Courts of *Westminster*, or before a Magistrate of the County, City, Town, or Place where any such Affidavit may be sworn.

For the Protection of Officers of the Court.

CXXXIV. That if any Person shall bring any Suit in any of Her Majesty's Superior Courts of Record in respect of any Grievance committed by any Clerk, Bailiff, or Officer of the Court holden under the Provisions of this Act, under Colour or Pretence of the Process of the Court, and the Jury, upon the Trial of the Action, shall not find greater Damages than the Sum of Fifty Pounds, no Costs shall be awarded to the Plaintiff in such Action, unless the Judge shall certify in Court, upon the Back of the Record, that the Action was fit to be brought in such Superior Court.

Act not to affect Court of Hustings or Lord Mayor's Court.

CXXXV. That nothing in this Act contained shall be construed to alter or affect the Court of Hustings in the City of *London*, or the Court of our Lady the Queen holden before the Lord Mayor and Aldermen in the Chamber of the *Guildhall* of the City of *London*, or to take away, lessen, or diminish the Powers and Jurisdictions of the said Courts or either of them.

Interpretation of Terms.

CXXXVI. That in construing this Act the Word "Person" shall be understood to mean a Body Politic, Corporate, or Collegiate, as well as an Individual; and the Words "Mayor, Aldermen, and Commons" shall be understood to mean the Mayor, Aldermen, and Commons of the City of *London* in Common Council assembled; and the Words "the Court" shall be understood to mean the Sheriffs Court holden under the Provisions and for the Purposes of this Act; and the Term "Landlord" shall be understood to mean the Person entitled to the immediate Reversion of the Lands, or, if the Property be holden in Joint Tenancy, Coparcenary, or Tenancy in Common, shall be understood to mean any One of the Persons entitled to such Reversion; and the Word "Clerk" shall be understood to mean "Chief Clerk;" and the Words "Attorney at Law" shall be understood to include a Solicitor in any Court of Equity; and the Word "Agent" shall be understood to mean any Person usually employed by the Landlord in the letting of Lands, or in the Collection of the Rents thereof, or specially authorized to act in any particular Matter by Writing under the Hand of such Landlord; and the Word "Bailiff" shall be understood to include Chief Bailiff; unless in any of these Cases there be something in the Context inconsistent with such Meaning.

Expenses of Act.

CXXXVII. That the Costs, Charges, and Expenses attending or incident to the applying for, obtaining, and passing this Act shall be paid and defrayed by, from, and out of the Monies which have from Time to Time been paid into the Chamber of *London* on account of the Business transacted in the Court holden under the first-recited Act, or which shall be paid to the Treasurer of the Court to be holden under this Act.

Short Title.

CXXXVIII. That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Expression "The *London* (City) Small Debts Extension Act, 1852."

Commencement of Act.

CXXXIX. That this Act shall commence and take effect on the Twenty-ninth Day of *September* next after the passing hereof.

The SCHEDULE to which the foregoing Act refers.

N.B.—In Cases within the ordinary Jurisdiction of the Court the under-mentioned Poundage and Fees are to be taken; but where the Sum demanded is above Twenty Pounds the Poundage is to be taken on Twenty Pounds only. All Fractions of a Pound for the Purpose of calculating the Poundage shall be treated as an entire Pound.

For every Summons, Sevenpence in the Pound on the Amount of the Demand.

For every Application for a Summons out of the District, Threepence in the Pound on the Amount of the Demand. This Sum to include every Fee for such Application.

Notice.—No other Fee whatever is to be taken on the Entry of a Plaint, except for Service by the High Bailiff, and for Affidavit of Service out of the District.

For

For every Hearing without a Jury, Twenty-six Pence in the Pound on the Amount of the Demand.

For every Hearing with a Jury, Thirty-eight Pence in the Pound on the Amount of the Demand.

Judgments by Consent, under Sections 59 and 60, and Judgments upon Applications in the Nature of Sci. fa., to be charged the same Fee as on the Hearing of a Cause without a Jury.

Notice.—No other Fee whatever is to be taken for the Hearing or Trial of a Cause, except for the Service of the Order by the High Bailiff.

For every Subpœna (each Witness), Two Shillings, without reference to the Amount of the Demand.

For entering and giving Notice of a special Defence, Eighteenpence, without reference to the Amount of the Demand.

For any Adjournment of a Cause or other Matter to another Court, at the Request of either Party, Threepence in the Pound on the Amount of the Demand.

For paying Money into or out of Court, whether before or after Judgment, on each Payment not exceeding Ten Shillings, One Penny; and on each Payment above Ten Shillings, Twopence in the Pound on the Amount of the Payment.

For Notice to be given by pre-paid Post Letter to Plaintiff of every Payment whatever made into Court, Twopence, without reference to the Amount of the Payment. Out of this Fee the Postage of such Letter is to be paid by the Clerk.

For issuing any Warrant, Attachment, or Execution, Twopence in the Pound on the Amount for which such Warrant, Attachment, or Execution issues.

For taking Recognizance, Bond, or Security for Costs, Fourpence in the Pound on the Amount of the Demand.

For inquiring into Sufficiency of Sureties, Sixpence in the Pound on the Amount of the Demand.

For Application for new Trial, or to set aside Proceedings, Sixpence in the Pound on the Amount of the Demand.

For every Summons for Commitment under Section 88, Sixpence in the Pound on the Amount of the original Demand then remaining due.

For every Hearing of the Matters mentioned in such Summons for Commitment, One Shilling in the Pound on the Amount last aforesaid.

Notice.—No other Fees than the above to be taken on any account whatever, except the High Bailiff's Fees for Service. No Application to the Court is to be charged with a Fee, except those above mentioned. No Increase of Fees shall be made by reason of there being more than One Plaintiff or Defendant.

HIGH BAILIFF'S FEES.

For serving every Summons, Order, or Subpœna, within Two Miles of the Court House, One Penny in the Pound on the Amount of the Demand, except for the Service of a Summons under Section 88, when the Poundage is to be calculated on the Amount of the original Demand then remaining due.

For such Service, if beyond Two Miles, then extra for every additional Mile Sixpence, without reference to the Amount of the Demand.

For Affidavit of Service of Summons out of the Jurisdiction, One Shilling, without reference to the Amount of the Demand.

For Execution of every Warrant or Attachment against the Goods or Body, within Two Miles of the Court House, One Shilling in the Pound on the Amount for which such Warrant or Attachment issues.

For such Execution, if beyond Two Miles, then extra for every additional Mile Sixpence, without reference to the Amount for which such Warrant or Attachment issues.

For keeping Possession of Goods till Sale, per Day, (including Expenses of Removal, Storage of Goods, and all other Expenses whatever,) not exceeding Five Days, Sixpence in the Pound on the Amount for which the Execution issues. [This, however, does not apply to Cases of Interpleader, in which the Costs and Expenses of Possession are in the Discretion of the Judge.]

For carrying every Delinquent to Prison, including all Expenses and Assistance, One Shilling per Mile, without reference to the Amount mentioned in the Warrant.

For issuing Warrant to Clerk of another Court, Two Shillings and Sixpence, without reference to the Amount mentioned in the Warrant.

N.B.—Where the Plaintiff recovers less than the Amount of his Claim, so as to reduce the Scale of Costs, the Plaintiff to pay the Difference.

The several Fees payable on Proceedings in Replevin to be regulated on the above Scale by the Amount distrained for, and on Proceedings for the Recovery of Tenements by the yearly Rent or Value of the Tenement sought to be recovered, but in neither Case to exceed the Fees payable on a Demand of Twenty Pounds.

In Cases of extraordinary Jurisdiction given to the Court by the Consent of Parties to the Trial of Questions under Section 4, the Poundage shall be taken in every such Case on the Sum of Fifty Pounds.

In Cases of Interpleader, the Summons is to be issued to the High Bailiff gratis, and the Poundage for the Hearing is to be estimated on the Value of the Goods claimed, which, in case of Dispute, is to be assessed by the Judge; the Costs, however, of the Summons estimated on the above-mentioned Value shall be included in the General Costs, which may, in the Discretion of the Judge, be awarded at the Hearing.

Cap. lxxviii.

An Act for the Dissolution of the *Glasgow, Kilmarnock, and Ardrossan* Railway Company, and the Abandonment of their Undertaking; and for other Purposes. [17th *June* 1852.]

Cap. lxxix.

An Act to renew the Term and continue and enlarge the Powers of an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from* Shillingford *in the County of* Oxford, *through* Wallingford *and* Pangborne, *to* Reading *in the County of* Berks, *and for repairing and maintaining a Bridge over the River* Thames *at or near* Shillingford Ferry. [17th *June* 1852.]

[7 & 8 *Geo.* 4. *c.* xix. *repealed*, § 1. *Only Four Tolls to be payable on same Day*, § 12. *Persons having paid Toll to return free*, § 13. *Act to commence on the Fourth Wednesday after the passing, and to continue in force for Twenty-one Years*, § 26.]

Cap. lxxx.

An Act to enable the *Portrush* Harbour Company to improve the Navigation of the River *Bann* from the *Salmon Leap* at *Castleroe* above the Town of *Coleraine* to the Sea, and remove the Bar and Ford at *Bann Mouth*, and to erect a Swivel Bridge at *Coleraine*, all in the County of *Londonderry*. [17th *June* 1852.]

Cap. lxxxi.

An Act for maintaining the Road from *Beach Down*, near *Battle*, to *Heathfield*, and from the Railway Station near the Town of *Robertsbridge* to *Hood's Corner*, all in the County of *Sussex*. [17th *June* 1852.]

Cap. lxxxii.

An Act for granting further Powers to the *London* Gaslight Company; and for other Purposes. [17th *June* 1852.]

Cap. lxxxiii.

An Act to empower the *Manchester, Sheffield, and Lincolnshire* Railway Company to raise a further Sum of Money*; and to amend the Acts relating to the said Company. [17th *June* 1852.]

* £500,000.

Cap. lxxxiv.

An Act to enable the *Eastern Counties* and *London and Blackwall* Railway Companies to construct a Railway with Branches to *Tilbury* and *Southend* in the County of *Essex*, to provide a Steam Communication to *Gravesend*, and for other Purposes. [17th *June* 1852.]

Cap. lxxxv.

An Act for more effectually repairing the Road from *Stockport* in the County Palatine of *Chester* to *Marple Bridge* in the said County; and a Branch from the said Road to or near *Thornset Gate* in the County of *Derby*. [17th *June* 1852.]

Cap. lxxxvi.

An Act to repeal the Acts and Parts of Acts relating to the *Pedmore* and *Holly Hall* Districts of Roads, and to substitute other Provisions for the same. [17th *June* 1852.]

Cap. lxxxvii.

An Act to repeal the Act for making and maintaining a Turnpike Road from *Stroud* to *Bisley*, and to make other Provisions in relation thereto. [17th *June* 1852.]

Cap. lxxxviii.

An Act to amend and extend the Provisions of the *Macclesfield and Buxton* Road Act, to create a Term of Twenty-one Years, and for other Purposes. [17th *June* 1852.]

Cap. lxxxix.

An Act for maintaining the Turnpike Road leading from *Kirkby Stephen* in the County of *Westmoreland* into the *Sedbergh and Kirkby Kendal* Turnpike Road, and out of and from the same Turnpike Road to *Hawes* in the North Riding of the County of *York*, and a Branch from *Hawes* aforesaid to the Village of *Gayle* in the Township of *Hawes*. [17th *June* 1852.]

Cap. xc.

An Act for maintaining in repair the Road leading from the *Lord Nelson* Public House upon the Road between *Burnley* and *Colne* in the Township of *Marsden* in the Parish of *Whalley* in the County Palatine of *Lancaster* to *Gisburne* in the West Riding of the County of *York*, and from thence to the Road leading from *Skipton* to *Settle* at or near *Long Preston* in the said West Riding of the County of *York*. [17th *June* 1852.]

Cap. xci.

An Act for maintaining in repair the Road from *Bury* to *Bolton* in the County Palatine of *Lancaster*. [17th *June* 1852.]

Cap. xcii.

An Act to repeal an Act for maintaining and repairing the Turnpike Road from *Bramley* in the County of *Surrey* to *Ridgewick* in the County of *Sussex*, and to make other Provisions in lieu thereof. [17th *June* 1852.]

Cap. xciii.

An Act to repeal the Act for repairing and maintaining the *Wakefield and Denby Dale* Turnpike Road, and to make other Provisions in lieu thereof. [17th *June* 1852.]

Cap. xciv.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Rotherham and Pleasley* Turnpike Road. [17th *June* 1852.]

Cap. xcv.

An Act for making a Railway from the *Edinburgh, Perth, and Dundee* Railway at *Thornton Junction* Station to the Town of *Leven*, with Branches to *Kirkland* Works and to the Harbour of *Leven*. [17th *June* 1852.]

Cap. xcvi.

An Act to enable the *Lancashire and Yorkshire* and *York and North Midland* Railway Companies to enter into Arrangements as to the working and Management of Portions of their Railways. [17th *June* 1852.]

Cap. xcvii.

An Act for more effectually repairing the Road from the Town of *Beaconsfield* to the River *Colne*, all in the County of *Buckingham*. [17th *June* 1852.]

Cap. xcviii.

An Act for enabling the *Manchester, Buxton, Matlock, and Midlands Junction* Railway Company to lease their Undertaking to the *London and North-western* and the *Midland* Railways Companies. [17th *June* 1852.]

Cap. xcix.

An Act to repeal an Act for repairing the Road from *Kettering* to the Town of *Northampton* in the County of *Northampton*, and to substitute other Provisions in lieu thereof. [17th *June* 1852.]

Cap. c.

An Act to confer additional Facilities for the Insurance of Railway Passengers and other Persons by "The Railway Passengers Assurance Company." [17th *June* 1852.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act to confer certain Powers on the Railway Passengers Assurance Company:* And whereas it would be attended with Advantage if additional Facilities were afforded for the Insurance by the Company of Railway Passengers for particular Journeys, or for definite Periods of Time, or for Life, in such Sums as may be agreed upon, and also if Powers were granted to the Company for the Insurance of Persons against bodily Injury or Death caused by Accident generally: And whereas it is expedient that the said recited Act, except the Clauses herein-after excepted, should be repealed, and that further and more effectual Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 12 & 13 Vict. c. 40.

I. That from and after the passing of this Act the said recited Act of the Twelfth and Thirteenth Years of Her present Majesty, except the Clauses numbered I., II., III., and IV. in the Queen's Printer's Copies thereof, relating to Stamp Duties, shall be repealed, and that this Act shall thereafter be put into execution in the Stead thereof: Provided always, that all Monies due to, and all Property and Choses in Action vested in, the Directors of the Company under the said recited Act shall, immediately on the Commencement of this Act, be vested in the Directors of the Company; and such last-mentioned Directors may sue for and recover the same, and shall be liable to all Debts and Engagements as and in the same Manner they would have been if the said recited Act had not been hereby, except as aforesaid, repealed; and that no Action, Suit, or other Proceeding whatsoever commenced or carried on either by or against the said Company previously to the passing of this Act shall abate or be discontinued or prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect, both in favour of and against the Company, in the same Manner in all respects as the same would have continued and taken effect if this Act had not passed. Recited Act 12 & 13 Vict. c. 40. repealed, except Clauses I., II., III., and IV.

Clauses I. to IV. of 12 & 13 Vict. c. 40. incorporated with this Act.

II. That the several Clauses in the said recited Act contained from I. to IV., both inclusive, as the same are numbered in the Queen's Printer's Copies thereof, relating to Stamp Duties, shall apply to this Act, so far as relates to the insuring Railway Passengers against Accidents when travelling by Railway, as if the same had been repealed and re-enacted in this Act with special Reference thereto.

Power for Company to insure against Accidents by Railway, &c.

III. That it shall be lawful for the Railway Passengers Assurance Company to insure Compensation for Loss of Life, or for personal Injury to Persons travelling by Railway, whether arising from Accident or Negligence; and that, in addition to such Power, it shall be lawful for the Company to insure Compensation to any Person or his legal personal Representatives, for or on account of any Injury caused by any Accident whatever, other than Accidents occurring to Persons travelling by Railway.

Every Contract, Ticket, &c., issued by the Company, to be deemed a Contract of Insurance.

IV. That every Contract, Ticket, or other Instrument whereby the Company shall become bound to pay any Sum of Money by way of Compensation to any Person or his legal Representatives for or on account of any Injury caused by Accident generally, whether resulting in Death or otherwise, which may be sustained by such Person, shall be deemed and taken to be a Contract of Insurance within the Meaning and for the Purposes of this Act; and any such Contract may be in such Form, and may be issued in such Manner as the Company may determine, and may contain such Conditions, not inconsistent with the Provisions of this Act, as may be specified therein: Provided nevertheless, that in all Cases Contracts or Tickets of Insurance for particular Journeys by Railway issued under the Authority of this Act shall be held to be a valid Execution on the Part of the Company of the Contract set out in the Schedule to this Act, and that no other Matter or Thing shall be required to be done by the Company in order to legally bind the Company to the due Performance thereof.

Company may make Contracts with Railway Companies as to their Clerks; and Clerks of Railway Companies to be considered Agents of the Company.

V. That, as regards the issuing of Tickets of Insurance for particular Journeys by Railway, it shall be lawful for the Company and any Railway Company from Time to Time to enter into any Contracts as to the marking the Tickets, which are now or may hereafter be used and issued by such Railway Company for the Purposes of their own Traffic, with such Marks and Devices as the Company may deem expedient for limiting the Operation of such Tickets to the particular Journeys for or in respect of which they shall have been issued, or as to the issuing and marking with the said Marks any Tickets which may be furnished to such Railway Company by the Company for the Purpose of being so marked and issued as aforesaid, and as to the collecting and receiving the Premiums of Insurance to be charged by the Company at the several Stations or Offices of such Railway Company, either by the Clerks of the Company or by the Clerks of such Railway Company duly appointed for that Purpose for and on behalf of the Company or otherwise, and as to such other Objects in connexion with the Business of the Company as may by the Company be deemed necessary, and may be agreed upon between the Parties to such Contracts; and in all Cases in which, by virtue of any such Contracts, the Objects of this Act are or are intended to be effected and carried out by the Means and through the Co-operation of any Railway Company, such Railway Company, and their Officers duly appointed for that Purpose in pursuance of any such Contract, shall, for the Purpose of binding the Company, be considered to be the Agents of the Company.

Company not agreeing with Railway Company may issue Tickets from any Office of their own.

VI. That as regards the issuing of Tickets of Insurance for particular Journeys by Railway, in case it shall not be deemed desirable by the Company, or in case they shall not be able to complete any Contract with any Railway Company by reason of any Dissent on the Part of such Railway Company or otherwise, it shall be lawful for the Company to institute and carry on, at such Place as shall be deemed expedient by the Company, any Office for the issuing and marking or stamping, on Payment of the several Premiums of Insurance which may from Time to Time be demanded by the Company to Persons about to travel by Railway, any Insurance Ticket marked as aforesaid as the Company may deem expedient; and every Insurance Ticket so marked and issued as aforesaid at any Office of the Company shall be good and sufficient Evidence of the Payment, by the *bonâ fide* Holder thereof, of the Premium of Insurance demanded by the Company: Provided always, that no such Office shall be instituted or carried on at any Place upon or within the Premises of any Railway Company, without the previous Consent of such Railway Company thereto being first duly had and obtained.

Directors may fix Premiums of Insurance, and vary the same.

VII. That it shall be lawful for the Company in their Discretion to fix the several Amounts to be insured, and the Premiums of Insurance which shall from Time to Time be demanded by the Company, and from Time to Time to vary the same as they may deem expedient: Provided always, that a printed Table of such Premiums as are required in Cases of Insurances against Accidents in travelling by Railways shall contain the Particulars to be given by the Notice of Injury herein-after mentioned, and a Statement of the Time within which and the Place where such Notice is to be delivered, and shall be stuck up or posted in some conspicuous Part of every Railway Station or independent Office of the Company at or from which any Insurance Ticket shall be issued by the Authority of the Company.

Holders of marked Tickets may recover from Company in case of Injury or Death.

VIII. That as regards Holders of Insurance Tickets for particular Journeys by Railway in the event of personal Injury or Death, whether arising from Accident or Negligence, happening to the *bonâ fide* Holder of any Insurance Ticket issued by the Company during the Journey in respect of which such Ticket shall have been issued, such *bonâ fide* Holder, or his legal Representative, or in case such *bonâ fide* Holder shall be a married Woman then her Husband, may recover on the said Contract or Policy set out in the said Schedule in an Action at Law, as fully and effectually as if the Company had duly and effectually and regularly executed the said Contract or Policy, and delivered the same, so executed, to such *bonâ fide* Holder on the marking and issuing of the said Insurance Ticket, and the Company shall be taken to have fully and effectually contracted with and agreed to insure such *bonâ fide* Holder, according to the Terms and the true Intent and Meaning of the said Contract or Policy by the marking and issuing of the said Ticket, and no further or other Act on the Part of the Company shall be necessary

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to legally bind them to perform the same: Provided always, that no Action shall be brought thereon against the Company until after the Expiration of One Month after Notice thereof.

Who are to be deemed bonâ fide Holders.

IX. That any Person in the Possession of such Insurance Ticket shall, in the Absence of any Evidence to the contrary, be deemed to be the *bonâ fide* Holder of such Ticket.

Ticket not to be transferable.

X. That no Insurance Ticket or Contract of Insurance issued or entered into by the Company shall in any Case be transferable.

Transferring Ticket to defraud Company treated as a Misdemeanor.

XI. That if any Person shall knowingly transfer or pass any Ticket marked as aforesaid to any Person who may have been injured, or to the Body of any Person who may have been killed, with the Intent of defrauding the Company, such Person shall be deemed and taken to have committed a Misdemeanor, and shall be liable to the Pains and Penalties thereof, and such Ticket so transferred as aforesaid shall be utterly void and of no effect against the Company.

Notice of Injury to be given by assured.

XII. That in the event of any personal Injury, within the Meaning of this Act, occurring to any *bonâ fide* Holder of an Insurance Ticket during the Journey by Railway insured, or to any Party insured against Injury by any other Accident, such Holder or Party, or in case of Death resulting from such Injury, then the legal Representative of such Holder or Party, shall, within Fourteen Days after the occurring of such Accident or Death, give or cause to be given a Notice in Writing to the Company at their Office in *London* of such Injury and the Nature thereof, or of such Death, together with a Statement of the Christian and Surname and of the Occupation and Address of the Party injured or who may have died, and in case such Notice and Statement shall not have been given as aforesaid, such Holder or Party or legal Representative shall be deemed to have no Claim on the Company in respect of such Injury or Death.

Persons injured to submit to Examination of Medical Officer of Company.

XIII. That in Cases other than those of Death such Holder or Party so injured as aforesaid shall, within Fourteen Days after the occurring of the said Injury and at the Request of the Company, submit either at the Office of the said Company or at the Address given by him as aforesaid, at the Option of such Holder or Party, or at some other convenient Place to be agreed upon between the Company and the Holder or Party injured, to be examined by the Medical Officer of the Company, and shall give all such Information to the Company as the Company may reasonably require in order to ascertain the Nature and Extent of the said Injury.

In case of Death, Company may examine Body.

XIV. That in all Cases of Death in consequence of any Injury within the Meaning of this Act the Company may cause the Body to be examined by their Medical Officer at any Time previous to the Day of the Interment thereof.

Offer of Compensation to be sent in by Company Thirty Days after Examination.

XV. That in all Cases other than those of Death, within Thirty Days after the Company shall have received such Notice in Writing as aforesaid, the Company shall offer such Amount of Compensation as to the Company shall seem just and reasonable, in proportion to the Extent of the Injury, and to the Sum payable in case of Death; regard being had to the particular Premium of Insurance which shall have been paid by such Holder or Party, by leaving a Notice thereof at the Address given by him as aforesaid.

Claimant not dissenting in Fourteen Days to be considered to have agreed to Compensation.

XVI. That if such Holder or Party do not dissent from the said Offer of Compensation so sent in as aforesaid by a Notice under his Hand, or under the Hand of his Agent lawfully authorized, and left at or sent to the Office of the Company in *London* within Fourteen Days after such Offer of Compensation has been made as aforesaid, or shall not have required a further Extension of Time for the further Consideration of such Offer of Compensation in the Manner after mentioned, then he shall be taken to have agreed to the same; and on Payment to him by the Company of the Sums so offered within One Calendar Month after the leaving such Notice of Compensation as aforesaid, he shall have no further Claim against the Company in respect of such Injury.

Claimant may demand an Extension of Time.

XVII. Provided always, That if such Holder or Party shall desire an Extension of Time for the further Consideration of such Offer of Compensation, he shall intimate such Desire within the Twenty-one Days after such Offer of Compensation shall have been made as aforesaid, by Notice under his Hand, or under the Hand of his Agent lawfully authorized, and left at or sent to the said Office of the Company; and such Notice shall state the Date to which the said Time is desired to be extended: Provided always, that such Holder or Party may from Time to Time during the Illness occasioned by such Injury, but only by a similar Notice left or sent as aforesaid, within the Time limited in any former Notice, require such further Extension of Time for the Consideration of the Offer of Compensation made by the Company as to him shall seem proper; and such Holder or Party shall not be deemed to have agreed to the First Offer of Compensation made by the Company before the Expiry of the Time limited in the last Notice left as aforesaid.

If Extension of Time is desired, Company may amend Offer of Compensation.

XVIII. That if any such Extension of Time for further Consideration of such Offer shall have been desired and intimated as aforesaid, the Company may from Time to Time and at any Time within Ten Days before the Expiry of the Time limited in the said Notice, left or sent by such Holder or Party, make any amended Offer of Compensation to such Holder or Party which to the Company may seem reasonable and proper, and any such amended Offer shall operate as a Withdrawal of the First Offer of Compensation or previous Offer of amended Compensation, as the Case may be; and any such amended Offer shall be made by leaving or sending a Notice thereof at or to the Address given by such Holder or Party as aforesaid: Provided always, that although some Portion of the Time required for the further Consideration of such First Offer or amended Offer may remain unexpired, such Holder or Party may, by a Notice under his Hand or under the Hand of his Agent lawfully authorized, and left at or sent to the said Office of the Company, intimate his Willingness to accept such First Offer of Compensation, if

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no amended Offer has been made, and if an amended Offer has been made then of the last made amended Offer, and the same shall be binding on such Holder or Party and the Company.

Claimant not dissenting before Time limited in Notice for further Consideration, to be deemed to have agreed.

XIX. That if before the Expiry of the Time limited in any Notice for further Consideration such Holder or Party do not, by a Notice under his Hand, or under the Hand of his Agent lawfully authorized, and left at or sent to the said Office of the Company, dissent from the First Offer of Compensation made by the Company, or where any amended Offer of Compensation has been made, do not before the Expiry of the same Time dissent in a similar Manner from the last amended Offer of Compensation made by the Company, such Holder or Party shall be deemed to have agreed to accept such First Offer of Compensation or such last amended Offer of Compensation, as the Case may be; and on Payment to him by the Company of the Amount of such First Offer of Compensation where no amended Offer of Compensation has been made, and where an amended Offer of Compensation has been made on Payment of the Amount of such last-mentioned Offer of Compensation within One Calendar Month after the Expiry of the Time limited in the Notice for further Consideration, such Holder or Party shall have no further Claim against the Company in respect of such Injury.

If assured dissent from Company's Offer, he is to give Notice of Arbitration.

XX. That if such Holder or Party shall have dissented in the Manner herein directed from the Offer of Compensation made by the Company as aforesaid, or in case the Company shall have omitted or refused to offer Compensation as aforesaid, and such Holder or Party shall be desirous of having his Claim and the Amount of such Compensation settled by Arbitration, such Holder or Party shall, unless both Parties shall concur in the Appointment of a single Arbitrator, within Twenty-one Days after the Delivery of the said Offer where no Extension of Time for the Consideration of such Offer shall have been required, and where such Extension of Time shall have been required, then before the Expiry of such extended Time, nominate and appoint an Arbitrator to act on his Behalf, such Appointment to be signed by such Holder or Party, or by his Agent lawfully authorized, and shall give Notice to the Company that he is desirous that his Claim and the Amount of such Compensation shall be settled by Arbitration, which Notice shall contain the Name of the Person appointed by him to act as Arbitrator on his Behalf, and the Address to which all Notices in respect of such Arbitration shall be sent, and shall be signed by him or his Agent, and left at or sent to the Office of the Company within Twenty-one Days after the Delivery of such Offer of Compensation, or before the Expiry of such extended Time, as the Case may be.

Company to appoint Arbitrator within Seven Days after Notice of Arbitration.

XXI. That within Seven Days after such Notice of Arbitration shall have been so left as aforesaid, the Company shall (in case it be not otherwise agreed between the Parties) appoint, by Writing, an Arbitrator on the Part of the Company, such Appointment to be signed by any Two of the Directors of the Company; and shall also, within such Time last aforesaid, give Notice thereof to such Holder or Party, which Notice shall contain the Name and Address of the Person so appointed by the said Directors, and shall be left at the Address mentioned in the Notice of Arbitration.

If Company fail to appoint Arbitrator, the One named by other Party to determine the Matter.

XXII. That if the Company shall fail, within Seven Days after such Notice of Arbitration shall have been left as aforesaid, to appoint an Arbitrator to act on the Part of the Company, then, upon such Failure, such Holder or Party may appoint the Arbitrator nominated by him as aforesaid to act for both Parties; and the Arbitrator so nominated may determine the Amount of such Claim and Compensation, and in such Case the Award or Determination of such single Arbitrator shall be final.

Arbitration not to be revoked, and to be deemed a Submission.

XXIII. That after any Appointment of an Arbitrator, or after any Agreement to refer to a single Arbitrator shall have been made, neither Party shall have Power to revoke the same without the Consent of the other, nor shall the Death of any such Holder or Party making or concurring in any such Appointment operate as a Revocation of the Powers conferred on any Arbitrator for the Purposes of this Act; and the giving of any Notice of Arbitration containing the Particulars, and signed as aforesaid, or the concurring in the Appointment of a single Arbitrator, shall be deemed a Submission to Arbitration by such Holder or Party, who shall in such Case have no other Claim against the Company than the Amount which shall be declared in and by the Award or Determination in such Submission; and the Submission to any such Arbitration may be made a Rule of any of the Superior Courts on the Application of either of the Parties.

Vacancy of Arbitrator to be supplied.

XXIV. That if before the Matters so referred shall be determined, any Arbitrator appointed by either Party die or become incapable to act, the Party by whom such Arbitrator was appointed may nominate and appoint in Writing some other Person to act in his Place; and if for the Space of Seven Days after Notice in Writing from the other Party for that Purpose he fail to do so, the remaining or other Arbitrator may proceed *ex parte*, and every Arbitrator so to be substituted as aforesaid shall have the same Powers and Authorities as were vested in the former Arbitrator at the Time of such his Death or Incapacity as aforesaid.

Appointment of Umpire.

XXV. That where more than One Arbitrator shall have been appointed, such Arbitrators shall, before they enter upon the Matters referred to them, nominate and appoint by Writing under their Hands an Umpire to decide on any such Matters in which they shall differ, or which shall be referred to him under this Act; and if such Umpire shall die or become incapable to act, they shall forthwith, after such Death or Incapacity, appoint another Umpire in his Place, and the Decision of every such Umpire in the Matters so referred to him shall be final.

On Neglect, Associate of Chief Justice of Queen's

XXVI. That if, in either of the Cases aforesaid, the said Arbitrators shall refuse, or shall for Seven Days after Request of either Party to such Arbitration neglect to appoint an Umpire, the Associate of the Chief Justice of the Court of Queen's Bench at *Westminster* shall, on the Application of either Party to

to such Arbitration, appoint an Umpire, and the Decision of such Umpire in the Matters in which the Arbitrators shall differ or which shall be referred to him under this Act shall be final. Bench to appoint, &c.

XXVII. That if, where a single Arbitrator shall have been appointed, such Arbitrator shall die or become incapable to act before he shall have made his Award, the Matters referred to him shall be determined by Arbitration under the Provisions of this Act, in the same Manner as if such Arbitrator had not been appointed. On Death of single Arbitrator, Matter to begin de novo.

XXVIII. That if, where more than One Arbitrator shall have been appointed, either of the Arbitrators refuse or for Seven Days neglect to act, the other Arbitrator may proceed *ex parte*, and the Decision of such other Arbitrator shall be as effectual as if he had been the single Arbitrator appointed by both Parties. If One Arbitrator refuse to act, the other to proceed ex parte.

XXIX. That if, where more than One Arbitrator shall have been appointed, and where neither of them shall refuse or neglect to act as aforesaid, such Arbitrators shall fail to make their Award within Twenty-one Days after the Day on which the last of such Arbitrators shall have been appointed, or within such extended Time (if any) as shall have been appointed for that Purpose by both such Arbitrators under their Hands, the Matters referred to them shall be determined by the Umpire to be appointed as aforesaid. If Arbitrators fail to make their Award within 21 Days, the Matter to go to the Umpire.

XXX. That the said Arbitrators or their Umpire may call for the Production of any Documents in the Possession or Power of either Party, which they or he may think necessary for determining the Question in dispute, and may examine the Parties or their Witnesses on Oath, and administer the Oaths necessary for that Purpose. Power for Arbitrators to call for Books.

XXXI. That before any Arbitrator or Umpire shall enter into the Consideration of any Matters referred to him, he shall, in the Presence of a Justice, make and subscribe the following Declaration; (that is to say,) Arbitrator and Umpire to make a Declaration.

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my 'Skill and Ability, hear and determine the Matters referred to me under the Provisions of [*here recite 'the Title of this Act*]. *A.B.*

'Made and subscribed in the Presence of '

And such Declaration shall be annexed to the Award when made; and if any Arbitrator or Umpire, having made such Declaration, shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

XXXII. That no Award made with respect to any Question referred to Arbitration under the Provisions of this Act shall be set aside for Irregularity or Error in Matter of Form. Award not to be set aside for Error in Form.

XXXIII. That all the Costs of any such Arbitration and incident thereto, to be settled by the Arbitrators, shall be borne by the Company, unless the Arbitrator shall award the same or a less Sum than shall have been offered by the Company, in which Case such Costs shall be in the Discretion of the Arbitrator. Costs of Arbitration how to be borne.

XXXIV. That it shall not be lawful for the Company to insure any Person under the Age of Twelve Years, and that every Insurance Ticket obtained by or on behalf of any such Person shall be utterly void against the Company. No One to be insured under Twelve.

XXXV. That no Contract of the Company, or any Compensation received or recoverable by virtue of such Contract, either under this Act or otherwise, shall be held to prejudice or affect any Right of Action, Claim, or Demand, which any Person or his Executors or Administrators may have against any other Company, or any Person, either at Common Law or by virtue of an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for compensating the Families of Persons killed by Accidents*, or any other Act of Parliament, for the Injury, whether fatal or otherwise, in respect of which such Compensation shall have been received or be recoverable. No Contract or Money received, &c. under this Act to prejudice Rights of any Person under 9 & 10 Vict. c. 93.

XXXVI. That all the Costs and Expenses attending the applying for, obtaining, and passing this Act shall be paid by the Company. Expenses of Act.

XXXVII. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Terms.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Expression "the Company" shall mean "The Railway Passengers Assurance Company."

XXXVIII. That in citing this Act in any other Act of Parliament, or in any legal Deed, Instrument, or Proceeding, or in any Parliamentary or other Notice, it shall be sufficient to use the Expression "The Railway Passengers Assurance Company's Act, 1852." Short Title.

SCHEDULE referred to in the foregoing Act.

THE RAILWAY PASSENGERS ASSURANCE COMPANY.

Empowered by an Act passed in the Twelfth and Thirteenth Years of the Reign of Her Majesty Queen Victoria, intituled "An Act to confer certain Powers on the Railway Passengers Assurance "Company," and also by a certain other Act made and passed in the Fifteenth and Sixteenth Years of the Reign of Her said Majesty, intituled "An Act to confer additional Facilities for the Insurance "of the Railway Passengers and other Persons by 'The Railway Passengers Assurance Company.'"

Know all Men by these Presents, That if any Person above the Age of Twelve Years about to travel by Railway shall, on Payment of the Premium of Insurance demanded by the said Company in respect thereof,

thereof, duly obtain any Insurance Ticket marked with the Marks of the said Company, the said Company hereby agrees in consideration of the Payment of such Premium as aforesaid, with such Person, as follows; (that is to say,) if such Person shall, during the particular Journey for which such Insurance Ticket shall have been issued, while travelling by Railway sustain any personal Injury whatever, caused by Railway Accident, then the said Company shall pay to such Person, on Proof of such Injury, such Sum, not exceeding the Amount declared to be insured by such Insurance Ticket, as shall, with reference to and in proportion to the whole Sum insured and made payable as herein-after mentioned, in case of Death, be deemed a reasonable Compensation for such Injury sustained by such Person, such Compensation to be ascertained and paid in the Manner provided by this Act; and if such Person shall die from the Effect of such Injury within Three Months after the occurring of the same, then the Company shall pay to the Executors or Administrators of such Person, on Proof of such Death, the whole Sum expressed in such Insurance Ticket: Provided always, that in case the said Company shall before the Death of such Person so injured as aforesaid have paid any Sum of Money to such Person so injured as aforesaid, as and by way of Compensation for such Injury, such Sum of Money so paid as aforesaid may, on the Death of such Person so injured as aforesaid, after such Payment or Payments, and within Three Months after the occurring of the said Injury, be deducted by the said Company from the Sum of Money hereby otherwise agreed to be paid by them in the event of such Death as aforesaid; and provided always, that the said Company shall in no Case be liable to pay to the Holder of any Insurance Ticket, or to his Executors or Administrators, any Sum of Money in respect of any Injury caused by the Negligence or wilful Act of such Holder. In witness, &c.

Cap. ci.

An Act to amend an Act passed in the Fourth Year of the Reign of King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road from* Holehouse *or* Riding *near* Greenfield *in* Saddleworth, *to join the* Stayley *Turnpike Road, and also to join the* Halifax and Sheffield *Turnpike Road, all in the West Riding of the County of* York; and to continue the Term thereby granted. [17th *June* 1852.]

Cap. cii.

An Act for enabling the *Leeds* Waterworks Company to provide a better Supply of Water to the Town and Neighbourhood of *Leeds*. [17th *June* 1852.]

Cap. ciii.

An Act for merging the Undertaking of the *Reading, Guildford, and Reigate* Railway Company in the Undertaking of the *South-eastern* Railway Company; for the Dissolution of the *Reading, Guildford, and Reigate* Railway Company; and for other Purposes. [17th *June* 1852.]

Cap. civ.

An Act for the Establishment, Maintenance, and Management of Markets in the Borough of *Limerick*. [17th *June* 1852.]

Cap. cv.

An Act to authorize the Conversion of the Debenture Debt of the *London and North-western* Railway Company into a Stock not exceeding Three and a Half *per Centum;* and for enlarging the Stations at *Wolverton* and *Kilburn*. [17th *June* 1852.]

Cap. cvi.

An Act for the Construction of a new Bridge over the River *Foyle* at *Londonderry*, and Approaches thereto. [17th *June* 1852.]

Cap. cvii.

An Act for the Formation of a new Street in the Borough of *Londonderry*. [17th *June* 1852.]

Cap. cviii.

An Act to enable the *Eastern Counties* Railway Company to use the *East Anglian* Railways, and to empower the *Eastern Counties* Railway Company and the *East Anglian* Railways Company to enter into and carry into effect Agreements for certain Objects therein mentioned; and for other Purposes. [17th *June* 1852.]

Cap. cix.

An Act to consolidate and amend certain of the Acts relating to the *Edinburgh and Glasgow* Railway, and to grant further Powers to the Company of Proprietors thereof. [17th *June* 1852.]

Cap. cx.

An Act for repealing an Act of the Ninth Year of the Reign of Her present Majesty, relating to Moorings for Vessels in the River *Tyne*, and the River Police, and for transferring the Powers of the said Act to the *Tyne* Improvement Commissioners; for enabling the said Commissioners to construct and maintain Piers at the Mouth of the said River in the Counties of *Durham* and *Northumberland*, and to construct and maintain Docks and other Works on the North Side of the said River in the last-mentioned County; and for other Purposes. [17th *June* 1852.]

Cap. cxi.

An Act for embanking and reclaiming from the Sea the Estuary or Back Strand of *Tramore* in the County of *Waterford*. [17th *June* 1852.]

[*Saving the Rights of the Lords of Manors*, § 38. *General Saving of Rights*, § 39.]

Cap. cxii.

An Act for the Incorporation of the Society for providing Annuities for the Widows and Children of Presbyterian Ministers, under the Style and Title of "The Presbyterian Widows Fund Association." [17th *June* 1852.]

Cap. cxiii.

An Act to enable the Trustees of the *Yeovil* Turnpike Trust and the *Ilchester* Turnpike Trust to make certain new Roads, to repeal existing Acts, and create further Terms in the said Roads; and for other Purposes. [17th *June* 1852.]

Cap. cxiv.

An Act for enabling the *York, Newcastle, and Berwick* Railway Company to make a Deviation in the Line of their *Bishop Auckland* Branch, to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorized to be made in the County of *Durham*, and for other Purposes. [17th *June* 1852.]

Cap. cxv.

An Act for repairing the Road from *Leek* in the County of *Stafford* to *Monyash*, and from *Middlehills* to the *Macclesfield* Turnpike Road near *Buxton* in the County of *Derby*, and thence to *Otterhole*, and certain Branches of Road communicating therewith. [17th *June* 1852.]

Cap. cxvi.

An Act to consolidate and amend the Acts relating to the *Ipswich* Dock, to allow certain Drawbacks, and for other Purposes. [17th *June* 1852.]

Cap. cxvii.

An Act to enable the *South Wales* Railway Company to construct new Railways to *Milford Haven* and at *Newport*, and to abandon Portions of the Lines from *Fishguard* and at *Haverfordwest*; and for other Purposes. [17th *June* 1852.]

Cap. cxviii.

An Act for making a Railway from the *Lancashire and Yorkshire* Railway in the Township of *Bowling* near *Bradford* to the Railway belonging to the *Lancashire and Yorkshire* and *London and North-western* Railway Companies, or One of them, in the Township of *Wortley* near *Leeds*, all in the West Riding of the County of *York*, to be called The *Leeds, Bradford, and Halifax Junction* Railway, and for other Purposes. [30th *June* 1852.]

Cap. cxix.

An Act for maintaining the Road from *Blackburn* to *Preston* and the Two Branches therefrom, and erecting a Bridge on the Line of the said Road over the River *Ribble*, all in the County Palatine of *Lancaster*. [30th *June* 1852.]

Cap. cxx.

An Act to repeal an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road from* Preston *to* Garstang *in the County of* Lancaster; and to make other Provisions in lieu thereof. [30th *June* 1852.]

Cap. cxxi.

An Act for making further Provision for the Conservancy of the Port and Harbour of *Belfast*, for conferring additional Powers on the *Belfast* Harbour Commissioners, and for other Purposes. [30th *June* 1852.]

Cap. cxxii.

An Act for maintaining and improving the *Blyth and Tyne* Railway in the County of *Northumberland*, and for incorporating the Subscribers thereto. [30th *June* 1852.]

Cap. cxxiii.

An Act to repeal the Act relating to the Road from the Town of *Kingston-upon-Thames* in the County of *Surrey* to *Sheetbridge* near *Petersfield* in the County of *Southampton*; and to make other Provisions in lieu thereof. [30th *June* 1852.]

Cap. cxxiv.

An Act for the Incorporation, Establishment, and Regulation of the *North British* Flax Company, and to enable the said Company to purchase and work certain Letters Patent. [30th *June* 1852.]

Cap. cxxv.

An Act for incorporating and giving Powers to the *Frome, Yeovil, and Weymouth* Railway Company, and for other Purposes. [30th *June* 1852.]

Cap. cxxvi.

An Act for enabling the *Monmouthshire* Railway and Canal Company to make certain new Railways, and for other Purposes. [30th *June* 1852.]

Cap. cxxvii.

An Act for enabling the *York and North Midland* Railway Company to make a Railway to the *Victoria* or *East* Dock at *Hull*, and for other Purposes. [30th *June* 1852.]

Cap. cxxviii.

An Act for constituting Commissioners for the Improvement of the River *Nene* and the Navigations thereof; for the more effectual Drainage of certain Lands in the Counties of *Northampton*, *Huntingdon*, and *Cambridge*; and for other Purposes. [30th *June* 1852.]

[*Saving the Rights of the Crown*, § 152.]

Cap. cxxix.

An Act to amend an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for more effectually making, repairing, and improving certain Roads leading to and from* Liskeard, *and certain other Roads therein mentioned, in the Counties of* Cornwall *and* Devon; and for other Purposes. [30th *June* 1852.]

Cap. cxxx.

An Act for the Conservancy of the River *Humber*, and for amending some of the Provisions of an Act relating to the *Kingston-upon-Hull* Docks. [30th *June* 1852.]

Cap. cxxxi.

An Act to extend and amend the Provisions of the Act relating to the *Wedmore* Turnpike Road in the County of *Somerset*, to create a further Term therein, and for other Purposes. [30th *June* 1852.]

Cap. cxxxii.

An Act for abandoning certain Parts of the Undertaking of the *Lancashire and Yorkshire* Railway Company; for constructing certain new Works, and extending the Time for Completion of existing Works; and for Sale of superfluous Lands; for regulating certain Portions of the Capital of the Company and the Application of Capital; and for authorizing the raising of Money by Annuities; and for other Purposes. [30th *June* 1852.]

Cap. cxxxiii.

An Act to confer on the *Great Western* Railway Company further Powers for the Purchase of Lands on the Lines of, and for the Construction of, the *Birmingham and Oxford Junction* and *Birmingham, Wolverhampton, and Dudley* Railways respectively; and for the Alteration of the Works of Part of the last-mentioned Railway; and for the Formation of an Extension Line of Railway at *Wolverhampton*; and for other Purposes. [30th *June* 1852.]

Cap. cxxxiv.

An Act for more effectually maintaining and keeping in repair the Road from *Cambridge* to *Ely*, and other Roads therein mentioned, in the Counties of *Cambridge* and *Norfolk*. [30th *June* 1852.]

Cap. cxxxv.

An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *North-western* Railway Company; for extending the Time for constructing certain Parts of their Undertaking; and granting further Powers to the said Company; and for other Purposes. [30th *June* 1852.]

Cap. cxxxvi.

An Act for the Reduction of Dues on Shipping and Goods payable to the Mayor, Aldermen, and Burgesses of *Kingston-upon-Hull*, the *Hull Trinity House*, and the Dock Company at *Kingston-upon-Hull*, respectively. [30th *June* 1852.]

Cap. cxxxvii.

An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make a Deviation in the authorized Line to *Longford*, and a Branch Railway to the Town of *Cavan*, and for other Purposes. [30th *June* 1852.]

Cap. cxxxviii.

An Act for the better Establishment of a Market at *Torquay* in the County of *Devon*, and for other Purposes. [30th *June* 1852.]

Cap. cxxxix.

An Act to repeal the Acts relating to the *Asthall and Buckland* Turnpike Road, and to make other Provisions in lieu thereof. [30th *June* 1852.]

Cap. cxl.

An Act for enabling the Completion of the *Wilts, Somerset, and Weymouth* Railway between *Frome* and *Weymouth* to be effected, and for authorizing and confirming Contracts between the *Great Western* Railway Company and the *Kennet and Avon* Canal Company and other Companies, and for other Purposes. [30th *June* 1852.]

Cap. cxli.

An Act for incorporating *Claussen*'s Patent Flax Company, and to enable the said Company to purchase and work certain Letters Patent. [30th *June* 1852.]

Cap. cxlii.

An Act for enabling the Amalgamation of the *Stockton and Hartlepool* Railway Company and the *Hartlepool* West Harbour and Dock Company, and for authorizing the Lease or Purchase of the *Clarence* Railway by the *Stockton and Hartlepool* Railway Company or the amalgamated Company, and for consolidating the Acts relating to the same Companies; and for other Purposes. [30th *June* 1852.]

Cap. cxliii.

An Act for the Improvement of the Borough of *Cork*. [30th *June* 1852.]

Cap. cxliv.

An Act to enable the *Manchester, Sheffield, and Lincolnshire* Railway Company to construct certain Branch Railways. [30th *June* 1852.]

Cap. cxlv.

An Act to amend and enlarge the Powers and Provisions of the Acts relating to the *Oxford, Worcester, and Wolverhampton* Railway Company; to extend the Time for the Completion of the Works, and the Purchase of certain Lands; to authorize Deviations in the Line and Works, and the Construction of certain Branches and Works; and for other Purposes. [30th *June* 1852.]

[*Time limited by the former Acts for the Completion of the Works extended for Two Years from the passing of the Act*, § 6.]

Cap. cxlvi.

An Act to authorize the *Shrewsbury and Chester* Railway Company to construct additional Branches; to purchase or hire Steam-boats; and for other Purposes. [30th *June* 1852.]

Cap. cxlvii.

An Act to revive and extend the Time for the Execution of certain Powers conferred by "The *Wycombe* Railway Act, 1846;" and for reducing the Capital of the *Wycombe* Railway Company; and for enabling the Company to enter into Arrangements with the *Great Western* Railway Company; and for other Purposes. [30th *June* 1852.]

[*Power to reduce the Capital to* 100,000*l.*, *and to alter the Amount and Number of Shares*, § 1. *Power for the compulsory Purchase of Land not to be exercised after the Expiration of One Year from the passing of the Act*, § 11. *Railway to be completed within Two Years from the passing of the Act*, § 13.]

Cap. cxlviii.

An Act for enabling the *Eastern Union* Railway Company to make Arrangements with certain of their Creditors and Shareholders, and with respect to their Capital, and for granting additional Powers to the Company; and for other Purposes. [30th *June* 1852.]

Cap. cxlix.

An Act to incorporate the *London* Necropolis and National Mausoleum Company, and to enable such Company to establish a Cemetery in the Parish of *Woking* in the County of *Surrey*, and for other Purposes. [30th *June* 1852.]

Cap. cl.

An Act for constructing a Cemetery near to *Torquay* in the County of *Devon*. [30th *June* 1852.]

Cap. cli.

An Act to repeal the *Wexford* Harbour Improvement Act, and to make new Arrangements for a more effective and expeditious Execution of a Portion of the Undertaking thereby authorized, and for other Purposes. [30th *June* 1852.]

[*Saving the Rights of the Trinity House and of the Crown*, §§ 71 73.]

Cap. clii.

An Act to appoint Commissioners for the Execution of certain Improvements in the Navigation of the River *Slaney*, and for other Purposes. [30th *June* 1852.]

Cap. cliii.

An Act to enable the *South Yorkshire* Railway and River *Dun* Company to transfer their Undertaking to the *Great Northern* Railway Company. [30th *June* 1852.]

Cap. cliv.

An Act to repeal the Acts relating to the *Exeter* and the *Countess Wear* Turnpike Roads, and to make other Provisions in lieu thereof, and to authorize the Construction of certain new Roads; and for other Purposes. [30th *June* 1852.]

Cap. clv.

An Act for the Transfer of the Undertaking of the *British* Gas Light Company to the *Commercial* Gas Company, and for other Purposes. [30th *June* 1852.]

Cap. clvi.

An Act for extending the *Chelsea* Waterworks, and for better supplying the City of *Westminster* and Parts adjacent with Water. [30th *June* 1852.]

[*General Saving of Rights*, § 82. *Works on the Thames not to be constructed without the Consent of the Commissioners of Woods*, § 84. *Saving the Rights of the Crown*, § lxxiv.]

Cap. clvii.

An Act for enabling the *Grand Junction* Waterworks Company to obtain a Supply of Water from the *Thames* at *Hampton*, and to construct additional Works, and for other Purposes. [30th *June* 1852.]

Cap. clviii.

An Act for making divers Provisions with respect to the *Southwark and Vauxhall* Water Company, for empowering that Company to execute additional Works, and for other Purposes. [30th *June* 1852.]

Cap. clix.

An Act for enabling the Company of Proprietors of the *West Middlesex* Waterworks to obtain by Agreement a Supply of Water from the *Thames* above the Reach of the Tide, and to raise a further Capital, and for other Purposes. [30th *June* 1852.]

[*Capital of the Company to be* 506,300*l. in* 61*l. Shares*, § 6. *Power to raise* 168,763*l. additional Capital by Mortgage*, § 7.]

Cap. clx.

An Act to enable the Governor and Company of the *New River* to improve their Supply of Water; and for other Purposes. [30th *June* 1852.]

Cap. clxi.

An Act for enabling the Local Board of Health for the Town and District of *Swansea* to construct Waterworks; and for other Purposes. [30th *June* 1852.]

Cap. clxii.

An Act for the Conservancy, Improvement, and Regulation of the River *Tees*, the Construction of a Dock at *Stockton*, the Dissolution of the *Tees* Navigation Company, and other Purposes. [30th *June* 1852.]

Cap. clxiii.

An Act to define and amend the Mineral Customs and to make better Provision for the Administration of Justice in the Barmote Courts within the Soke and Wapentake of *Wirksworth*, and within the Manors or Liberties of *Crich*, *Ashford*, *Stoney Middleton* and *Eyam*, *Hartington*, *Litton*, *Peak Forest*, *Tideswell*, and *Youlgreave*, in the County of *Derby*. [30th *June* 1852.]

Cap. clxiv.

An Act for making divers Provisions with respect to the *East London* Waterworks Company, for empowering that Company to execute additional Works, and for other Purposes. [30th *June* 1852.]

Cap. clxv.

An Act to authorize the Use by the *Shrewsbury and Birmingham* Railway Company of the *Navigation Street* Station in *Birmingham*, and for other Purposes. [1st *July* 1852.]

Cap. clxvi.

An Act for making a Railway or Tramroad from the *Aberllefenny* Slate Quarries in the Parish of *Tallyllyn* in the County of *Merioneth* to the River *Dovey* in the Parish of *Towyn* in the same County, with Branches therefrom; and for other Purposes. [1st *July* 1852.]

Cap. clxvii.

An Act to consolidate into One Act and to amend the Provisions of the several Acts relating to the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company, to define the Undertaking of the Company, and for other Purposes. [1st *July* 1852.]

Cap. clxviii.

An Act to authorize Traffic Arrangements between the *Great Western*, the *Shrewsbury and Hereford*, and the *Hereford, Ross, and Gloucester* Railway Companies. [1st *July* 1852.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

" This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most " Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so " printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

AN Act to authorize the Improvement and better Management and eventual Leases or Sale of the Piece Halls in the Town of *Bradford* in the County of *York;* and to incorporate the Proprietors thereof. [28th *May* 1852.]

Cap. 2.

An Act for enabling the Trustee or Trustees of the Will of the Right Honourable *Anna Maria* Dowager Lady *Wenlock* deceased to sell and dispose of a Leasehold Messuage, with the Statuary and Household Furniture by the same Will bequeathed as therein mentioned. [28th *May* 1852.]

Cap. 3.

An Act to unite the *Manchester* House of Recovery with the *Manchester* Royal Infirmary, Dispensary, and Lunatic Hospital or Asylum. [28th *May* 1852.]

Cap. 4.

An Act for authorizing the Sale of the *Bowden Park* Estate in the County of *Wilts*, devised and settled by the Will of *Ezekiel Harman* Esquire, Deceased, and certain Codicils thereto, and for laying out the Surplus of the Money produced by such Sale, after Payment of a Mortgage affecting the same, in the Purchase of other Estates to be settled to the same Uses. [17th *June* 1852.]

Cap. 5.

An Act to authorize the granting of Leases of Estates devised by the Will of *John Clarkson* Esquire, deceased, situate in the Counties of *Middlesex* and *Surrey*. [17th *June* 1852.]

Cap. 6.

An Act to enable the Trustees of the Right Honourable *James* Earl of *Fife* deceased, to sell and convey the Estate of *Balmoral* in the County of *Aberdeen* to His Royal Highness Prince *Albert* of *Saxe Coburg* and *Gotha*, and to grant Feus of Parts of the Estates vested in them. [17th *June* 1852.]

Cap. 7.

An Act to explain and amend the Powers of the Governors of the Hospital in *Edinburgh* founded by *George Watson*, Merchant Burgess of *Edinburgh*. [17th *June* 1852.]

Cap. 8.

An Act to enable *Francis Adams* Esquire, or other the Committee of the Estate of *Mary Shute Adams*, a Person of unsound Mind, for and in the Name and on behalf of the said *Mary Shute Adams*, to consent to the Exercise of certain Powers contained in the Marriage Settlement of the said *Francis Adams*, and in a certain Act of Parliament passed in the First Year of the Reign of Her present Majesty, and to exercise the Power of appointing new Trustees contained in the said Settlement; and for extending the Powers of Sale and Exchange contained in such Settlement. [30th *June* 1852.]

Cap. 9.

An Act for enabling Leases and Sales to be made of Estates subject to the Will of *Micah Gedling* deceased, and for other Purposes, and to be called " *Gedling*'s Estate Act, 1852." [30th *June* 1852.]

Cap. 10.

An Act to enable the President and Scholars of the College of *Saint Mary Magdalen* in the University of *Oxford*, as Owners in Fee of Lands at *Wandsworth* in the County of *Surrey*, to grant Building Leases; and for other Purposes. [30th *June* 1852.]

Cap. 11.

An Act to incorporate the Society of the Craft of Smiths and Hammermen of the Burgh of *Aberdeen*; to confirm, amend, and regulate the Administration of the Estates and Affairs of the said Society; and for other Purposes relating to the Society. [30th *June* 1852.]

Cap. 12.

An Act to authorize the Sale of the *Leith Exchange Buildings*, and the Application of the Price thereof in the Extinction of Debts affecting the same; to distribute and appropriate any Balance that may arise from said Sale; and to wind up the Concern. [30th *June* 1852.]

Cap. 13.

An Act to enable *John Eden Spalding* Esquire, under the Authority of the Judges of the Court of Session in *Scotland*, to raise Money by Sale or upon Security of the Estate of *Holm* and other Lands in the Stewartry of *Kirkcudbright*, for discharging certain Debts and Liabilities of the said *John Eden Spalding*; and for other Purposes. [30th *June* 1852.]

Cap. 14.

An Act for the Regulation and Management of the Charity founded by *Thomas Howell* in or about the Year One thousand five hundred and forty, and for other Purposes. [30th *June* 1852.]

Cap. 15.

An Act for enabling the Trustees of the Settlement of *Cary Charles Elwes* Esquire to grant Building and other Leases of Land, and to make Improvements on the settled Estates in the County of *Lincoln*, and to purchase Waterworks in the Town of *Glamford Briggs*. [30th *June* 1852.]

Cap. 16.

An Act for enabling the Trustees of the settled Estates of the Right Honourable *Henry John Reuben* Earl of *Portarlington* situate in the County of *Dorset* to lay out the Monies arising under the Exercise of the Powers of Enfranchisement and Sale and Exchange contained in the Settlement of the same Estates in the Purchase of other Estates in *England*, *Wales*, or *Ireland*, in lieu of being restricted to laying out the same Monies in the Purchase of Estates in *England* or *Wales*, as directed by the said Settlement. [30th *June* 1852.]

Cap. 17.

An Act for the Regulation of the Charity founded by *George Jarvis*, for the Benefit of the poor Inhabitants of the several Parishes of *Stanton-upon-Wye*, *Bredwardine*, and *Letton*, all in the County of *Hereford*; and for other Purposes. [30th *June* 1852.]

Cap. 18.

An Act for enabling Leases, Sales, and Exchanges to be made of the Family Estates in the County of *Southampton* of the Reverend Sir *John Barker Mill* Baronet, and for other Purposes, and to be called "*Barker Mill*'s Estate Act, 1852." [30th *June* 1852.]

Cap. 19.

An Act for enabling Leases, Sales, and Exchanges to be made of the Family Estates, in the *Isle of Wight* and elsewhere in the County of *Southampton*, of *John Brown Willis Fleming* Esquire, and for other Purposes, and of which the Short Title is "*Fleming*'s Estate Act, 1852." [30th *June* 1852.]

Cap. 20.

An Act to enable the Infant Tenants in Tail of the Estates in the County of *York* subject to the Will of *Thomas Thornhill* of *Fixby* in the said County, Esquire, deceased, to grant Building and other Leases of Parts of the said Estates, and to sell or exchange the same, and for other Purposes. [30th *June* 1852.]

Cap. 21.

An Act for appointing and incorporating Trustees for the Management of the Boys and Girls Hospitals of *Aberdeen* as One Institution, and for vesting the Estates and Revenues thereof in such Trustees, and for better managing such Estates and Revenues, and for other Purposes connected therewith. [30th *June* 1852.]

INDEX

TO THE

PUBLIC GENERAL ACTS, 15° & 16° VICTORIÆ.

The Asterisk (*) signifies that the Act relates exclusively to Ireland.

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THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Decimo Sexto & Decimo Septimo.

'AT the Parliament begun and holden at *Westminster*, the Fourth Day of *November*, *Anno Domini* 1852, in the Sixteenth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith: being the First Session of the Sixteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to make Provision concerning Bills of Exchange and Promissory Notes payable in the Metropolis on the Day appointed for the Funeral of *Arthur* late Duke of *Wellington*. [17th *November* 1852.]

CAP. II.

An Act to amend an Act of the First Year of King *George* the Fourth, for the further Prevention of forging and counterfeiting Bank Notes. [16th *December* 1852.]

'WHEREAS by an Act passed in the First Year of the Reign of King *George* the Fourth it was enacted, that all Bank Notes of the Governor and Company of the Bank of *England* of the Description therein mentioned, whereon the Names of the Persons intrusted by the Governor and Company to sign the same should be impressed by Machinery with the Authority of the said Governor and Company, should be good and valid: And whereas Doubts have arisen whether the Provisions of the said Act are not limited to Notes of the particular Description therein mentioned:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Notes, Bank Post Bills, and Bank Bills of Exchange of the said Governor and Company, whereon the Name or Names of One of the Cashiers of the said Governor and Company for the Time being, or other Officer appointed or to be appointed by the said Governor and Company in that Behalf, shall or may be impressed or affixed by Machinery provided for that Purpose by the said Governor and Company, and with the Authority of the said Governor and Company, shall be taken to be good and valid to all Intents and Purposes as if such Notes, Bank Post Bills, and Bank Bills of Exchange had been subscribed in the proper Handwriting of such Cashier or other Officer as aforesaid, and shall be deemed and taken to be Bank Notes, Bank Post Bills, and Bank Bills of Exchange within the Meaning of all Laws and Statutes whatsoever, and shall and may be described as Bank Notes, Bank Post Bills, and Bank Bills of Exchange respectively in all Indictments and other Criminal and Civil Proceedings whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

Signatures of the Cashiers of the Bank of England may be impressed on Notes, &c. by Machinery instead of being written, which shall be valid.

CAP. III.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales*. [16th *December* 1852.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts "for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Seventh Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of

Inclosures mentioned in

Schedule may be proceeded with.

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1852," or "The "Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Bampton and Shilton	Oxford and Berks	23d January 1852.
Homanton	Wilts	19th February 1852.
Hareshaw Common	Northumberland	23d January 1852.
Beedon Common	Berks	23d March 1852.
Wigginton	Hertford	23d March 1852.
Broadhalfpenny Down	Southampton	18th June 1851.
Snetterton	Norfolk	28th August 1851.
Morestead Down	Southampton	20th April 1852.
Watford Field	Hertford	12th July 1852.
Great Marlow	Bucks	14th May 1852.
Osehill Common	Dorset	2d July 1852.
Magor	Monmouth	2d July 1852.
Undy	Monmouth	2d July 1852.
Eaton Bray	Bedford	12th July 1852.
Waitby Common	Westmorland	2d July 1852.
Kirkby Stephen Common	Westmorland	2d July 1852.
Llanllugan Manor	Montgomery	7th May 1852.
Clayton	Sussex	7th May 1852.
Acklam Wold	York	20th April 1852.
Haughton	Chester	2d July 1852.
Ditton Common	Kent	2d July 1852.
High Oak Common	Hertford	4th October 1852.
Musley Common	Hertford	4th October 1852.
Aubourn	Lincoln	4th October 1852.
Fradswell Heath	Stafford	24th June 1852.
Bensington, Berrick Salome, and Ewelme	Oxford	24th June 1852.

CAP. IV.

An Act to amend an Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the *British* Colonies on the Continent of *South America*, in the *West Indies*, and the *Mauritius*, for certain Purposes. [16th *December* 1852.]

11 & 12 Vict. c. 130.

'WHEREAS in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign an Act was passed, intituled *An Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the* British *Colonies on the Continent of* South America, *in the* West Indies, *and the* Mauritius, *for certain Purposes:* And whereas by the said Act Her Majesty was enabled to guarantee the Interest on certain Loans thereafter to be raised by the Legislature, or other proper Legislative Authority of Her Majesty's Colonies and Possessions on the Continent of *South America*, in the *West Indies*, and the Island of *Mauritius*, and made chargeable on the respective Revenues of such Colonies and Possessions, for the Purpose of promoting the Introduction of Free Labourers, or the Formation of Roads, Railways, Works of Drainage or Irrigation, or other public Undertakings of a similar Character: And whereas Doubts have arisen whether any Monies that may be raised by means of such guaranteed Loans can be applied to the Conveyance back to *India*, *China*, or *Africa* of Free Labourers introduced therefrom into the said Colonies and Possessions: And whereas it is expedient to remove such Doubts:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Monies the Produce of such guaranteed Loans which the Legislatures or other proper Legislative Authority of Her Majesty's said Colonies and Possessions may have raised or charged, or hereafter may raise or charge, on the respective Revenues of such Colonies and Possessions, may be applied to the Conveyance back to *India*, *China*, and *Africa* of Free Labourers introduced therefrom into the said Colonies and Possessions, anything in the said recited Act to the contrary notwithstanding.

Guaranteed Loans may be charged with Expense of conveying back to India, &c. Free Labourers introduced therefrom.

CAP. V.

An Act to substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications.

[21st *February* 1853.]

'WHEREAS it is expedient that the Fees payable in respect of Letters Patent for Inventions under the Patent Law Amendment Act, 1852, and mentioned in the Schedule to such Act, be converted into Stamp Duties:' Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 15 & 16 Vict. c. 83.

§§ 17, 44, 45, 46, and 53, and Part of Schedule of recited Act repealed.

I. Sections Seventeen, Forty-four, Forty-five, Forty-six, and Fifty-three of the said Patent Law Amendment Act, 1852, and so much of the Schedule to the said Act as relates to Fees and Stamp Duties to be paid under the said Act, shall be repealed.

Letters Patent to be made subject to Avoidance on Non-payment of Stamp Duties expressed in Schedule to this Act annexed.

II. All Letters Patent for Inventions to be granted under the Provisions of the said Patent Law Amendment Act, 1852, (except in the Cases provided for in the Fourth Section of this Act,) shall be made subject to the Condition that the same shall be void, and that the Powers and Privileges thereby granted shall cease and determine, at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid before the Expiration of the said Three Years and Seven Years respectively the Stamp Duties in the Schedule to this Act annexed expressed to be payable before the Expiration of the Third Year and of the Seventh Year respectively, and such Letters Patent, or a Duplicate thereof, shall be stamped with proper Stamps showing the Payment of such respective Stamp Duties, and shall, when stamped, be produced before the Expiration of such Three Years and Seven Years respectively at the Office of the Commissioners; and a Certificate of the Production of such Letters Patent or Duplicate so stamped, specifying the Date of such Production, shall be endorsed by the Clerk of the Commissioners on the Letters Patent or Duplicate, and a like Certificate shall be endorsed upon the Warrant for such Letters Patent filed in the said Office.

Stamp Duties mentioned in the Schedule to this Act to be payable.

III. There shall be paid unto and for the Use of Her Majesty, Her Heirs and Successors, for or in respect of Letters Patent applied for or issued under the Provisions of the said Patent Law Amendment Act, 1852, Warrants, Specifications, Disclaimers, Certificates, and Entries, and other Matters and Things mentioned in the Schedule to this Act, or the Vellum, Parchment, or Paper on which the same respectively are written, the Stamp Duties mentioned in the said Schedule; and no other Stamp Duties shall be levied in respect of such Letters Patent, Warrants, Specifications, Disclaimers, Certificates, Entries, Matters, and Things; and the Stamp Duty mentioned in the said Schedule on Office Copies of Documents shall be in lieu of such Sums as by the said Patent Law Amendment Act, 1852, are authorized to be appointed to be paid for such Office Copies.

As to Payment of Stamp Duties on Letters Patent for England, Scotland, or Ireland respectively.

IV. Where Letters Patent for *England* or *Scotland* or *Ireland* have been granted before the Commencement of the said Patent Law Amendment Act, 1852, or have been since the Commencement of the said Act, or hereafter may be granted for any Invention, in respect of any Application made before the Commencement of the said Act, Letters Patent for *England* or *Scotland* or *Ireland* may be granted for such Invention in like Manner as if the said Act had not been passed: Provided always, that in lieu of all Fees or Payments and Stamp Duties which were at the Time of the passing of the said Act payable in respect of such Letters Patent as last aforesaid, or in or about obtaining a Grant thereof, and in lieu of all other Stamp Duties whatsoever, there shall be paid in respect of such Letters Patent as last aforesaid on the sealing thereof Stamp Duties equal to One Third Part of the Stamp Duties which would be payable under this Act in respect of Letters Patent issued for the United Kingdom under the said Patent Law Amendment Act, 1852, on or previously to the sealing of such Letters Patent as last aforesaid, and before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by such Letters Patent for *England*, *Scotland*, or *Ireland*, Stamp Duties equal to One Third Part of the Stamp Duties payable under this Act before the Expiration of the Third Year and the Seventh Year respectively of the Term granted by Letters Patent issued for the United Kingdom under the said Patent Law Amendment Act, 1852, and the Condition of such Letters Patent for *England* or *Scotland* or *Ireland* shall be varied accordingly.

Duties to be under Management of Commissioners of Inland Revenue;

V. The Stamp Duties hereby granted shall be under the Care and Management of the Commissioners of Inland Revenue; and the several Rules, Regulations, Provisions, Penalties, Clauses, and Matters contained in any Act now or hereafter to be in force with reference to Stamp Duties shall be applicable thereto.

who are to provide the proper Stamps for the Purpose.

VI. The said Commissioners of Inland Revenue shall prepare Stamps impressed upon adhesive Paper, of the Amounts following, that is to say, Twopence, Fourpence, Eightpence, and One Shilling, to be used only in respect of the Stamp Duties on the Office Copies of Documents and on the Certificates of Searches and Inspections mentioned in the Schedule to this Act; such adhesive Stamps of proper Amounts to be affixed by the Clerk of the Commissioners of Patents for Inventions to such Office Copies of Documents and Certificates of Searches and Inspections as aforesaid; and immediately after such affixing he shall obliterate or deface such Stamps by impressing thereon a Seal to be provided for that Purpose, but so as not to prevent the Amount of the Stamp from being ascertained; and no such Office Copy or Certificate shall be delivered out until the Stamps thereon shall be obliterated or defaced as aforesaid.

Conditions of Letters Patent already granted under recited Act to be satisfied by Payment of Stamp Duties, &c. under this Act.

VII. The Condition contained in any Letters Patent granted under the said Patent Law Amendment Act, 1852, and before the passing of this Act for making such Letters Patent void at the Expiration of Three Years and Seven Years respectively from the Date thereof, unless there be paid, before the Expiration of the said Three Years and Seven Years respectively, the Sums of Money and Stamp Duties by the said Patent Law Amendment Act, 1852, required in this Behalf, shall be deemed to be satisfied and complied with by Payment of the like Stamp Duties as would have been required if such Letters Patent had been granted after the passing of this Act, and had been made subject to the Condition required by this Act in lieu of the said Condition therein contained; and the Provision herein-before contained concerning the Endorsement on the Letters Patent or Duplicate, and on the Warrant for the same Letters Patent, of a Certificate of the Production of the Letters Patent or Duplicate properly stamped, shall be applicable in the Case of such Letters Patent granted before the passing of this Act.

Power to Commissioners to purchase the Indexes of existing Specifications prepared by Mr. Woodcroft.

VIII. 'And whereas by the said Patent Law Amendment Act, 1852, the Commissioners are directed 'to cause Indexes to all Specifications heretofore or hereafter to be enrolled or deposited to be prepared 'in such Form as they may think fit, which Indexes are to be open to the Inspection of the Public: And 'whereas the existing Specifications so directed to be indexed as aforesaid are in Number Fifteen 'thousand and upwards, and it would require some Years to make Indexes thereof on a proper Arrange-'ment and Classification: And whereas Mr. *Bennett Woodcroft* has already made complete Indexes of 'such Specifications, which the Commissioners have examined and approved of, and it is expedient that 'such Indexes be purchased for the Use of the Public:'

It shall be lawful for the Commissioners, with the Consent of the Commissioners of Her Majesty's Treasury, to purchase the said Indexes of the said *Bennett Woodcroft* for a Sum not exceeding One thousand Pounds, and to pay the Purchase Money for the same out of the Monies in their Hands which have arisen from Fees received in respect of Letters Patent under the said Patent Law Amendment Act, 1852, and directed by the said Act to be paid into the Receipt of the Exchequer; and after the Purchase of such Indexes the Provisions of the said Act shall be applicable thereto as if such Indexes had been prepared under the said recited Enactment.

As to the Word "Duplicate."

IX. The Word "Duplicate" shall be construed to mean in this Act such Letters Patent as may be issued under the Twenty-second Section of the Patent Law Amendment Act, 1852, in case of any Letters Patent being destroyed or lost.

This Act and 15 & 16 Vict. c. 83. to be construed together.

X. This Act and the Patent Law Amendment Act, 1852, shall be construed together as One Act.

The SCHEDULE of Stamp Duties to be paid to which this Act refers.

	£	s.	d.
On Petition for Grant of Letters Patent	5	0	0
On Certificate of Record of Notice to proceed	5	0	0
On Warrant of Law Officer for Letters Patent	5	0	0
On the sealing of Letters Patent	5	0	0
On Specification	5	0	0
On the Letters Patent, or a Duplicate thereof, before the Expiration of the Third Year	50	0	0
On the Letters Patent, or a Duplicate thereof, before the Expiration of the Seventh Year	100	0	0
On Certificate of Record of Notice of Objections	2	0	0
On Certificate of every Search and Inspection	0	1	0
On Certificate of Entry of Assignment or Licence	0	5	0
On Certificate of Assignment or Licence	0	5	0
On Application for Disclaimer	5	0	0
On Caveat against Disclaimer	2	0	0
On Office Copies of Documents, for every Ninety Words	0	0	2

CAP. VI.

An Act to apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and fifty-three. [21st *February* 1853.]

CAP. VII.

An Act to amend an Act relating to the Valuation of rateable Property in *Ireland*. [21st *February* 1853.]

15 & 16 Vict. c. 63.

'WHEREAS an Act was passed in the Sixteenth Year of Her Majesty's Reign, intituled *An Act to amend the Laws relating to the Valuation of rateable Property in* Ireland; and the said Act, '"for the Purpose of providing for the necessary Alteration and Revision of the Valuations made, '"completed, or revised under the said Act from Time to Time, in the Cases of those Tenements or '"Hereditaments the Limits whereof shall become altered, or whereof the Value shall be changed by '"any Building being erected thereon or thrown down or destroyed, as the Case may be, or in all '"Cases of Property the annual Value of which is liable to frequent Alteration, such as Fisheries, '"Railways, Canals, Tolls of Roads and Bridges, and Mines," enacted, "That within Ten Days after '"the

‘ “ the First Day of *February* in each Year after any such Valuation or revised Valuation shall have
‘ “ been completed and in operation, every Collector of Poor Rates within each Poor Law Union within
‘ “ which such Valuation shall be completed and in operation shall make out and lay before the Board
‘ “ of Guardians of the Union for which he is a Collector a List of all the Tenements or Hereditaments
‘ “ situate within every Townland in the said Union, and within his District, the Valuation of which
‘ “ Tenements shall require Revision for any of the Reasons aforesaid, or in respect of any Property
‘ “ the annual Value of which is liable to frequent Alteration as aforesaid; and if any such Collector
‘ “ shall fail or neglect to make out, according to the best of his Ability, and lay before the respective
‘ “ Board of Guardians, such last-mentioned List of Tenements and Properties, as hereby required, he
‘ “ shall for every such Neglect or Default be liable to a Penalty not exceeding Five Pounds; and the
‘ “ Clerk of the Union shall prepare from the said Lists a full and complete List of all such last-
‘ “ mentioned Tenements and Property, and shall for Twenty Days after receiving the said Lists leave
‘ “ Copies thereof open for Inspection at the Workhouse of the Union, and permit Extracts to be taken
‘ “ from the same; and in case of such Default as aforesaid by a Poor Law Collector, any Ratepayer
‘ “ within the Union may lay before the Board of Guardians a List of any Tenements the Valuation of
‘ “ which shall in his Opinion require Revision, which List shall be dealt with as if returned by the
‘ “ Poor Law Collector, and shall transmit such List, within Twenty Days from such First Day of
‘ “ *February*, to the Commissioner of Valuation, with the Opinion of the said Board of Guardians
‘ “ whether a Revision is necessary on account of such Changes or Alterations, together with the Name
‘ “ of the Person whom the said Board of Guardians may recommend as a fit and proper Person to
‘ “ revise the same;” and it is expedient to amend the above-cited Provisions:’ Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Part of above-recited Section 29. of 15 & 16 Vict. c. 63. repealed, and other Provisions made in lieu thereof.

I. So much of the above-recited Provision as enacts, that “the Clerk of the Union shall prepare “from the said Lists a full and complete List of all such Tenements and Property, and shall for Twenty “Days after receiving the said Lists leave Copies thereof open for Inspection at the Workhouse of the “Union, and permit Extracts to be taken from the same; and in case of such Default as aforesaid by “a Poor Law Collector, any Ratepayer within the Union may lay before the Board of Guardians a List “of any Tenements the Valuation of which shall in his Opinion require Revision, which List shall be “dealt with as if returned by the Poor Law Collector, and shall transmit such List, within Twenty-“one Days from such First Day of *February*, to the Commissioner of Valuation, with the Opinion of “the said Board of Guardians whether a Revision is necessary on account of such Changes or Altera-“tions, together with the Name of a Person whom the said Board of Guardians may recommend as a “fit and proper Person to revise the same,” shall be and is hereby repealed; and in lieu thereof it shall be and is hereby enacted as follows:

Clerks of Unions to make out Lists of Tenements proposed for Revision in Lists received from Collectors, &c.

The Clerk of the Union shall prepare from the Lists so directed to be made out by the Collectors, and laid before the Board of Guardians, a full and complete List of all Tenements and Property mentioned in such Collectors Lists, and shall for Twenty Days after receiving the said Lists leave Copies thereof open for Inspection at the Workhouse of the Union, and permit Extracts to be taken from the same; and in case of such Default as aforesaid by any Poor Rate Collector, any Ratepayer within the Union may lay before the Board of Guardians a List of any Tenements of which the Valuation shall in his Opinion require Revision, which List shall be dealt with as if it were made out and laid before the Board of Guardians by the Poor Rate Collector, and the Tenements named therein shall in like Manner be included in the List directed to be made out by the Clerk of the Union; and the Clerk of the Union shall, within Twenty Days after such First Day of *February*, transmit the List so directed to be made out by him to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether a Revision is necessary on account of such Changes or Alterations, together with the Name of a Person whom the said Board of Guardians may recommend as a fit and proper Person to revise the same.

CAP. VIII.

An Act for enabling the Commissioners of Inland Revenue to dispose of certain Property in the City of *London*. [18th *March* 1853.]

‘ WHEREAS by an Act passed in the Session of Parliament holden in the Eighth Year of the Reign
‘ of His late Majesty King *George* the Third, intituled *An Act for carrying into execution an* 8 G. 3. c. 32.
‘ *Agreement made between the Mayor and Commonalty and Citizens of the City of* London, *and the*
‘ *Wardens and Commonalty of the Mystery of Mercers of the said City, and* Stamp Brooksbank *Esquire,*
‘ *Secretary to the Commissioners of His Majesty's Revenue of Excise, for the Purchase of* Gresham
‘ College, *and the Ground and Buildings thereunto belonging, and for vesting the same unalienably in*
‘ *the Crown, for the Purpose of erecting and building an Excise Office there, and for enabling the*
‘ *Lecturers of the said College to marry, notwithstanding any Restriction contained in the Will of Sir*
‘ Thomas Gresham *Knight, deceased,* it is enacted, that it should and might be lawful to and for all
‘ Bodies Politic, Corporate, or Collegiate, and all Trustees, Mortgagees, and Feoffees in Trust, Guardians
‘ of Infants, and Committees of Lunatics and Idiots, Executors and Administrators whatsoever, and all
‘ and every other Person or Persons whomsoever, who were or should be seised, possessed, or interested
‘ in any Lands or Tenements standing or being contiguous or adjoining to the said College, to bargain

‘ and

'and sell the same to such Person or Persons as the Commissioners of His Majesty's Treasury then 'being, or any Three or more of them, or the High Treasurer, or the Commissioners of His Majesty's 'Treasury for the Time being, or any Three or more of them, should by Writing under his or their 'Hands appoint, to contract for the Purchase thereof for the Purpose aforesaid, and such Lands or 'Tenements so to be purchased should be conveyed to His Majesty, His Heirs or Successors, by Deed 'or Deeds, to be enrolled in His Majesty's Court of King's Bench, and when so purchased should be 'and be deemed to be and were thereby declared to be vested in and annexed to the Imperial Crown 'of this Realm, and should be and remain for ever unalienable from the same, and all Contracts, 'Agreements, and Sales, and all Conveyances by such Deeds, enrolled as aforesaid, which should be 'made by such Bodies Politic, Corporate, or Collegiate, or other Persons aforesaid, should be valid and 'effectual to all Intents and Purposes, any Law, Statute, or Usage, or any other Matter or Thing, to 'the contrary notwithstanding: And whereas after the passing of the said Act the said Messuage or 'Tenement called *Gresham College* was pulled down, and an Excise Office erected there: And whereas 'in the Year One thousand seven hundred and seventy-two one *John Conyers* sold to the then Com-'missioners of His then Majesty's Revenue of Excise (who had been previously appointed by the 'Commissioners of His then Majesty's Treasury, in pursuance of the said Act, to contract with him 'for the Purpose,) certain Land and Buildings, Stables, Coach-houses, and Vaults situate in *Sun Yard* 'in the Parish of *Saint Helen's Bishopsgate, London*, contiguous or adjoining to the said College called '*Gresham College*, for the Purpose in the said Act mentioned, and under and by virtue of certain Deeds 'or Indentures of Lease and Release, dated respectively the Twenty-third and Twenty-fourth Days of '*March* One thousand seven hundred and seventy-two, and duly enrolled in His Majesty's Court of 'King's Bench, as by the said Act is directed, the Release being made between the said *John Conyers* 'of the First Part, *William Burton* Esquire, *John Wyndham Bowyer* Esquire, *David Papillon* Esquire, '*George Lewis Scott* Esquire, *Thomas Bowlby* Esquire, *Richard Bagot* Esquire, *George Quarme* Esquire, '*Richard Stonhewer* Esquire, and *Anthony Lucas* Esquire, therein described, according to the Fact, as 'the Commissioners of His Majesty's Revenue of Excise, of the Second Part, and the then King's most 'Excellent Majesty of the Third Part, the said Land and Buildings, Stables, Coach-houses, and Vaults 'were conveyed to the Use of His then Majesty, His Heirs and Successors for ever, to the End and 'Intent that the same might be vested and annexed to the Imperial Crown of this Realm, and be for 'ever held and enjoyed therewith, and be and remain for ever unalienable from the same, according to 'the Tenor, true Intent, and Meaning of the said Act of Parliament: And whereas the Property com-'prised in the said Deed or Indenture of Release was afterwards thrown into and formed Part of the 'Site of the said Excise Office, and of the Yard and Outbuildings adjoining thereto, or some of them: 'And whereas by an Act passed in the Session of Parliament holden in the Twelfth Year of the Reign

12 & 13 Vict. c. 1.

'of Her present Majesty, and intituled *An Act to consolidate the Boards of Excise and Stamps and 'Taxes into One Board of Commissioners of Inland Revenue, and to make Provision for the Collection 'of such Revenue*, it is enacted, that from and after the passing of that Act the several Persons then 'appointed and being Commissioners of Excise and Commissioners of Stamps and Taxes respectively 'should, without any further Commission or Authority than that Act, become and be One consolidated 'Board of Commissioners, and be called the "Commissioners of Inland Revenue," and from thenceforth 'all the several Revenues, Duties, Matters, and Things which at the Time of the passing of that Act 'were collected by or were under the Care and Management of the said Commissioners of Excise and 'of the said Commissioners of Stamps and Taxes respectively should respectively be collected by and 'should be under the Care and Management of the Commissioners of Inland Revenue constituted by that 'Act, or to be appointed as therein-after directed, in the same Manner as such Revenues, Duties, Matters, 'and Things respectively had theretofore been collected by or had been under the Care and Management 'of the said Commissioners of Excise and of the said Commissioners of Stamps and Taxes respectively, 'and that all such Revenues and Duties should be denominated and be deemed to be Inland Revenue: 'And whereas after the passing of such lastly-mentioned Act the said Excise Office became and was 'known as the Chief Office of Inland Revenue: And whereas by an Act passed in the Session of 'Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled

15 & 16 Vict. c. 40.

'*An Act for carrying into execution an Agreement for the Sale of Property belonging to Her Majesty in 'right of Her Crown and of Her Duchy of* Lancaster *to the Commissioners of Inland Revenue, and for 'enabling such Commissioners to dispose of their present Chief Office and other Property in the City of* 'London, after reciting, as the Fact is, that the Commissioners of Inland Revenue were desirous of 'building Offices for carrying on the Business of the Inland Revenue, and with that Object the said 'Agreement had been entered into, and that the Property vested in and annexed to the Crown by the 'said Act passed in the Eighth Year of the Reign of His late Majesty King *George* the Third, and the 'Property comprised in Two certain Indentures of Release therein-before mentioned, dated respectively 'the Twenty-second Day of *December* One thousand seven hundred and ninety-six and the Ninth Day 'of *November* One thousand eight hundred and twenty-two, would not be required for the Purposes of 'the said Commissioners after the Erection of their Chief Office on the Site comprised in the said 'Agreement, and it was expedient that they should have Power to dispose thereof, it is enacted, that 'the said Sale of the Hereditaments and Premises comprised in the said Agreement should be and the 'same was thereby confirmed, and that the same Hereditaments and Premises should be and the same 'were for all the legal and beneficial Estate and Interest of Her Majesty, as well in right of Her Crown 'as of Her said Duchy, thereby vested in the Secretary for the Time being of the Commissioners of

'Inland

'Inland Revenue, to hold the same to himself and his Successors in Office for ever as a Corporation 'Sole, subject nevertheless as in the said Agreement mentioned, and in trust for Her Majesty, Her 'Heirs and Successors, for the Use and Service of the Inland Revenue; and it is also enacted, that the 'Property vested in and annexed to the Imperial Crown of the Realm by the said Act passed in the 'Eighth Year of His late Majesty King *George* the Third, and also the Property comprised in the said 'Two several therein and herein-before mentioned Indentures of Release, should be and the same were 'thereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue and his 'Successors, for the same Purposes, as if the same had been vested in him under and by virtue of the 'Act of Parliament herein-after particularly mentioned or referred to, intituled *An Act to consolidate* 7 & 8 G. 4. 'and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* c. 53. 'Great Britain *and* Ireland: And whereas the Commissioners of Inland Revenue are now proceeding 'to erect their Chief Office upon the Site comprised in the said Agreement, as before mentioned, and 'therefore the Property comprised in the said Deed or Indenture of Release dated the Twenty-fourth 'Day of *March* One thousand seven hundred and seventy-two will no longer be required for the Purposes 'of the said Commissioners of Inland Revenue, and it is expedient that they should have Power to dispose 'thereof in like Manner as they are by the said lastly herein-before in part recited Act empowered to 'dispose of the Property to which the same Act relates, as before mentioned: And whereas Her Majesty 'has been graciously pleased to signify Her Consent and Desire that the said Commissioners of Inland 'Revenue should have Power to dispose of such Property in manner aforesaid:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Property conveyed to the Crown by Deed dated 24th March 1772 to be vested in the Secretary of Inland Revenue.

I. That the Property comprised in the said Deed or Indenture of Release dated the Twenty-fourth Day of *March* One thousand seven hundred and seventy-two shall be and the same is hereby vested in the Secretary for the Time being of the Commissioners of Inland Revenue, and his Successors, and that the same shall henceforth be held by him and his Successors in such and the same Manner and for the same Purposes, and shall and may be managed, dealt with, let, set, demised, sold, and disposed of, as if the same had been vested in the Secretary of Excise for the Time being, and his Successors, under and by virtue of the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* Great Britain *and* Ireland.

CAP. IX.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [18th *March* 1853.]

[*This Act is the same, except as to Dates and the Parts here inserted, as* 15 & 16 *Vict. c.* 7.]

Numbers.

I. The Number of Forces to be One hundred and two thousand two hundred and eighty-three Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments.

General Courts-martial.

VII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, and the Settlements on the Coast of *China*, and *Prince of Wales Island*, *Singapore*, and *Malacca*, shall consist of not less than Five Commissioned Officers; if convened in *Jamaica*, the *Windward* and *Leeward Islands*, *British Guiana*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, or in any Part out of the Queen's Dominions excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

Commutation of Death for Transportation.

XXI. Whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life, or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid.

XXIV. When-

Execution of Sentences of Transportation in the Colonies.

XXIV. Whenever any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender, in like Manner as for the Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Transportation, by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Transportation shall have been awarded by a General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour, and Solitary Confinement not exceeding the Period herein-after prescribed.

Power to commute Corporal Punishment.

XXVII. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, or to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXIX. Every Soldier who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, with Intent thereby to render himself or such other Soldier unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Stoppages.

XXXIII. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct hereinbefore specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Horse, Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service in the Field or for general good Conduct which may have been granted him by Order of Her Majesty, or by Order of the *East India* Company, or any Loss or Destruction of, or Damage or Injury to, the Arms, Horse, Clothing, Instruments, Accoutrements, or Regimental Necessaries of any Officer or Soldier, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of Accoutrements and Regimental Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Soldier may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Apprehension of Deserters in the United Kingdom.

XLVI. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with then it shall be lawful for any Officer or Soldier in Her Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice living in or near such Place, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and if it shall appear by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence, or by the Knowledge of such Justice, or by Evidence sufficient to satisfy such Justice that there are reasonable Grounds for believing, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Regiment to which he belongs, if stationed within Five Miles of the Place of Apprehension, or if such Head Quarters or Depôt shall not be stationed within Five Miles, then to the nearest or most convenient public Prison (other than a Military Prison set apart under the Authority of this Act) or Police Station legally provided as a Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed or not; or if the Deserter shall have been apprehended by a Party of Soldiers of his own Regiment in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying therein whether such Deserter was delivered to his Regiment or to the Party of his Regiment in order for his being taken to the Head Quarters or Depôt of his Regiment, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary-at-War, and proceeded against according to Law; and such Justice shall also send to the Secretary-at-War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary-at-War shall transmit to such Justice an Order for the Payment to such Persons of such Sum not exceeding Forty Shillings as the Secretary-at-War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who, in the Absence of a Military Medical Officer, may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary-at-War, and transmit also to the Secretary-at-War a Copy of the Commitment, to the end that such Secretary-at-War may order Repayment of the same; and when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment to which he is suspected to belong shall not be in the Colony, or, if the Regiment be in the Colony, the Justice may, if within reasonable Distance, deliver him into Custody at the nearest Military Post, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding in the Colony a Description Return in the Form prescribed, to the end that such Person may be removed by Order of such Officer, and proceeded against according to Law.

In the Colonies.

Desertion of Recruits.

XLVIII. Any Recruit who shall desert prior to joining the Regiment for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, be liable to be transferred to any

Regiment or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that all Cavalry Recruits so committed for Desertion shall be transferred to Cavalry Regiments, and Infantry Recruits to Infantry Regiments; and that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty, except the Forfeiture of their personal Bounty, reserving only for them that Part of the Bounty which is applicable to and required for the Provision of Necessaries.

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

LII. Any Person enlisted into Her Majesty's Service as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the Disembodied Militia, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable to be summoned before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service, by any Capias, Writ, Summons, Order, Judgment, Process, or Execution issued by or by the Authority of any Court or Inferior Court for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for deserting or having deserted, or for leaving or having left chargeable to any Parish, Township, or Union, any Wife, or any Child or Children, legitimate or illegitimate, or other Relation, which such Soldier or Person would, if not in Her Majesty's Service, be liable by Law to support or maintain, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body; provided also, that nothing herein contained, relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, as herein-after prescribed.

Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

Enlisting and swearing of Recruits.

LV. Every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, an attested Soldier, or an Out-Pensioner of *Chelsea* Hospital authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday* not included) after his having received the Enlisting Money Notice of his having so enlisted be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Ninety-six Hours (any intervening *Sunday* not included), but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Person shall have enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereunto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the Fortieth and Forty-sixth Articles of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Oath in the Schedule to this Act annexed, or for Service in the Forces of the *East India* Company,

Company, as may be applicable to the Case of the Recruit, and no other Oaths; and the Fee for administering each Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

LVI. Any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings as Smart Money, together with the full Amount of any Pay which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted, as if he had given his Assent thereto before the said Justice: Provided always, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Ninety-six Hours as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary-at-War, shall be paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; and no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

LVII. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in Her Majesty's Service, or in the Service of the *East India* Company, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary-at-War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall have enlisted into and been attested for Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them upon being attested to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity, or to have designedly made any false Representation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or into the Service of the *East India* Company, or any other Money, shall be deemed guilty of

obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed, taken by the Recruit on his Attestation, and the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnance, Navy, or Marines, or to the Forces of the *East India* Company, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, to serve in the Militia at the Time of offering to enlist who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, in lieu of and instead of the Penalties now imposed by Law for such Offence, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Acknowledgment of such Person, certified by the Secretary-at-War or Deputy Secretary-at-War, or upon the Offence being proved before a Regimental Court of Inquiry, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Regular Forces if he had not therein enlisted, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces into which he shall have so enlisted: Provided always, that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted if he shall neglect or refuse to join and serve in such Corps as aforesaid.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

Enlistment and Re-enlistment abroad.

LIX. 'And whereas it is expedient that Provision should be made for enlisting and attesting of Soldiers 'desirous of re-enlisting and others desirous of enlisting abroad:' Be it therefore enacted, That it shall be lawful for Her Majesty, by any Warrant signed by the Secretary-at-War in that Behalf, to authorize the Governors of Colonies, and of the several Presidencies in *India*, to appoint any Person, not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier; and every Infantry Soldier consenting to be transferred to the Cavalry or Artillery shall upon such Transfer become liable to serve the limited Period prescribed for the Cavalry or Artillery, as the Case may be, notwithstanding his original Engagement to serve in the Infantry for a shorter Period.

LXVI. No Secretary-at-War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and fifty-three other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by Her Majesty's Regulations, or by Her Majesty's Order signified by the Secretary-at-War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demand it, shall be discharged from any further Service; provided, as aforesaid, that it shall be lawful for Her Majesty's Secretary-at-War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty, or, in case of any Doubt as to the proper Issue or Pay, to withhold it from the Parties aforesaid until Her Majesty's Orders shall have been signfied by the Secretary-at-War. Authorized Deductions only to be made from the Pay of the Army.

LXVII. 'And whereas by Petition of Right in the Third Year of King *Charles* the First it is enacted 'and declared, that the People of the Land are not by the Laws to be burdened with the sojourning 'of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the 'Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two 'hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Threepence, 'for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor 'other Person whosoever, should thenceforth presume to place, quarter, or billet any Soldier upon any 'Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his 'Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, 'notwithstanding any Warrant or Billeting whatsoever: And whereas by an Act passed in the Parlia- 'ment of *Ireland* in the Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, Section Eight, 'intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing* '*Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or 'Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor 'any Yeoman of the Guard or Battle-axes, nor any Officer commanding the said Yeomen, nor any Servant 'of any such Officer, should at any Time thereafter have received or be allowed any Quarters in any 'Part of *Ireland*, save only during such Time or Times as he or they should be on their March as in the 'same Act is before mentioned, or during such Time as he or they should be and remain in some Sea- 'port Town or other Place in the Neighbourhood of a Seaport Town in order to be transported, or during 'such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency 'the Army, or any considerable Part thereof, should be commanded to march from One Part of *Ireland* 'to another: But forasmuch as there is and may be Occasion for the marching and quartering of 'Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, 'the said several Provisions of the said recited Acts shall be suspended and cease to be of any Force or 'Effect during the Continuance of this Act: And whereas by the Eleventh Section of the said Act of the 'Sixth Year of the Reign of Queen *Anne*, Chapter Fourteen, it is provided and enacted, that no Civil 'Magistrate or Constable should be obliged to find Quarters for or give Billets to more or other Soldiers 'than those only whose true Christian and Surnames should be delivered to him in Writing under 'the Hand of the Officer desiring Quarters or Billets for such Soldiers at the Time such Quarters or 'Billets should be desired, and that all such Names should be written together and delivered in One Piece 'of Paper, signed as aforesaid, and that the Christian and Surnames of every Soldier to be quartered or 'billeted, together with the Name of the Person on whom he or they should be billeted or quartered, 'should be given in Writing by the Constable or Civil Officer billeting or quartering such Soldier, and be 'contained in the Billet given by such Civil Officer: And whereas it has been found inconvenient and 'difficult to comply with all the Requirements of the said Enactment:' It shall not be necessary, so long as this Act shall continue in force, for any Officer, upon the Occasion of his requiring Quarters or Billets for any Soldiers in *Ireland*, to deliver to the Constable or other Person whose Duty it shall be to find or give the same any List of the Names of the Soldiers to be so quartered or billeted; and that it shall not be necessary for the Constable or other such Person as aforesaid to set forth in any Billet the Name of any Soldier to be billeted or quartered, but only to the Number of the Soldiers, or the Number of the Soldiers and Horses respectively, as the Case may require, to be billeted or quartered on the Person named in the Billet, and to whom the same shall be addressed. Suspending Operation of recited Acts. 6 Anne, c. 14. s. 8. Certain Requirements of 6 Anne, c. 14. as to Billeting in Ireland not now necessary.

LXXI. The Innholder or other Person on whom any Soldier is billeted in *England* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Soldiers may be billeted in *England*, except when on the March and entitled to be furnished with Allowance to Innkeepers.

with the hot Meal as aforesaid, shall furnish such Soldiers with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse; and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billeted by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary-at-War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

Tolls.

LXXVIII. All Her Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, (but not when passing in any hired or private Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Ordinary Course of Criminal Justice not to be interfered with.

Punishment of Officers obstructing Civil Justice.

LXXXII. Nothing in this Act shall be construed to extend to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law, when accused of Felony or of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and if any Commanding Officer shall neglect or refuse, on Application being made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier under his Command, or shall wilfully obstruct, neglect, or refuse to assist the Officers of Justice in apprehending any Officer or Soldier under his Command, so accused as aforesaid, such Officer shall, upon Conviction thereof in any of Her Majesty's Superior Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be thenceforth utterly disabled to have or hold any Civil or Military Office or Employment in the United Kingdom of *Great Britain* and *Ireland*, or in Her Majesty's Service; and a Certificate thereof containing the Substance and Effect of the Indictment only, omitting the formal Part, with the Copy of the Entry of the Judgment of the Court thereon, shall be transmitted to the Judge Advocate General in *London*.

CAP. X.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[18th *March* 1853.]

[*This Act is the same, except as to Dates and the Sections here inserted, as* 15 *&* 16 *Vict. c.* 7.]

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

I. That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make, ordain, and establish Rules and Articles of War, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty'

Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or the *British Isles* shall by such Articles be subject to be transported as a Felon or to suffer any Punishment extending to Life or Limb, except for Crimes which are by this Act expressly made liable to such Transportation or to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

The ordinary Course of Law not to be interfered with.

IV. Nothing in this Act shall be construed to extend to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law when accused of Felony, or when accused of any Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine, or who shall wilfully obstruct, neglect, or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be thereupon cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in Her Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty.

General Courts-martial.

VIII. A General Court-martial convened in *Saint Helena*, the Settlements on the Western Coast of *Africa*, *Honduras*, *New Zealand*, the *Australian* Colonies, *Hong Kong*, *Prince of Wales Island*, *Singapore*, and *Malacca*, and the Settlements on the Coast of *China*, shall consist of not less than Five Commissioned Officers; if convened in *Jamaica*, the *Windward* and *Leeward Islands*, *British Guiana*, *Newfoundland*, *Bermuda*, the *Bahamas*, the *Cape of Good Hope* or other Settlements in *Southern Africa*, or in any Part out of the Queen's Dominions, excepting the *Ionian Islands* and the Parts before mentioned, it shall consist of not less than Seven, and if convened in any other Part of the Queen's Dominions, or in the *Ionian Islands*, or in the Settlements of the *East India* Company, it shall consist of not less than Thirteen Commissioned Officers; and shall have Power to sentence any Officer or Soldier to suffer Death, Transportation, or any other Punishment which shall accord with the Provisions of this Act.

Commutation of Death for Transportation.

XXIII. Whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Marine or as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Marine or as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid.

Transportation of Offenders in the Colonies.

XXVI. Whenever any Sentence of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender in like Manner as for the Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Transportation by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Transportation shall have been awarded by a General Court-martial or Detachment General Court-martial, it shall be lawful for Her Majesty,

or,

or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour and Solitary Confinement not exceeding the Period herein-after prescribed.

Power to inflict Corporal Punishment and Imprisonment.

XXIX. It shall be lawful for any General, District, or Garrison Court-martial to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement; and in case of a Marine in addition to Corporal Punishment.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXXI. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender, to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXXII. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court o Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Stoppages.

XXXVI. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service or for general good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Loss, Disposal of, or Destruction of, or Damage or Injury to, the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to, Accoutrements and Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Marine may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amount-

LVI. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person

Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable to be summoned before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Capias, Writ, Summons, Order, Judgment, Process, or Execution issued by or by the Authority of any Court or Inferior Court for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for deserting or having deserted, or for leaving or having left chargeable to any Parish, Township, or Union, any Wife, or any Child or Children, legitimate or illegitimate, or other Relation which such Marine would, if not in Her Majesty's Service, be liable by Law to support or maintain, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, as herein prescribed.

ing to 30*l.* and upwards;

but not liable to be taken out of Her Majesty's Service for not maintaining their Families or for Breach of Contract.

LXI. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before a Justice, or shall absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to the Militia, or any Regiment, or to the Marines, Ordnance, or Navy, or the Forces of the *East India* Company, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected*

Offences connected with Enlistment.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

connected therewith, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed taken by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marine or Ordnance, or to the Forces of the *East India* Company, or that he designedly made any false Representation of any Particular contained in the said Oaths and Certificates or either of them before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, to serve in the Militia at the Time of offering to enlist into the Marines who shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, in lieu of and instead of the Penalties now imposed by Law for such Offence, on Conviction thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before-mentioned Acknowledgment of such Person, certified by the Secretary of the Admiralty, or upon the Offence being proved before a Court of Inquiry, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Royal Marine Forces, if he had not therein enlisted, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted: Provided also, that every such Person shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Exemption from Tolls.

LXXVI. All Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, (but not when passing in any private or hired Vehicle,) and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordnance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

SCHEDULE referred to by this Act.

NOTICE to be given to a Recruit, or left at his Place of Abode, or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Marine Mutiny Act, within Forty-eight but not sooner than Twenty-four Hours after his Enlistment, the Hours of Sunday not being counted.

[*Date*] 185 .

you enlisted with at o'Clock * on the Day of 185 , for the Royal Marines, and if you do not come forward on or before o'Clock * on the for the Purpose of being taken before a Magistrate, either to be attested, or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Marine without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party. _____

Name of the Recruit _____

Residing at _____

* A.M. or P.M., as the Case may be.

CAP. XI.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [18th *March* 1853.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their 'Eighth Annual General Report certified their Opinion that such Inclosures would be expedient; but 'the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Inclosures mentioned in Schedule may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1853," or "The Acts for "the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Tatham	Lancaster	9th December 1852.
Lynby Wighay	Nottingham	4th June 1852.
High Callerton	Northumberland	2d November 1852.
Ifield	Sussex	23d November 1852.
Kentmere	Westmorland	5th January 1853.
Norton Common	Southampton	21st January 1853.
Prestwick Carr	Northumberland	5th January 1853.

CAP. XII.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-three. [18th *March* 1853.]

CAP. XIII.

An Act to revive certain temporary Provisions relating to the Collection of Grand Jury Cess in *Ireland*. [18th *March* 1853.]

'WHEREAS by an Act passed in the Session holden in the Eleventh and Twelfth Years of Her 'Majesty's Reign, intituled *An Act to remove Difficulties in the Appointment of Collectors of* 11 & 12 Vict. c. 26.
'*Grand Jury Cess in* Ireland *in certain Cases, and to remove Doubts as to the Jurisdiction of the Divi-*
'*sional Justices of the Police District of* Dublin *Metropolis relating to the Recovery of Poor Rates and*
'*other Cases*, it is amongst other things enacted, that it shall and may be lawful for the Grand Jury

'at any Assizes in *Ireland* held after the passing of the said Act, and before the End of the Year One 'thousand eight hundred and forty-nine, if they shall think fit, in Cases where Difficulties shall occur in 'the Collection of the Public Monies as therein mentioned, to present, without previous Application to 'Presentment Sessions, a Sum not exceeding One Shilling in the Pound on the Amount of the Collection 'of such Monies from such Barony or Baronies where such Difficulties shall occur, to be paid to any 'High Constable or Collector for his Trouble in collecting the same; and the said Provision was by an 'Act of the Twelfth and Thirteenth Years of Her Majesty's Reign further continued in force to the 'End of the Year One thousand eight hundred and fifty-one; and the said Provision of the said first- 'recited Act was by an Act of the Fourteenth and Fifteenth Years of Her Majesty's Reign further 'continued in force to the End of the Year One thousand eight hundred and fifty-two: And whereas it 'is expedient that the said Provision should be revived and further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Certain Provision of 11&12 Vict. c. 26. continued by 12 & 13 Vict. c. 32. and 14 & 15 Vict. c. 65. revived and further continued by this Act.

I. That the said Provision of the said first-recited Act of the Eleventh and Twelfth Years of Her Majesty's Reign shall be revived and continued and be in force to the End of the Year One thousand eight hundred and fifty-four.

Recited Act 11 & 12 Vict. c. 32. revived and continued to the End of the Year 1854.

II. 'And whereas by another Act of the Eleventh and Twelfth Years of Her Majesty's Reign, 'intituled *An Act to facilitate the Collection of County Cess in* Ireland, Provision is made relating to 'the Collectors of Grand Jury Cess and the Payment of the same for a limited Time in *Ireland:* And 'whereas the said last-mentioned Act was by the before-mentioned Act of the Twelfth and Thirteenth 'Years of Her Majesty further continued in force to the End of the Year One thousand eight hundred 'and fifty-one, and was again by an Act of the said Fourteenth and Fifteenth Years of Her Majesty's 'Reign further continued to the End of the Year One thousand eight hundred and fifty-two; and it is 'expedient to revive and continue the same for a limited Time:' Be it therefore enacted, That the last-recited Act of the Eleventh and Twelfth Years of Her Majesty shall be revived and continued to the End of the Year One thousand eight hundred and fifty-four, and that the Provisions of the said Act, and the respective Powers and Authorities by the said Act given to Grand Juries at the Assizes, and to Magistrates at any Sessions, shall be respectively applied and extended to Grand Juries at any Assizes and to Magistrates at any Sessions respectively, as the Case may be, within the Period for which the said Act is hereby revived and continued.

Provisions of 12 & 13 Vict. c. 36. revived and further continued to the End of the Year 1854.

III. 'And whereas an Act was passed in the Session of Parliament holden in the Twelfth and Thir- 'teenth Years of Her present Majesty's Reign, intituled *An Act to make Provision during the present 'Year, and to the End of the Year One thousand eight hundred and fifty-one, relating to the Collection 'of County Cess in* Ireland, *and to the Remuneration of the Collectors thereof;* and said last-recited Act 'of the Twelfth and Thirteenth Years of Her Majesty's Reign was by said Act of the said Fourteenth 'and Fifteenth Years of Her Majesty's Reign further continued to the End of the Year One thousand 'eight hundred and fifty-two; and it is expedient that the Provisions of the said last-recited Act of the 'Twelfth and Thirteenth Years of Her Majesty's Reign should be revived and further continued:' Be it therefore enacted, That all the Provisions and Powers of the said last-mentioned Act of the Twelfth and Thirteenth Years of Her Majesty's Reign shall be revived and further continued and be in force until the End of the Year One thousand eight hundred and fifty-four.

CAP. XIV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [18th *March* 1853.]

[*This Act is the same, except as to Dates, as* 15 *&* 16 *Vict. c.* 4.]

CAP. XV.

An Act to limit the Time of taking the Poll in Counties at contested Elections for Knights of the Shire to serve in Parliament in *England* and *Wales* to One Day. [18th *March* 1853.]

'WHEREAS it is expedient to restrict the Continuance of the Polling at every contested Election 'of a Knight or Knights to serve in Parliament for any County, or for any Riding, Parts, or 'Division of a County, to One Day:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provisions of 2 & 3 W. 4. c. 45. relating to Duration of Poll repealed.

I. That so much of the Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter Forty-five, as authorizes the Continuance of the Polling at every such contested Election as aforesaid for Two Days, and the Duties of the Sheriff's Deputy and Poll Clerks at such Poll during those Days, and fixes the Commencement and limits the Hours of Polling on such Days, and prevents the Commencement of such Polling on a *Saturday*, shall be and the same is hereby repealed.

Regulating Time for Polling at Elections for

II. At every contested Election of a Knight or Knights to serve in any Parliament after the First Day of *October* One thousand eight hundred and fifty-three for any County, or for any Riding, Parts, or Division of a County, the Polling shall continue for One Day only, and the Poll shall commence at Eight

Eight o'Clock in the Morning and be kept open until Five in the Afternoon of such Day, and the Poll Clerks to be employed at the principal Place of Election and other Places shall, at the final Close of the Day's Poll, enclose and seal their several Books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff, Under Sheriff, or Sheriff's Deputy presiding at such Poll, and every such Deputy who shall have received any such Poll Books shall forthwith deliver or transmit the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall receive and keep all the Poll Books unopened until the re-assembling of the Court on the Day next but One after the Close of the Poll, unless such next Day but One shall be *Sunday*, and then until the *Monday* following, when he shall openly break the Seals thereon, and cast up the Number of Votes as they appear on the said several Books, and shall openly declare the State of the Poll, and shall make Proclamation of the Member or Members chosen not later than Two o'Clock in the Afternoon of the said Day, any Statute to the contrary notwithstanding.

Knights of the Shire.

III. The Provisions concerning the Adjournment of the Poll in Cases of Riot or open Violence, and other the Provisions of Section Seventy of the said Act of the Second Year of King *William* the Fourth, shall be and remain applicable to every such contested Election as aforesaid, as if the said Section were re-enacted in this Act, the Words "the Day of Polling" being substituted therein for the Words "One of the Two Days of Polling."

Section 70. of 2 & 3 W. 4. c. 45. to remain applicable to Elections.

CAP. XVI.

An Act for carrying into effect the Engagement between Her Majesty and *Syed Syf bin Hamood*, the Chief of *Sohar*, in *Arabia*, for the more effectual Suppression of the Slave Trade.

[9th *May* 1853.]

'WHEREAS on the Twenty-second Day of *May* in the Year of our Lord One thousand eight hundred and forty-nine an Engagement was concluded between Major *Hennell*, the Resident in the *Persian Gulf*, on behalf of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, and *Syed Syf bin Hamood*, the Chief of *Sohar*, in *Arabia*, whereby it was agreed as follows:

'"I, *Syed Syf bin Hamood*, Chief of *Sohar*, with a View to strengthen the Bonds of Friendship existing between me and the *British* Government, do hereby engage to prohibit the Exportation of Slaves from the Coasts of *Africa*, and elsewhere, on board of my Vessels, and those belonging to my Subjects or Dependants, such Prohibition to take effect from the Twenty-ninth *Rujab* One thousand two hundred and sixty-five, or the Twenty-first Day of *June* One thousand eight hundred and forty-nine A.D.

'"And I do further consent, that whenever the Cruizers of the *British* Government fall in with any of my Vessels, or those belonging to my Subjects or Dependants, suspected of being engaged in the Slave Trade, they may detain and search them, and in case of their finding that any of the Vessels aforesaid have violated this Engagement by the Exportation of Slaves from the Coasts of *Africa*, or elsewhere, upon any Pretext whatever, they (the Government Cruizers) shall seize and confiscate the same."

'And whereas it is expedient that effectual Provision should be made for carrying into execution the Provisions of the said Agreement:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Power for Commanders of Ships of War, &c. to visit, &c. suspected Vessels belonging to the Chief of Sohar, or of his Subjects.

I. That it shall be lawful for the Commanders and other Officers of Her Majesty's Ships of War, or of the *East India* Company, to visit and detain, in any Seas, any Vessel belonging to *Syed Syf bin Hamood*, the Chief of *Sohar*, in *Arabia*, or to any of his Subjects or Dependants, which shall upon reasonable Grounds be suspected of being engaged in the Traffic in Slaves, or having been fitted out for that Purpose, and to send or carry away such Vessel, together with its Master, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

As to the Trial and Condemnation of Vessels engaged in the Slave Trade.

II. It shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice Admiralty in any Dominions of Her Majesty beyond the Seas, including those Courts of Vice Admiralty within the Territories under the Government of the *East India* Company, to take cognizance of and try any such Vessel which shall be detained or captured for the Violation of the said Agreement, and to condemn any such Vessel to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act, as to such High Court of Admiralty or Courts of Vice Admiralty,

Persons giving false Evidence deemed guilty of Perjury.

III. Every Person, who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagement or this Act, shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*, and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench, the Venue may be laid in the County of *Middlesex*.

In case of Prosecution in England, Venue may be laid in Middlesex.

IV. The

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

IV. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Agreement, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Agreement.

Vessels condemned to be sold for Her Majesty's Service or broken up.

V. Any Ship or Vessel which shall be condemned as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral, or the Lords Commissioners of the Admiralty, shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

VI. Where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Agreement, shall be seized by any Ship or Vessel belonging to Her Majesty or the *East India* Company, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Payment of Bounty for Slaves captured.

VII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, or the Commanders, Officers, and Crews of the Ships of the *East India* Company, a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Ship or Vessel taken and condemned in pursuance of the Provisions of the said Agreement and of this Act; such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid, in such Manner and Proportions as Her Majesty shall think fit to order, by any Order in Council made or to be made, or by any Proclamation for that Purpose.

Additional Bounty on Tonnage of Slave Ships captured and demolished.

VIII. Where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Agreement shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, or of those of the *East India* Company, in addition to the Amount of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized and condemned an additional Bounty on Tonnage to be paid.

IX. Where any Ship or Vessel, having no Slaves on board, shall have been seized and condemned under the Provisions of the said Agreement, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, or those of the *East India* Company, an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships, or of those of the *East India* Company, making the Seizure, may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Bounties to be paid out of the Consolidated Fund.

X. All Bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Commanders, Officers, and Crews of Her Majesty's Ships, and of the Ships of the *East India* Company; and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Proof of Tonnage.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Copy of Sentence of Condemnation to be produced to the Treasury.

XII. In order to entitle the Captors to receive the said Bounty Money on Slaves, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

One Moiety of the Bounty only to be paid in certain Cases.

XIII. Where any Slaves, or Persons treated as Slaves, shall be seized on board any Ship or Vessel taken and condemned in pursuance of the said Agreement and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

XIV. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any Vessel confiscated in pursuance of the Provisions of the aforesaid Agreement, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which

may

may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations and Penalties respecting Prize Agents Accounts extended to Bounties, &c. under this Act.

XV. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize and the Per-centage due thereon to *Greenwich Hospital*, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Treasury may order Payment of Costs awarded for Vessels detained but not condemned.

XVI. Where any Ship or Vessel belonging in whole or in part to the before-mentioned Chief or his Subjects or Dependants shall have been detained and brought to Adjudication by any Officers of Her Majesty the Queen of *Great Britain* and *Ireland*, or of those of the *East India* Company, and the said Ship shall be restored by Sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs or Damages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon either by the Parties interested therein, or by Order of the said Commissioners of Her Majesty's Treasury.

Treasury may repay to the Seizor of any Vessel not condemned the Expenses incurred by him.

XVII. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships, or of those of the *East India* Company, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

CAP. XVII.

An Act for carrying into effect the Treaty between Her Majesty and the Republic of *New Granada* for the Suppression of the Slave Trade. [9th *May* 1853.]

'WHEREAS on the Second Day of *April* in the Year of our Lord One thousand eight hundred and fifty-one a Treaty was concluded and signed at *Bogotá*, between Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* and the Republic of *New Granada* for the Suppression of the Slave Trade, whereby it was agreed as follows:

'ARTICLE I.—The Introduction of Slaves into the Territory of *New Granada* having been prohibited by Law, all Traffic in Slaves in any and every Part of the World is hereby declared to be henceforward and for ever prohibited to *Granadian* Citizens, as it has long been by the Law of *Great Britain* for all *British* Subjects; and all *Granadian* Citizens who shall engage in the Slave Trade by Sea or by Land, or who shall make use of the *Granadian* Flag for the Transport of Slaves from any Place to any other Place, shall be treated and punished as Pirates, conformably to the Laws of *New Granada*.

'ARTICLE II.—In order more completely to accomplish the Object of the present Treaty, the Two High Contracting Parties agree to authorize some of the Ships of War of their Navies respectively to visit and search Merchant Vessels of the Two Nations which may be met with at Sea, within the Limits to be herein-after specified; and which, by the Direction of their Course, or upon other reasonable Grounds, shall afford Motives for suspecting that they are engaged in the Slave Trade; and likewise, under the Circumstances mentioned in this Treaty, to detain, carry away, or send away such Vessels, in order that they may be brought to Trial in the Manner herein-after agreed upon.

'ARTICLE III.—The Limits within which the Merchant Vessels of the Two Nations shall be subject to the Visit and Search mentioned in the preceding Article shall be the following:

'1st.—From the Thirty-fifth Degree of West Longitude, reckoned from the Meridian of *London*, to the Coast of *Africa*, and from the Fifteenth Degree of North Latitude to the Twentieth Degree of South Latitude.

'2d.—All round the Island of *Madagascar*, to the Extent of Thirty Leagues from that Island.

'3d.—All along the East Coast of *Africa*, from Latitude Ten Degrees North of the Equator to the Twenty-sixth Degree of South Latitude, and to the Extent of Thirty Leagues from that Coast.

'4th.—The same Distance all round from the Coasts of the Island of *Cuba*.

'5th.—The same Distance from the Coasts of the Island of *Puerto Rico*, and

'6th.—The same Distance from the Coasts of *Brazil*.

'It is, however, understood that a suspected Vessel descried and begun to be chased by the Cruizers, whilst within the said Space of Thirty Leagues, may be searched by them beyond those Limits if, without ever having lost Sight of her, they should succeed in coming up with her at a greater Distance from any of the above-mentioned Coasts.

'ARTICLE IV.—All Merchant Vessels of the Two Nations which shall be visited in virtue of this Treaty, and which shall be found either with Slaves on board or equipped for Slave Trade, shall be detained, and shall be sent or carried to One of the Ports under *British* Jurisdiction, if the Vessel detained should be *British*, or to One of the Ports of *New Granada*, if the Vessel detained should be *Granadian*, to be tried by the Courts which take cognizance of the Crime of Piracy, according to the Laws of the respective Countries.

'And

'And such Vessels, with the whole of their Cargoes, shall be subject to the Penalty of Confiscation for having been found engaged in the Slave Trade.

'ARTICLE V.—Every Merchant Vessel, *British* or *Granadian*, which shall be visited in virtue of the Provisions contained in the Articles II. and III. of the present Treaty may lawfully be detained, and be sent or brought before the proper Tribunals, according to the Nation to which it may belong, if any One or more of the Things herein-after specified shall be found in her Outfit or Equipment:

'1st.—Hatches with open Gratings, instead of the close Hatches which are usual in Merchant Vessels.

'2d.—Divisions or Bulkheads in the Hold or on Deck in greater Number than are necessary for Vessels engaged in lawful Trade.

'3d.—Spare Plank fitted for being laid down as a Second or Slave Deck.

'4th.—Shackles, Bolts, or Handcuffs.

'5th.—A larger Quantity of Water in Casks or Tanks than is requisite for the Consumption of the Crew of the Vessel as a Merchant Vessel.

'6th.—An extraordinary Number of Water Casks, or of other Receptacles for holding Liquid; unless the Master shall produce a Certificate from the Custom House at the Place from which he cleared Outwards, stating that sufficient Security had been given by the Owners of such Vessel that such extra Quantity of Casks or of other Receptacles for holding Liquid should only be used to hold Palm Oil, or for other Purposes of lawful Commerce.

'7th.—A greater Quantity of Mess Tubs or Kids than are requisite for the Use of the Crew of the Vessel as a Merchant Vessel.

'8th.—A Boiler or other Cooking Apparatus of an unusual Size, and larger or fitted for being made larger than requisite for the Use of the Crew of the Vessel as a Merchant Vessel, or more than One Boiler or other Cooking Apparatus of the ordinary Size.

'9th.—An extraordinary Quantity of Rice, of the Flour of *Brazil*, Manioc or Cassada commonly called Farinha, of Maize, or of *Indian* Corn, or of any other Article of Food whatever, beyond what might probably be requisite for the Use of the Crew.

'10th.—A Quantity of Mats or Matting greater than is necessary for the Use of the Vessel as a Merchant Vessel.

'The Articles enumerated in the 8th, 9th, and 10th Paragraphs, when found on board, shall not expose the Vessel to Detention or Trial, whenever such Articles shall appear as entered in the Manifest as Part of the Cargo for Trade.

'Any One or more of the several Things above enumerated, if proved to have been found on board, shall be considered as *primâ facie* Evidence of the actual Employment of the Vessel in the Slave Trade; and the Vessel shall thereupon be condemned, and be declared lawful Prize, unless clear and indisputable Evidence on the Part of the Master or Owners shall establish to the Satisfaction of the Court that such Vessel was at the Time of her Detention or Capture employed in some legal Pursuit; and that such of the several Things above enumerated as were found on board her at the Time of her Detention were needed for legal Purposes on that particular Voyage.

'ARTICLE VI.—In order to regulate the Mode of carrying into execution the Visit of Merchant Vessels of the Two Nations by the Cruizers charged with the Duty of preventing the Slave Trade, it is agreed that the Commanders of such Cruizers shall be furnished with Copies of this Treaty in *English* and in *Spanish*, and with Copies of the Instructions contained in the Appendix annexed thereto, which Instructions shall be considered as an integral Part of the present Treaty.

'ARTICLE VII.—If the Commanding Officer of any of those Ships of the Navies of *Great Britain* and of the *Granadian* Republic respectively, which shall be duly commissioned according to the Provisions of this Treaty, shall deviate in any respect from the Stipulations of the said Treaty, or from the Instructions annexed to it, the Government which shall conceive itself to be wronged thereby shall be entitled to demand Reparation; and in such Case the Government to which such Commanding Officer may belong binds itself to cause Inquiry to be made into the Subject Matter of the Complaint, and to inflict upon the said Officer a Punishment proportioned to the Transgression committed.

'ARTICLE VIII.—The Two High Contracting Parties mutually engage to make good the Damages and Losses which may be incurred by the illegal Detention of the Vessels of their respective Subjects or Citizens, it being understood that the Government to which the capturing Ship belongs shall pay the Damages and Losses occasioned to the captured Vessel; and that this Payment shall be made within the Term of One Year, reckoning from the Day on which the proper Tribunal shall have pronounced a definitive Sentence on the Vessel for the Detention of which such Compensation is claimed.

'ARTICLE IX.—If any of the Things specified in Article V. of this Treaty shall be found in any Merchant Vessel detained under this Treaty, no Compensation for Losses, Damages, or Expenses consequent upon the Detention of such Vessel shall in any Case be granted either to her Master or to her Owner, or to any other Person interested in her Equipment or Cargo, even though the proper Tribunal should not pronounce any Sentence of Condemnation in consequence of her Detention.

'ARTICLE X.—It is hereby agreed between the Two High Contracting Parties, that in all Cases 'in which a Vessel shall be detained under this Treaty by their respective Cruizers as having 'been engaged in the Slave Trade, or as having been fitted out for the Purposes thereof, and shall 'in consequence thereof be adjudged and condemned by the proper Tribunal, the said Vessel 'shall, immediately after Condemnation, be broken up entirely into several Parts, so as to be useless 'as a Vessel, and shall be sold in separate Parts after having been so broken up.

'ARTICLE XI.—The Visit and Detention of Vessels in pursuance of Article II. of this Treaty 'shall be effected only by such of the Ships of the *British* and *Granadian* Navies respectively 'as shall be provided with the special Instructions contained in the Appendix annexed to this 'Treaty; and each of the Two High Contracting Parties shall from Time to Time communicate 'to each other the Names of the Ships of War which are furnished with such Instructions, the Force 'of each Ship, and the Names of their several Commanders.

'ARTICLE XII.—It is by no means to be understood that by the Provisions of the present Treaty '*New Granada* shall be under any Obligation to fit out Cruizers expressly to aid in the Pursuit of 'Vessels engaged in the Slave Trade.

'ARTICLE XIII.—All the Slaves who are found on board a Merchant Vessel detained either 'by *British* or *Granadian* Cruizers in conformity with the Stipulations of this Treaty shall be 'placed at the Disposal of Her *Britannic* Majesty's Government at the Time and at the several 'Ports which shall be stipulated in the Appendix annexed to this Treaty, and shall immediately be 'set at liberty, and shall be secured in the permanent Enjoyment of their Freedom.

'ARTICLE XIV.—The High Contracting Parties to the present Treaty mutually agree, that 'if at the Expiration of Twenty-four Years, reckoned from the Date of the Exchange of the 'Ratifications thereof, it shall appear desirable to either of the Contracting Parties, either on 'account of the Trade in Slaves having ceased, or for other Reasons, that the present Treaty 'should cease and determine, it shall be lawful for that One of the Contracting Parties to give 'Notice thereof to the other Contracting Party; and the Treaty shall cease and determine 'accordingly at the End of One Year from the Date of the Receipt of such Notice.

'And it is clearly understood, that if, in pursuance of the Right which the High Contracting 'Parties reserve to themselves by this Article, the present Treaty should be annulled at any Time 'anterior to the total and final Cessation of the Traffic in Slaves, the Obligations contracted 'towards *Great Britain* by the Republic of *New Granada* by Article XIII. of the Treaty of One 'thousand eight hundred and twenty-five, "to co-operate with *Great Britain* for the total '"Abolition of the Slave Trade," will nevertheless remain in full Force until such total and final 'Abolition is effected.

'ARTICLE XV.—The present Treaty, consisting of Fifteen Articles, shall come into operation on 'the Seventh of *March* One thousand eight hundred and fifty-two. The Treaty shall be ratified, 'and the Ratifications thereof exchanged in *Bogotá*, within the Space of Nine Months from this 'Date, or sooner if possible.

'In witness whereof the respective Plenipotentiaries have signed the same, and have thereunto 'affixed their respective Seals.

'Done at *Bogotá* this Second Day of *April* in the Year of our Lord One thousand eight 'hundred and fifty-one.

'*Daniel F. O'Leary.* (L.S.)
'*Vict. de D. Paredes.* (L.S.)

'APPENDIX,

'Which contains the INSTRUCTIONS for the SHIPS of the BRITISH and GRANADIAN NAVIES employed in 'preventing the SLAVE TRADE.

'ARTICLE I.—The Commander of any Ship belonging to the Navy of Her *Britannic* Majesty or 'of the Republic of *New Granada*, which shall be furnished with these Instructions, shall have 'a Right to visit and search, within the Limits mentioned in Article III. of the Treaty signed this 'Day, any *British* or *Granadian* Merchant Vessel suspected of being engaged in Slave Trade, 'or of being fitted out for the Purposes thereof; and if from the Search it shall appear that the 'Suspicions entertained are well founded, such Commander shall have the Right of detaining such 'Vessel, and shall thereupon, as soon as possible, carry or send the Vessel so captured to any One of 'the Ports herein-after mentioned which shall be nearest to the Place where the Vessel was detained, 'or which such Commander shall, upon his own Responsibility, think can be soonest reached from 'such Place, in order to be tried according to the Provisions of Article IV. of this Treaty.

'ARTICLE II.—Whenever a Ship of War of either of the Two High Contracting Parties, duly 'authorized as aforesaid, shall meet a Merchant Vessel liable to be visited under the Provisions 'of the said Treaty, the Search of such Vessel shall be conducted in the mildest Manner, and with 'every Attention which ought to be observed between allied and friendly Nations; and the 'Search shall in all Cases be made by an Officer holding a Rank not lower than that of Lieutenant 'in the *British* or *Granadian* Navies respectively (unless the Command shall by reason of Death 'or otherwise have devolved upon an Officer of inferior Rank), or by the Officer who at the 'Time shall be Second in command of the Ship by which the Search is made.

'ARTICLE III.—The Commander of any Ship of War of the Two Nations, duly authorized as 'aforesaid, who may detain any Merchant Vessel in pursuance of the present Instructions, shall 'leave on board the Vessel so detained the Master, the Mate, or Boatswain, and Two or Three 'at least of the Crew thereof, the whole of the Slaves, if any, and all the Cargo.

'The Captor shall at the Time of Detention draw up in Writing an authentic Declaration, 'which shall exhibit the State in which he found the detained Vessel; and such Declaration shall 'be signed by himself, and shall be given in or sent in, together with the captured Vessel, to the 'Court before which such Vessel shall be carried or sent for Adjudication.

'The Captor shall deliver to the Master of the detained Vessel a certified List of the Papers 'seized on board the same, as well as a Statement of the Number of Slaves, if any, found on board 'at the Moment of Detention.

'In the authenticated Declaration which the Captor is hereby required to make, as well as 'in the certified List of the Papers seized, the Captor shall insert his own Name, the Name of the 'capturing Ship, the Latitude and Longitude of the Place where the Detention shall have been 'made, and the Number of Slaves, if any, found on board the Vessel at the Time of her Detention.

'The Officer in charge of the Vessel detained shall, at the Time when he brings the Vessel's 'Papers to the proper Tribunal, deliver in to the Court a Paper, signed by himself, and verified on 'Oath, stating any Changes which may have taken place in respect to the Vessel, her Crew, 'the Slaves, if any, and her Cargo, between the Period of her Detention and the Time of delivering 'in such Paper.

'ARTICLE IV.—The Slaves shall not be disembarked till after the Vessel which contains them 'shall have arrived at the Place of Adjudication, and even after the Vessel has arrived at such 'Place they shall not be landed without the Permission of the proper Tribunal, except in the Cases 'herein-after specified in respect to Slaves found on board *Granadian* Vessels.

'But if urgent Reasons, deduced from the Length of the Voyage, from the State of Health of 'the Slaves, or from other Causes, should require that either the whole or a Portion of the 'Slaves should be disembarked, or should be transhipped before the Vessel can arrive at the 'Port at which the proper Tribunal is established, or after her Arrival there, and before 'Adjudication, the Commander of the capturing Ship may take upon himself the Responsibility of 'so disembarking or transhipping the Slaves: Provided that such Necessity, and the Causes 'thereof, be stated in a Certificate in proper Form, and that this Certificate be entered at the Time 'in the Log Book of the detained Vessel.

'ARTICLE V.—All such *British* Vessels as shall be detained on the *Brazilian* Station by '*Granadian* Cruizers shall be carried and delivered up to the *British* Jurisdiction at the Colony 'of *Demerara*.

'All such *British* Vessels as shall be detained on the *West India* Station by *Granadian* Cruizers 'shall be carried and delivered up to the *British* Jurisdiction at *Port Royal* in *Jamaica*.

'All such *British* Vessels as shall be detained on the *Madagascar* Station, or on the East Coast 'of *Africa*, by *Granadian* Cruizers, shall be carried and delivered up to the *British* Jurisdiction at 'the *Cape of Good Hope*, or at the *Mauritius*, as may be most convenient.

'All such *British* Vessels as shall be detained on the *African* Station by *Granadian* Cruizers 'shall be carried and delivered up to *British* Jurisdiction at *Bathurst* on the River *Gambia*.

'All such *Granadian* Vessels as shall be detained on the *Brazilian* and *West India* Stations, as 'well as on those of *Madagascar* and *Africa*, by *British* Cruizers, shall be carried and delivered up 'to the *Granadian* Jurisdiction at any of the Ports belonging to the Republic of *New Granada*, 'except when Slaves shall be found on board at the Time of the Capture, in which Case the Vessel 'shall, in the first instance, be sent or carried to deposit the Slaves at the Port to which the Vessel 'would have been taken for Trial if she had been detained under the *British* Flag. The Vessel, 'with the rest of her Cargo and Crew, shall afterwards be sent on and delivered to the *Granadian* 'Jurisdiction at any of the Ports belonging to the Republic, as above stipulated.

'The undersigned Plenipotentiaries have agreed, in conformity with Article VI. of the Treaty 'signed by them on this Day, the Second Day of *April* in the Year of our Lord One thousand eight 'hundred and fifty-one, that the present Appendix, which contains Five Articles, shall be annexed 'to the said Treaty, and shall be considered as an integral Part thereof.

'The Second Day of *April* in the Year of our Lord One thousand eight hundred and fifty-one.

'*Daniel F. O'Leary.* (L.S.)

'*Vict. de D. Paredes.* (L.S.)

Ratifications of Treaty exchanged on the 16th December 1851.

'And whereas the said Treaty was ratified between Her Majesty the Queen of the United Kingdom 'of *Great Britain* and *Ireland* and the Republic of *New Granada*, and such Ratifications exchanged at '*Bogotá* on the Sixteenth Day of *December* One thousand eight hundred and fifty-one: And whereas it 'is expedient and necessary that effectual Provision should be made for carrying into execution the 'Provisions of the said Treaty and Appendix thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Officers commanding Ships of Her Ma-

I. That it shall be lawful for any Officer commanding any Ship of War of Her Majesty, or of the Republic of *New Granada*, not below the Rank of Lieutenant of the Royal Navy (unless the Command shall

shall by reason of Death or otherwise be held by an Officer of inferior Rank), or by the Officer who at the Time shall be Second in command of the Ship, and who shall be duly instructed and authorized, and furnished, according to the several Provisions of the said Treaty and Appendix, to exercise within the Waters described, and according to the several Provisions, Exceptions, and Conditions contained in the said Treaty and the Instructions thereto annexed, the Right of visiting and searching any Merchant Vessel of either of the said Two Nations liable to Suspicion, and suspected of having engaged in or of having been employed in the Slave Trade, or of having been fitted out for the Purposes of such Traffic, and upon sufficient Grounds to detain and send, or carry in and deliver over without Delay, any such Vessel, together with its Master, Crew, Slaves, Cargo, and Papers, to the Authorities appointed for the Purposes of the said Treaty by the respective Governments of the said Two Nations, and to One of the Jurisdictions in the said Instructions mentioned, in order that Proceedings may be instituted thereupon, conformably to the respective Laws of the said Two Countries; and all such Commanders of Her said Majesty's Ships are hereby authorized and required, in the Exercise of such Rights of visiting, searching, detaining, sending, carrying in, and delivering as aforesaid, to execute, perform, and comply with the said several Provisions and Instructions of the said Treaty as apply thereto respectively.

jesty, or of the Republic of New Granada, being duly authorized, empowered to visit, search, and detain Merchant Ships within certain Limits suspected of being engaged in the Slave Trade.

II. Where any such Officer of the Republic of *New Granada* shall send, carry, or deliver over as aforesaid any such Merchant Vessel, wholly or in part owned by any Subject or Subjects of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, all and every Proceeding instituted in the Tribunals herein-after mentioned in regard to such Merchant Vessel, and its Crew, Cargo, and Slaves, and in respect to the Cause, shall be conducted in the Name of Her said Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* by some Person duly thereunto authorized; (that is to say,) all Ships, Cargoes, and Slaves which shall be detained by the Cruizers of the Republic of *New Granada*, and delivered up to the Jurisdiction of Her Majesty, either at the Colony of *Demerara*, *Port Royal* in *Jamaica*, the *Cape of Good Hope*, or, if detained on the *African* Station, shall be carried and delivered up to *British* Jurisdiction at *Bathurst* on the River *Gambia*, and shall be proceeded against and adjudicated in the Vice Admiralty Court established in the said Colonies respectively; and the Judges and other Officers of the said Vice Admiralty Courts respectively are hereby authorized to take cognizance thereof accordingly; and all such *Granadian* Vessels as shall be detained on the *Brazilian* and *West India* Stations, as well as on those of *Madagascar* and *Africa*, by *British* Cruizers, shall be carried and delivered up to the *Granadian* Jurisdiction at any of the Ports belonging to the Republic of *New Granada*, except when Slaves shall be found on board at the Time of the Capture; in which Case the Vessel shall, in the first instance, be sent or carried to deposit the Slaves at the Port to which the Vessel would have been taken for Trial if she had been detained under the *British* Flag; and that the Vessel, with the rest of her Cargo and Crew, shall afterwards be sent and delivered to the *Granadian* Jurisdiction at any of the Ports belonging to that Republic, as above stipulated.

In case of Granadian Officers detaining British Vessels, Proceedings to be conducted in Name of Her Majesty.

In case of Granadian Vessels being detained by British Cruizers.

III. It shall be lawful for the High Court of Admiralty of *England*, as also for the several Courts of Vice Admiralty herein-before mentioned, to take cognizance of and try any such Vessel which shall be detained or captured for the Violation of the said Treaty, and to condemn any such Vessel to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice Admiralty.

As to the Trial of Vessels seized.

IV. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition or Affidavit taken in any Proceeding under the said Treaty or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Pains and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England*; and in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench, the Venue may be laid in the County of *Middlesex*.

Persons giving false Evidence deemed guilty of Perjury.

V. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Ship or Cargo, or Slaves taken, seized, or detained by virtue of the said Treaty, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar, or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Ship, Vessel, or Cargo, or of any Damage, or for any Injury sustained thereby, or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Treaty.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

VI. If any of the Particulars specified in the Fifth Article of the said Treaty shall be found in the Outfit and Equipment of or on board any such Merchant Vessel engaged or to be engaged in such Traffic, and visited and detained in pursuance of the said Treaty, such Vessel, unless Proof be given to the contrary, shall be taken to have been engaged in the said Traffic, or to have been fitted out for the Purposes of such Traffic, and to be equipped and employed for the Purposes declared unlawful.

Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade.

VII. In case any such Merchant Vessel, wholly or in part owned by *British* Subjects as aforesaid, shall be seized by any Officer of Her Majesty duly authorized, and, with the Goods, Wares, and Merchandise, be confiscated according to the Laws of this Country, and the Provisions of the said Treaty, the Portion of the Proceeds arising from the Sale thereof belonging to Her Majesty the Queen of the United

As to Distribution of the Portion of Proceeds belonging to Her Majesty

of the Vessels condemned.

United Kingdom of *Great Britain* and *Ireland* shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may direct or appoint to receive the same; and it is hereby directed that One Moiety thereof shall be paid to and for the Use of the Captors thereof; and that the same, after deducting all necessary Expenses, shall be distributed to and amongst the Officers and Crew of the Ship in the Manner hereafter directed for the Distribution of Bounties on Slaves taken on board the said Vessel.

Vessels condemned to be broken up.

VIII. Any Ship or Vessel which shall be condemned as aforesaid shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, together with the Goods, Wares, and Merchandise laden therein.

Payment of Bounty on Tonnage of Slave Ships captured and demolished.

IX. Where any Ship or Vessel which shall have been seized and condemned under the Provisions of the said Treaty shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizures, and in addition to the Amount which may be payable in respect of Her Majesty's Portion of the Proceeds of such Sale as herein-before mentioned, a further Bounty on the Tonnage of such Ship or Vessel, at the Rate of Thirty Shillings for every Ton of such Tonnage.

Where no Slaves are on board a Ship seized and condemned, an additional Bounty on the Tonnage to be paid.

X. Where any Ship or Vessel having no Slaves on board shall have been seized and condemned under the Provisions of the said Treaty, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make and making such Seizure an additional Bounty upon the Tonnage of such Ship or Vessel, at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Ship or Vessel shall be seized with Slaves on board, in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Proof of Tonnage.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Ship or Vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Payment of Bounty.

XII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty a Bounty of Five Pounds of lawful Money of *Great Britain* for every Man, Woman, and Child Slave seized and found on board a *British* or *Granadian* Ship or Vessel taken and delivered over and condemned in pursuance of the Provisions of the said Convention and of this Act, such Bounty to be issued and paid by Order from the said Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty, Her Heirs and Successors, shall think fit to order and direct by any Order or Orders in Council, or by any Proclamation or Proclamations to be made for that Purpose.

Bounties to be paid out of the Consolidated Fund.

XIII. All Bounties payable under this Act shall be paid, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Commanders, Officers, and Crews of Her Majesty's Ships; and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

As to Mode of obtaining such Bounty.

XIV. In order to entitle the Captors to receive the said Bounty Money, the Numbers of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty.

XV. Where any Slaves, or Persons treated, dealt with, carried, kept, or detained as Slaves, shall be taken or seized on board any *British* or *Granadian* Ship or Vessel, in pursuance of the Provisions of the said Treaty and of this Act, but who shall not have been condemned, or shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall and may be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over and condemned.

Parties claiming Benefit under this Act may resort to the Court of Admiralty for Judgment.

XVI. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any *Granadian* Vessel confiscated in pursuance of the Provisions of the aforesaid Treaty, shall and may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf; and that it shall and may be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and enforce any Decrees or Sentences of the said Vice Admiralty Courts relating to any such Seizure.

Regulations to which Prize Agents are liable, extended to Bounties, &c. under this Act.

XVII. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich* Hospital, shall be and are hereby extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships or Vessels of War.

XVIII. Where

Where illegal Detention made, Treasury may award Compensation.

XVIII. Where any illegal Visit and Detention, or any Visit and Detention without sufficient Cause of Suspicion, or any Abuse or Vexation, shall have taken place and have been made by any Officer of Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland*, as is mentioned in the Eighth Article of the said Treaty, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of any Costs and Damages which may be duly awarded, according to the Provisions of the said Article: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payments so made, when lawfully called upon by Order of the said Commissioners of Her Majesty's Treasury.

Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Seizor's Costs.

XIX. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships authorized to make Seizures under the aforesaid Treaty, and Judgment shall be given against the Seizor, or such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* of such Costs and Expenses as the said Seizor may have incurred in respect of such Seizure, or any proportionate Part thereof.

CAP. XVIII.

An Act to authorize Advances out of the Consolidated Fund to discharge Monies borrowed on the Security of the Land Revenues of the Crown for the Purpose of Metropolitan Improvements, and providing for the Payment of such Advances and of certain Monies charged on the *London Bridge* Approaches Fund. [9th *May* 1853.]

'WHEREAS, in order to provide Monies for the Execution of certain Improvements in the Metropolis, the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, herein-after called "The Commissioners of Woods," were authorized to charge, and did by virtue of divers Acts charge, various Funds (which for the Purposes of this Act are intended to be included under the Denomination of "The *London Bridge* Approaches Fund," and by that Term are hereby described,) with the Payment of certain Sums of Money, by way of Principal and Interest thereon; but inasmuch as the Funds so charged were then subject to certain prior Charges, the Commissioners of Woods were authorized to raise and did raise certain Monies by Mortgage of certain Hereditaments, Part of the Hereditary Land Revenues of the Crown, in order to obtain the Means of immediately effecting such Improvements, and such last-mentioned Monies were so applied; and with Part thereof certain Lands and Hereditaments were purchased for the Purposes of such Improvements, of which Lands a Part not being wanted now remains and is liable to be sold: And whereas the Money so borrowed on the Security of the said Land Revenues, and the Amount since paid for Interest thereon, out of the Income of the said Land Revenues, are to be repaid out of the Monies charged as aforesaid on the *London Bridge* Approaches Fund, and out of the Monies to arise from the Sale and the Income till Sale of the surplus Lands and Hereditaments purchased as aforesaid, and out of a Sum of Thirty thousand Pounds and Interest secured by Mortgage from the *Westminster* Improvement Commissioners, but subject to the Charges herein-after mentioned, and it is considered that such Means of Repayment will be ample for such Purpose; but inasmuch as the Monies charged on the *London Bridge* Approaches Fund are only payable out of the accruing Produce thereof, and the other Monies so applicable are not yet realized, it is expedient to make Provision for the Discharge, out of the Consolidated Fund of *Great Britain* and *Ireland*, of the Monies charged on the Hereditaments belonging to the Crown, and the Monies from Time to Time paid out of the Income of the Land Revenues for Interest as aforesaid: And whereas the Monies so charged on the *London Bridge* Approaches Fund were made subject to the Payment of the Sum of Fifty thousand Pounds and Interest, borrowed and advanced as directed by an Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-four, to the *Westminster* Improvement Commissioners, and also of the said Sum of Thirty thousand Pounds and Interest, raised and lent to the *Westminster* Improvement Commissioners as aforesaid: And whereas by an Act passed in the Session of Parliament held in the Fourth Year of the Reign of Her present Majesty, Chapter Twelve, and by another Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter One hundred and three, Two several Sums of Thirty thousand Pounds and Thirty thousand Pounds and Interest were directed to be paid out of the Monies charged on the *London Bridge* Approaches Fund, as in the said Acts is mentioned, towards certain Improvements in *Southwark*, but the same have not yet been paid: And whereas by an Act passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Forty-two, the said Hereditaments purchased by the Commissioners of Woods with the Monies so borrowed for the Purposes of such Improvements as aforesaid, and which were not wanted for the Purposes of the new Streets, are now vested in the Commissioners of Her Majesty's Works and Public Buildings, and their Successors, as incorporated by such Act, and herein-after called "The Commissioners of Works:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The

Power to Treasury to make Advances out of the Consolidated Fund to Commissioners of Works for the Purpose of paying off Principal and Interest of Sums charged on the Land Revenues.

I. The Commissioners of Her Majesty's Treasury, and herein-after called "The Commissioners of the Treasury," shall make Advances, out of the growing Produce of the Consolidated Fund of *Great Britain* and *Ireland*, to the Commissioners of Works, for the Purposes after mentioned, of any Monies not exceeding in the whole the Sum of One million two hundred and twenty thousand Pounds; that is to say,

Such Monies as shall be sufficient to pay all Monies which at the passing of this Act may have been paid or advanced out of the Income of the Land Revenues for the Payment of any Part of the Interest of the Monies so borrowed on the Security of the Land Revenues as aforesaid, the said Monies to be paid by the Commissioners of Works to the Commissioner of Woods having charge of the Land Revenues so charged as aforesaid, and to be by him carried to the Account of the Income of the Land Revenues of the Crown; and also such further Sum as shall be sufficient to pay and keep down all Interest to become due after the passing of this Act on the Principal Sums charged on the Land Revenues as aforesaid till the said Principal Monies shall be discharged; also such Monies as shall be sufficient to discharge the Principal Monies charged on the Land Revenues as aforesaid, such Monies so charged to be paid off according to such Priorities and at such Times as the Commissioners of the Treasury shall direct, so as that all such Principal Monies shall be discharged by the Means aforesaid within Two Years from the passing of this Act.

On Payment of Principal and Interest the Land Revenues to be released therefrom, and reconveyed.

II. Such Monies for the Discharge of the Principal Monies, and also such further Sums as shall be sufficient to pay and keep down all Interest to become due on such Principal Monies after the passing of this Act, shall be paid to the Commissioners of Works, to be applied in discharge of the said Principal Monies and Interest charged on the said Land Revenues; and on the Payment of any such Principal Monies and Interest as aforesaid the Land Revenues which were so charged with the Payment thereof shall be released therefrom, and reconveyed to Her Majesty, Her Heirs and Successors.

Charges on the London Bridge Approaches Fund to be paid to Commissioners of Works, and carried to Consolidated Fund.

III. All the Monies so charged on the said *London Bridge* Approaches Fund as aforesaid, after paying the said Sum of Fifty thousand Pounds, and Thirty thousand Pounds so borrowed and lent to the *Westminster* Improvement Commissioners as aforesaid, and Interest thereon as aforesaid, or so much as shall remain unpaid at the passing of this Act, shall be paid to the Commissioners of Works, and shall be paid by them into the Bank of *England* to the Account of the said Consolidated Fund, freed and discharged from all the said Monies directed to be paid or retained thereout in respect of the *Southwark* Improvements aforesaid.

Parties to account.

IV. The Parties liable to pay over the said *London Bridge* Approaches Fund so charged as aforesaid shall account to the Commissioners of Works for the same until all Monies charged thereon shall be paid in all respects as may be directed by the Commissioners of the Treasury.

Sum due from the Westminster Improvement Commissioners vested in Commissioners of Works, &c.

V. The said Sum of Thirty thousand Pounds and Interest so secured by the *Westminster* Improvement Commissioners shall from the passing of this Act be vested in the Commissioners of Works so incorporated as aforesaid, and their Successors, with full Power to call in and compel Payment thereof, and the said Monies, when received, shall be by them paid into the Bank of *England* to the Account of the said Consolidated Fund.

Property in Line of new Streets to be sold.

VI. The Commissioners of Works shall sell, when and as the said Commissioners of the Treasury may direct, all the said Lands and Hereditaments so vested in them as aforesaid, and which were purchased in the Formation of the said Improvements as aforesaid, and not used for such Streets as aforesaid.

Until Sale the Commissioners of Works may let, and compel Performance of Covenants, &c.

VII. The Commissioners of Works, with Consent of the Commissioners of the Treasury, till Sale, may lease, and may perform and compel the Performance of any Agreement for Sale or for Lease already entered into, and may recover all Rents and Monies due on any Contract or otherwise in respect of the said Hereditaments, in all respects as they might have done if this Act had not passed.

Commissioners of Works to sell, &c. subject to special Conditions as to Title.

VIII. The Commissioners of Works may sell, lease, or agree to lease, under any special Conditions as to Title, and may alter or rescind any existing or future Contract for Sale or for a Lease, and shall not be bound to prove that any Act hereby authorized to be done by them was done with the Assent of the Commissioners of the Treasury.

Monies arising from Sales, &c. to go to Consolidated Fund.

IX. All Monies to arise from any Sale as aforesaid, or in respect of any Lease granted or to be granted, or to be received on rescinding any Contract, or in respect of any Damages or Penalty, and all Rents and Profits of the said Hereditaments due or to become due after the passing of this Act till sold, or in the Hands of the Commissioners of Works at the passing of this Act, in respect of any Sales or Rents or Profits of the said Hereditaments, or in respect of Interest on the Charges on the *London Bridge* Approaches Fund, shall be paid by the Commissioners of Works into the Bank of *England* to the Account of the said Consolidated Fund.

Receipts of Commissioners to be sufficient Discharges.

X. The Receipts of the First Commissioner of Works, or of any Two of the said Commissioners of Works, for all Monies payable to the Commissioners of Works under the Provisions of this Act, shall be sufficient Discharges to the Parties paying the same.

Principal and Interest provided for the Southwark Improvements to be invested in Government Securities until required for Improvements.

XI. Inasmuch as the whole of the said Monies so charged on the *London Bridge* Approaches Fund as aforesaid are hereby directed to be paid to the Account of the Consolidated Fund freed from the said Monies directed to be paid in respect of the *Southwark* Improvements, and the Interest thereof, the Commissioners of the Treasury shall, out of the Consolidated Fund, immediately after the passing of this Act, pay unto the Commissioners of Works such a Sum of Money as, under the Provisions of the aforesaid Acts, shall be payable for Principal and Interest in respect of the said Two Sums of Thirty thousand Pounds and Thirty thousand Pounds provided for the *Southwark* Improvements, and as if the same were then applicable and payable for such Improvements; and such Monies shall be applied for

such Improvements as aforesaid, according to the Provisions of the said Acts or of any other Act hereafter to be passed, and as if the said Monies were payable under the Provisions of the said Acts; and such Monies, until required for the Purposes aforesaid, shall be invested by the Commissioners of Works either in the Purchase of Exchequer Bills, or in the Purchase of Three *per Centum* Consolidated Bank Annuities, or of some other of the Public Stocks or Funds of *Great Britain*, as the Commissioners of Works, with Consent of the Commissioners of the Treasury, shall determine, and such Stocks, Funds, or Exchequer Bills shall be sold when required for the Purposes of the aforesaid Improvements: Provided nevertheless, that in case, under the Provisions of the aforesaid Acts or of any other Act to be hereafter passed, the said Monies shall not be applicable or required for the Purposes of the *Southwark* Improvements within Seven Years from the passing of this Act, the said Exchequer Bills, Funds, or Stock, as the Case may be, shall be sold, and the Proceeds paid to the Account of the Consolidated Fund; and the Income of the said Exchequer Bills, Funds, or Stock, until applicable as aforesaid, shall from Time to Time be invested as is herein-before provided as to the Principal Monies by way of Accumulation, and the Produce of such Investment applied as the Monies to arise from the first-mentioned Investment shall be applicable.

If not required within Seven Years the Securities to be sold, and the Produce paid to Consolidated Fund.

XII. All Acts hereby authorized to be done by the Commissioners of Works may be done by the First Commissioner of Works for the Time being, or by any Two of the said Commissioners of Works.

First or any Two Commissioners may act.

XIII. An annual Account of the Receipts and Disbursements of the Consolidated Fund under the Authority of this Act, made up to the First of *January* in each Year, shall be submitted by the Commissioners of the Treasury to both Houses of Parliament within Three Calendar Months after the Meeting of Parliament in every Year, specifying the Sources from which each Receipt has been derived.

Annual Accounts to be presented to Parliament.

XIV. It shall be sufficient for all Purposes to cite this Act as "The Metropolitan Improvements (Repayment out of Consolidated Fund) Act, 1853."

Short Title.

CAP. XIX.

An Act to amend an Act of the Fifteenth Year of Her present Majesty (*New Forest* Deer Removal), as regards the Publication of Claims and the preferring and delivering Objections thereto. [9th *May* 1853.]

'WHEREAS divers Claims in, over, or upon the *New Forest* have been preferred and delivered to 'the Verderers of the said Forest, pursuant to the Act of the Fourteenth and Fifteenth *Victoria*, 'Chapter Seventy-six, and such Claims exceed One thousand two hundred in Number, and an Abstract 'thereof has been published in the *London Gazette* as by the said Act is provided, and due Notice has 'been given by Advertisement that Copies of such Abstract as printed in the *London Gazette* may be 'obtained on Application to the Clerk of the Verderers and others, but from the great Length and 'Number of such Claims it was found that the Publication of such Abstract in Two or more News-'papers of the County of *Southampton*, as directed by the said Act, would have entailed a very large 'and unnecessary Expense, to prevent which, and to afford further Time to make Objections to such 'Claims, and also to complete the Register of Claims and Objections as directed by the said Act, and 'for other the Purposes after mentioned, it is necessary that the same should be amended as follows:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That so much of the said Act as directs that an Abstract of the said Claims shall be published for Two consecutive Weeks in some Two or more of the Newspapers usually published or circulated in the County of *Southampton* shall be and the same is hereby repealed in all respects as if such Direction had not been contained in the said Act, and the not having published such Abstract in such Newspapers as aforesaid shall in nowise prejudice the Claims made or the Right of objecting thereto.

Provision in 14 & 15 Vict. c. 76. directing Publication of Abstract of Claims in provincial Papers repealed.

II. That the Time for holding the First Meeting of the Verderers to receive Objections to such Claims as aforesaid shall be some Day, to be appointed by the said Verderers, within Six Calendar Months from the Twenty-fourth Day of *December* One thousand eight hundred and fifty-two, being the Date of the Insertion of the Abstract of such Claims in the *London Gazette*, anything in the said Act contained to the contrary notwithstanding; and all Objections made before the Expiration of the Day to be appointed by the Verderers in pursuance of this Act for the receiving such Objections shall be as effectual as if made in pursuance of the Provisions of the said Act; and any Duplicate of an Objection to a Claim, if delivered at the Abode of the Claimant or his Agent as by the said Act is provided Seven Days at least before the Day of the Delivery of such Objections to the Verderers at an adjourned Meeting for receiving such Objections, shall be as valid as if such Duplicate had been delivered at least Seven Days before the First Meeting of the said Verderers to receive Objections to Claims; and it shall be lawful for any One or more of the Verderers, or for their Clerk in the Absence of the Verderers, if thereunto required by or on behalf of Her Majesty or of any Person interested, to adjourn the Meeting for receiving such Objections from Time to Time; provided always, that the last of such adjourned Meetings shall be held on some Day not later than the First Day of *August* One thousand eight hundred and fifty-four.

Time for holding First Meeting to receive Objections to Claims enlarged.

III. That the Time for completing the Register of Claims and Objections by the Verderers as by the said Act is provided shall be and is hereby extended to the First Day of *October* One thousand eight hundred and fifty-four.

Time for completing Register of Claims extended to Oct. 1. 1854.

CAP.

CAP. XX.

An Act to alter and amend an Act of the Fifteenth Year of Her present Majesty for amending the Law of Evidence in *Scotland*. [9th *May* 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

§ 2. of 15 & 16 Vict. c. 27. repealed;

I. The Second Section of the Act of the Fifteenth Year of Her present Majesty, Chapter Twenty-seven, is hereby repealed.

and so much of § 1. as to Agents in Actions not being Witnesses.

II. So much of the First Section of the said Act as provides that "it shall not be competent to adduce as "a Witness in any Action or Proceeding any Person who shall at the Time when he is so adduced as a "Witness be acting as Agent in the Action or Proceeding in which he is so adduced, excepting in so far "as the same may be competent by the existing Law and Practice of *Scotland*," is hereby repealed.

As to Examination of Witnesses, whether named in the Record or not.

III. It shall be competent to adduce and examine as a Witness in any Action or Proceeding in *Scotland* any Party to such Action or Proceeding, or the Husband or Wife of any Party, whether he or she shall be individually named in the Record or Proceeding or not; but nothing herein contained shall render any Person, or the Husband or Wife of any Person, who in any Criminal Proceeding is charged with the Commission of any indictable Offence, or any Offence punishable on summary Conviction, competent or compellable to give Evidence for or against himself or herself, his Wife or her Husband, excepting in so far as the same may be at present competent by the Law and Practice of *Scotland*, or shall render any Person compellable to answer any Question tending to criminate himself or herself, or shall in any Proceeding render any Husband competent or compellable to give against his Wife Evidence of any Matter communicated by her to him during the Marriage, or any Wife competent or compellable to give against her Husband Evidence of any Matter communicated by him to her during the Marriage.

This Act not to apply to Cases of Adultery, &c.

IV. Nothing herein contained shall apply to any Action, Suit, or Proceeding instituted in *Scotland* in consequence of Adultery, or for dissolving any Marriage, or for Breach of Promise of Marriage, or in any Action of Declarator of Marriage, Nullity of Marriage, putting to Silence, Legitimacy, or Bastardy, or in any Action of Adherence or Separation.

Adducing of Party as a Witness not to have Effect of Reference to his Oath.

V. The adducing of any Party as a Witness in any Cause or Proceeding by the adverse Party shall not have the Effect of a Reference to the Oath of the Party so adduced: Provided always, that it shall not be competent to any Party who has called and examined the opposite Party as a Witness thereafter to refer the Cause or any Part of it to his Oath, and that in all other respects the Right of Reference to Oath shall remain as at present established by the Law and Practice of *Scotland*.

Not to affect Authority of Courts as to Judicial Examination.

VI. Nothing herein contained shall alter or affect the Authority or Practice of the Courts in *Scotland* as to Judicial Examination.

CAP. XXI.

An Act to authorize the Legislature of the Province of *Canada* to make Provision concerning the Clergy Reserves in that Province, and the Proceeds thereof. [9th *May* 1853.]

3 & 4 Vict. c. 78.

'WHEREAS the Act of the Session of Parliament holden in the Third and Fourth Years of Her 'Majesty, Chapter Seventy-eight, provides for the Sale of the Lands called Clergy Reserves in 'the Province of *Canada*, and for the Distribution of the Proceeds thereof; and it is expedient that the 'Legislature of the said Province should be enabled to make further Provisions in relation to such 'Reserves and Proceeds:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Legislature of Canada to alter the Appropriation of Clergy Reserves and the Proceeds thereof, and to make such other Provisions as shall seem meet.

I. It shall be lawful for the Legislature of the Province o *Canada*, from Time to Time, by any Act or Acts to be for that Purpose made and enacted in the Manner and subject to the Conditions required by the Act of the said Session of Parliament holden in the Third and Fourth Years of Her Majesty, Chapter Thirty-five, Sections Thirty-seven, Thirty-eight, and Thirty-nine, in respect of Acts made and enacted by such Legislature, to vary or repeal all or any of the Provisions of the said first-mentioned Act of Parliament for or concerning the Sale, Alienation, and Disposal of the said Clergy Reserves, and for or concerning the Investment of the Proceeds of all Sales then made or thereafter to be made of such Reserves, and for or concerning the Appropriation and Application of such Proceeds and Investments, the Interest and Dividends thereof, the Interest accruing on Sales on Credit of such Reserves, the Rent of such Reserves for the Time being unsold, and all other the Profits of or accruing from such Reserves, and (notwithstanding the said first-mentioned Act of Parliament) to make such other Provisions for or concerning the Sale, Alienation, or Disposal of the said Clergy Reserves and such Investments as aforesaid, and for or concerning the Appropriation and Application of such Clergy Reserves, Proceeds, Investments, Interest, Dividends, Rents, and Profits, as to the said Legislature may seem meet.

The said Legislature not authorized to

II. Provided, That it shall not be lawful for the said Legislature, by any Act or Acts thereof as aforesaid, to annul, suspend, or reduce any of the annual Stipends or Allowances which have been already assigned and given to the Clergy of the Churches of *England* and *Scotland*, or to any other Religious Bodies

Bodies or Denominations of Christians, in *Canada*, (and to which the Faith of the Crown is pledged,) during the natural Lives or Incumbencies of the Parties now receiving the same, or to appropriate or apply to any other Purposes such Part of the said Proceeds, Investments, Interest, Dividends, Rents, and Profits as may be required to provide for the Payment of such Stipends and Allowances during such Lives and Incumbencies. interfere with existing Interests.

CAP. XXII.

An Act for making further Provision for the Execution of the Office of Examiner of the High Court of Chancery. [9th *May* 1853.]

'WHEREAS by an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, Chapter One hundred and sixty-four, it was amongst other things enacted, that the 'Persons to be in future appointed to the Office of Examiners of the High Court of Chancery should 'take and subscribe in open Court the usual Oaths of Supremacy and Abjuration, and also an Oath to 'the Purport or Effect therein set forth: And whereas by an Act passed in the Session of Parliament 'held in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-six, 'it was enacted, that the Mode of examining Witnesses in Causes in the said Court, and the Practice of 'the said Court in relation thereto, so far as such Practice should be inconsistent with the Mode therein-'after prescribed by examining Witnesses, should be abolished, and that the Evidence of Witnesses to 'be adduced in Causes depending in the said Court might be taken orally, and that such oral Exami-'nation should take place in the Presence of the Parties, their Counsel, Solicitors, or Agents, and that 'the Witnesses so to be examined should be subject to Cross-examination and Re-examination, as 'therein directed: And whereas, by reason of the Alterations in the Practice of taking the Examination 'and Depositions of Witnesses established by the said last-recited Act, it is expedient that the Oath to 'be taken by the future Examiners of the said Court should be altered:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That— 50 G. 3. c. 164. 15 & 16 Vict. c. 86.

I. From and after the passing of this Act every Examiner now and hereafter to be appointed shall and he is hereby required to take and subscribe in open Court, instead of the Oath set forth as aforesaid in the said first-recited Act, an Oath to the Purport or Effect following; (that is to say,) After passing of this Act, the Oath herein named to be taken by all Examiners.

'I *A.B.* do swear, That I will, according to the best of my Skill and Ability, truly and faithfully 'exercise and discharge the Office of an Examiner of the High Court of Chancery, whereunto I am 'now admitted, and truly, faithfully, and without Partiality to any or either of the Parties in the 'respective Causes take the Examinations and Depositions of all Witnesses examined before me, pur-'suant to and in conformity with the Rules and Regulations of the High Court of Chancery, now in 'force or hereafter to be provided for the Examination of Witnesses in Causes and other Proceedings 'depending in said Court. 'So help me GOD.'

II. Any Person to be hereafter appointed to the Office of Examiner of the High Court of Chancery shall be a practising Barrister in some or One of the Courts of Law or Equity of not less than Seven Years standing in the Profession: Provided always, that nothing herein contained shall extend or apply to any Special Examiner who may be appointed under the Provisions of the said last-recited Act. Qualification of Examiners.

III. 'And whereas by the said last-recited Act, Section Sixty-five, Provision was made for the Pay-'ment of the Salaries of the Examiners of the said Court, and for their retiring Pensions, and Doubts 'have arisen respecting the Construction thereof, and it is expedient that such Doubts should be 'removed, and the Payment of the Salaries and retiring Pensions of Examiners appointed after the 'passing of the said Act provided for:' Be it therefore enacted, That it shall be lawful for the Lord Chancellor and he is hereby empowered to order and direct to be paid to each Examiner of the High Court of Chancery appointed since the passing of the above-recited Act, or hereafter to be appointed, out of the Fund entitled "The Suitors Fee Fund," the annual Sum of One thousand five hundred Pounds in lieu and instead of the Sums now payable under the several Acts of Parliament now in force relating to the Salaries of the Examiners of the said Court, such annual Sum of One thousand five hundred Pounds to commence and be payable from the Appointment to Office of the Examiner so appointed or to be appointed; and that it shall be lawful for the Lord Chancellor to order to be paid to every such Examiner, out of the aforesaid Suitors Fee Fund, an Annuity not exceeding Three Fourths of the above-mentioned Sum, to commence and take effect immediately after the Period when such Examiner shall resign or vacate his Office, and to continue during the Period of his natural Life: Provided always, that no Annuity granted to any Person having executed the Office of such Examiner shall be valid unless such Person shall have held such Office for a Period of Twenty Years, and be not under Sixty-five Years of Age, or unless the Lord Chancellor shall be satisfied by Evidence to be laid before him that such Person is afflicted with some permanent Infirmity disabling him from the due Execution thereof: Provided also, that if at any Time any of the said Examiners shall hold any Office or Employment connected with any Court of Law or Equity, or under the Crown, or in any public Department under the Crown, and if the Salary attached to such Office or Employment, or any retiring Pension or Allowance in respect thereof, shall equal or exceed in Amount the retiring Pension payable under this Act, such last-mentioned retiring Pension shall, during the Continuance of such Examiner in such Office or Employ- As to Payment of Salaries and retiring Pensions.

ment, or so long as he shall be in the Receipt of any retiring Pension or Allowance in respect thereof equal to or greater than his retiring Pension under this Act, cease to be payable to such Examiner; and if the Salary attached to such Office, or the retiring Pension in lieu thereof, shall be less than the Amount of such Examiner's retiring Pension under this Act, such retiring Pension under this Act shall be reduced by the Amount of such Salary, or of such retiring Pension or Allowance, as the Case may be.

CAP. XXIII.

An Act for redeeming or commuting the Annuity payable to the *South Sea* Company, and certain Annuities of Three Pounds *per Centum per Annum*, and for creating new Annuities of Three Pounds Ten Shillings *per Centum per Annum*, and Two Pounds Ten Shillings *per Centum per Annum*, and issuing Exchequer Bonds. [9th *May* 1853.]

Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of 'Great Britain and *Ireland*, in Parliament assembled, having taken into our serious Considera- 'tion the present State of the National Debt, and being desirous of lessening the Charge thereof, have 'resolved, that the Capital Trading Stock of the Corporation of the Governor and Company of Mer- 'chants of *Great Britain*, (trading to the *South Seas* and other Parts of *America*, and for encouraging 'the Fishery,) which is called and known by the Name of *South Sea* Stock, the Capital Stocks of the 'Three Pounds *per Centum* Annuities, called and known by the Name of the Old *South Sea* Annuities 'and by the Name of the New *South Sea* Annuities, the Capital Stock of the Three Pounds *per Centum*
12 G. 1. c. 2. 'Annuities, (created by an Act passed in the Twelfth Year of King *George* the First, intituled *An Act* 'for granting to His Majesty the Sum of One million Pounds, to be raised by way of Lottery,) called 'and known by the Name of the Bank Annuities One thousand seven hundred and twenty-six, and 'the Capital Stock of the Three Pounds *per Centum* Annuities, (created by an Act passed in the
24 G. 2. c. 2. 'Twenty-fourth Year of King *George* the Second, intituled *An Act for granting to His Majesty the Sum* 'of Two millions one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged 'on the Sinking Fund, redeemable by Parliament,) called and known by the Name of the Three Pounds 'per Centum Annuities One thousand seven hundred and fifty-one, shall be paid off and redeemed; and 'have also resolved, that every Person, Body Politic and Corporate, who now is or hereafter may be 'interested in the Capital Stocks of any of the said Three Pounds *per Centum* Annuities, who shall, in 'manner herein-after directed, give Notice at any Time on or before *Friday* the Third Day of *June* 'One thousand eight hundred and fifty-three of his Assent to receive other Government Securities in 'lieu and in place of the said Capital Stocks of the said Annuities, instead of being paid in Money, 'shall, at the Option of the said Parties, receive for every One hundred Pounds thereof Eighty-two 'Pounds Ten Shillings in a new Stock of Three and a Half *per Centum* Annuities, which said Annuities 'shall be paid at the Rate of Three Pounds Ten Shillings *per Centum per Annum* until the Fifth Day 'of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities 'shall be subject to Redemption by Parliament; or for every One hundred Pounds of the said Capital 'Stocks of Annuities the Sum of One hundred and ten Pounds in a new Stock of Two and a Half 'per Centum Annuities, which said Annuities shall be paid at the Rate of Two Pounds Ten Shillings 'per Centum per Annum until the Fifth Day of *January* One thousand eight hundred and ninety-four, 'from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for 'every Sum of One hundred Pounds of the Capital Stocks of the said Three Pounds *per Centum* 'Annuities, an Exchequer Bond for the like Amount, payable to Bearer, and carrying Interest at the 'Rate of Two Pounds Fifteen Shillings *per Centum per Annum*, payable half-yearly on the First Day 'of *March* and the First Day of *September* in every Year, until the First Day of *September* in a Year 'to be named in such Bond, and not later than First *September* One thousand eight hundred and sixty- 'four inclusive, and thenceforth Two Pounds Ten Shillings *per Centum per Annum*, payable half-yearly 'in like Manner, until and including the First of *September* One thousand eight hundred and ninety-four, 'and thereafter to be subject to Redemption at Par, at the Option of the Holder, or at the Option of the 'Commissioners of Her Majesty's Treasury, as shall be named in such Bond; and have also resolved, 'that the Commissioners of Her Majesty's Treasury be authorized and empowered to fix the Number of 'Years during which the Interest of Two Pounds Fifteen Shillings *per Centum* shall be payable on such 'Bond, subject to the Limitation of the foregoing Resolution, and likewise to determine whether such 'Bond, after the First of *September* One thousand eight hundred and ninety-four, shall be redeemable 'at their Option only, or shall also be redeemable at the Option of the Holder, and that the said Com- 'missioners shall give Notice in the *London Gazette* of what they shall determine in these respects as 'soon as may be after the passing of any Act in pursuance of these Resolutions; and have also resolved, 'that the Dividends and Interest payable on such New Three Pounds Ten Shillings *per Centum* 'Annuities, on such New Two Pounds Ten Shillings *per Centum* Annuities, and on such Exchequer 'Bonds, shall be charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great* 'Britain and *Ireland*; and have also resolved, that the Dividends now payable by Law on Fifth *July* 'and Fifth *January* in every Year on the said Capital Trading Stock and on the said Capital Stock of 'New *South Sea* Annuities, Annuities One thousand seven hundred and twenty-six, and Annuities One 'thousand seven hundred and fifty-one, shall continue payable until the Fifth *January* One thousand

'eight

'eight hundred and fifty-four inclusive, and no longer; that the Dividends now payable by Law on 'Tenth *October* and Fifth *April* in every Year on the said Capital Stock of Old *South Sea* Annuities 'shall continue payable until Fifth *April* One thousand eight hundred and fifty-four inclusive, and no 'longer; and have also resolved, that if the Corporation of the Governor and Company of Merchants of '*Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, 'shall at any Time on or before *Friday* the First Day of *July* signify to the Commissioners of Her 'Majesty's Treasury their Assent to commute and exchange the said Capital Trading Stock, or any Part 'thereof, into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, 'New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, the said Corporation 'shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the 'like Conditions as are granted to the Person or Persons, Bodies Politic or Corporate, interested in or 'entitled to the Capital Stock of Three Pounds *per Centum* Annuities now proposed to be paid off and 'redeemed; and have also resolved, that all and every Person or Persons, Bodies Politic or Corporate, 'possessed of any Part of the said Three Pounds *per Centum* Annuities, and who shall desire to signify 'his, her, or their Assent to receive the said New Three Pounds Ten Shillings *per Centum* Annuities, 'New Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, in lieu thereof, shall 'on or before the Third Day of *June* One thousand eight hundred and fifty-three, but within the 'usual Hours of transacting Business at the Bank of *England* or at the *South Sea* House, by them-'selves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and 'Company of the Bank of *England*, or to the Governor and Company of Merchants of *Great Britain* 'trading to the *South Seas*, as the Case may be, such Assent in Writing under his, her, or their Hand 'or Hands, or the Hand or Hands of his, her, or their Agent or Agents, together with the Amount of 'his, her, or their respective Share or Shares in the said Three Pounds *per Centum* Annuities, and 'which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor 'and Company of the Bank of *England*, and by the said Governor and Company of Merchants of *Great* 'Britain trading to the *South Seas*, for that Purpose; and in case of any Transfer of such Share or 'Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such 'Annuities so transferred shall be entered in the said Book or Books separately from the said Three 'Pounds *per Centum* Annuities, in respect of which no such Assent shall be signified; and every such 'Person or Persons so assenting, or his, her, or their Assigns, or the Executors or Administrators of 'such Assigns, under any such Transfer, shall be entitled for every One hundred Pounds Capital Stock 'of the said Three Pounds *per Centum* Annuities to Eighty-two Pounds Ten Shillings of the Capital 'Stock of New Three Pounds Ten Shillings *per Centum* Annuities, or to One hundred and ten Pounds 'of the Capital Stock of the New Two Pounds Ten Shillings *per Centum* Annuities, or to an Exchequer 'Bond of One hundred Pounds bearing Interest as aforesaid; provided always, that if any Person or 'Persons holding any such Three Pounds *per Centum* Annuities shall not be within the Limits of the 'United Kingdom at any Time between the Eighth Day of *April* and the Third Day of *June* One 'thousand eight hundred and fifty-three, both inclusive, but shall be in any other Part of *Europe*, it 'shall be lawful for such Person or Persons to signify such Assent at any Time before the Thirtieth Day 'of *July* One thousand eight hundred and fifty-three; and if any such Person or Persons shall not at any 'Time between the Eighth Day of *April* One thousand eight hundred and fifty-three and the Thirtieth 'Day of *July* One thousand eight hundred and fifty-three be within any Part of *Europe*, it shall be 'lawful for him, her, or them to signify such Assent at any Time before the First Day of *February* One 'thousand eight hundred and fifty-four, such Person or Persons proving to the Satisfaction of the 'Governor or Deputy Governor of the Bank of *England*, or to the Governor of the *South Sea* Company, 'his, her, or their Absence from the United Kingdom or out of *Europe* as above specified, and that his, 'her, or their Share or Shares of such Three Pounds *per Centum* Annuities stood in his, her, or their 'Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on 'his, her, or their Behalf, in the Books of the Governor and Company of the Bank of *England*, or 'Governor and Company of Merchant Traders to the *South Seas*, on the Third Day of *June* One thou-'sand eight hundred and fifty-three; provided also, that such Person or Persons so absent from the 'United Kingdom or out of *Europe* shall signify such his, her, or their Assent within Ten Days after 'his, her, or their Return to the United Kingdom; and have also resolved, that Provision shall be made 'for paying off such Proprietor or Proprietors of any of the said Capital Trading Stock or Capital Stocks 'of Annuities before mentioned as shall not signify his Assent to accept and receive New Three Pounds 'Ten Shillings *per Centum* Annuities, or New Two Pounds Ten Shillings *per Centum* Annuities, or 'Exchequer Bonds, in lieu thereof; and have also resolved, that every Person or Persons, Body Politic 'or Corpora[te] who now is or hereafter may be interested in or entitled to any Part of the Capital Stock 'of the Co[n]s[o]lidated Three Pounds *per Centum* Annuities, or of the Capital Stock of the Reduced 'Three Po[u]nds *per Centum* Annuities, payable at the Bank of *England* or at the Bank of *Ireland*, 'and wh[o] shall at any Time after the passing of an Act in pursuance of these Resolutions, and 'before the Tenth Day of *October* One thousand eight hundred and fifty-three, signify to the Governor 'and Company of the Bank of *England*, or to the Governor and Company of the Bank of *Ireland*, 'by an Entry to be made in Books to be opened for such Purpose, his Desire to commute and ex-'change any or all of the said Annuities to which he may be entitled into any One or more of the 'said New Three Pounds Ten Shillings *per Centum* Annuities, New Two Pounds Ten Shillings *per* 'Centum Annuities, or Exchequer Bonds, shall be permitted to make such Commutation and Exchange

'upon the same Terms and subject to the like Conditions as are granted to the Person or Persons, 'Bodies Politic or Corporate, interested in or entitled to the Capital Stocks of Three Pounds *per* 'Centum Annuities proposed to be paid off and redeemed as aforesaid; and have also resolved, that 'nothing herein contained shall extend to authorize the Commutation of the said Consolidated Three 'Pounds *per Centum* Annuities, or the said Reduced Three Pounds *per Centum* Annuities, into the said 'New Two Pounds Ten Shillings *per Centum* Annuities after the Amount entered for Commutation 'into such New Two Pounds Ten Shillings *per Centum* Annuities in the said Books of the Bank of '*England* and Bank of *Ireland* shall have reached the Sum of Thirty Millions; and that the Power 'of Commutation of the said Three Pounds *per Centum* Stocks shall thereafter be limited to the Two 'other Options herein-before given; that is to say, the Option of Exchange for Three Pounds Ten 'Shillings *per Centum* Annuities, and the Option of Exchange for Exchequer Bonds; and have also 'resolved, that the Commissioners of Her Majesty's Treasury be authorized and empowered to issue at 'any Time between the Fifth of *April* One thousand eight hundred and fifty-three and the Fifth of '*April* One thousand eight hundred and fifty-four Exchequer Bonds, payable to Bearer, upon the like 'Terms and Conditions as herein-before described, and after public Notice in the *London Gazette* from 'Time to Time to sell such Exchequer Bonds, or any Part thereof, and to apply the Proceeds in 'redeeming any Part of the Capital Trading Stock or Capital Stock of Annuities now proposed to be 'paid off and redeemed, or in purchasing and cancelling any Exchequer Bills, or in exchanging such 'Bonds for Exchequer Bills, upon such Terms as the said Commissioners shall think proper, or in pur-'chasing and cancelling any of the Consolidated Three Pounds *per Centum* Annuities, or Reduced Three 'Pounds *per Centum* Annuities, payable at the Bank of *England* or at the Bank of *Ireland*, as the Case 'may be; and have also resolved, that the Interest on such Exchequer Bonds shall be charged and 'chargeable on the said Consolidated Fund; and have also resolved, that no Amount of such Exchequer 'Bonds shall be issued exceeding in the whole the Sum of Thirty Millions; and have also resolved, that 'it shall be lawful for the Accountant General of the Courts of Chancery in *England* and *Ireland* 'respectively, and for the Accountant in Bankruptcy in *England*, at any Time before the Third Day of '*June* One thousand eight hundred and fifty-three, to signify to the Governor and Company of the 'Bank of *England*, or to the Corporation of the Governor and Company of the Merchants of *Great* '*Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, on 'behalf of any Suitor or Suitors or others interested in any such Three Pounds *per Centum* Annuities 'herein-before referred to as are proposed to be paid off and redeemed, standing in the Names of such 'Accountants General and Accountant respectively, their Assent to accept and receive Shares in the 'said New Three Pounds Ten Shillings *per Centum* Annuities, or New Two Pounds Ten Shillings *per* 'Centum Annuities, or Exchequer Bonds, in lieu of all such Three Pounds *per Centum* Annuities 'standing in their Names respectively, and the said Accountants General and Accountant respectively 'shall be fully indemnified against all Actions, Suits, and Proceedings for and in respect of any Action, 'Matter, or Thing done by them respectively in pursuance thereof; and have also resolved, that all 'Executors, Administrators, Guardians, and Trustees interested in or entitled to any Part of the said 'Capital Trading Stock, or of the Capital Stock of the Old *South Sea* Three Pounds *per Centum* 'Annuities, of the New *South Sea* Three Pounds *per Centum* Annuities, of the Three Pounds *per* 'Centum Annuities created by the Act Twelfth *George* the First, of the Three Pounds *per Centum* 'Annuities created by the Act Twenty-fourth *George* the Second, of the Consolidated Three Pounds '*per Centum* Bank Annuities, and of the Reduced Three Pounds *per Centum* Bank Annuities, whether 'payable at the Bank of *England* or at the Bank of *Ireland*, as the Case may be, who shall signify their 'Desire to convert the Annuities to which they may be respectively interested into any of the New 'Three Pounds Ten Shillings *per Centum* Annuities, New Two Pounds Ten Shillings *per Centum* 'Annuities, or Exchequer Bonds, shall be indemnified:' We, Your Majesty's most faithful Commons, do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Interest on Capital Stock of South Sea Company, and the Old and New South Sea Annuities, the Bank Annuities 1726, and the 3*l.* per Cent. Annuities 1751, to be redeemed.

I. The Annuity or Interest now payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, commonly called the *South Sea* Company, on the Amount of Capital Stock which under the Act of the Sixth Year of King *George* the Second, intituled *An Act for converting a further Part of the Capital Stock of the* South Sea *Company into Annuities redeemable by Parliament, and for settling the remaining Part of the said Stock in the said Company*, and other Acts of Parliament has been continued in the said *South Sea* Company as a Trading or Capital Stock in their own Right; the Capital Stocks of the Three Pounds *per Centum* Annuities, called and known by the Name of the Old *South Sea* Annuities, and by the Name of the New *South Sea* Annuities; the Capital Stock of the Three Pounds *per Centum* Annuities, (created by an Act passed in the Twelfth Year of King *George* the First, intituled *An Act for granting to His Majesty the Sum of One Million, to be raised by way of a Lottery,*) called and known by the Name of the Bank Annuities One thousand seven hundred and twenty-six; and the Capital Stock of Three Pounds *per Centum* Annuities, (created by an Act passed in the Twenty-fourth Year of King *George* the Second, intituled *An Act for granting to His Majesty the Sum of Two millions one hundred thousand Pounds, to be raised by Annuities and a Lottery, and charged on the Sinking Fund, redeemable by Parliament,*)

Parliament,) called and known by the Name of the Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall be paid off and redeemed or commuted as herein-after mentioned.

Proprietors of 3*l.* per Cents may for 100*l.* of their Stock receive 82*l.* 10*s.* New 3*l.* 10*s.* per Cent., 110*l.* 2*l.* 10*s.* per Cent., or 100*l.* Exchequer Bond carrying Interest at 2*l.*15*s.* per Cent. not later than 1st Sept. 1864, and after at 2*l.*10*s.* per Cent.

II. Every Person, Body Politic and Corporate, who now is or hereafter may be interested in the Capital Stocks of any of the said Three Pounds *per Centum* Annuities, who shall, in manner herein-after directed, give Notice at any Time on or before *Friday* the Third Day of *June* One thousand eight hundred and fifty-three of his Assent to receive other Government Securities in lieu and in place of the said Capital Stocks of the said Annuities, instead of being paid in Money, shall, at the Option of the said Parties, receive for every One hundred Pounds thereof Eighty-two Pounds Ten Shillings in a new Stock of Three and a Half *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, which said Annuities shall be paid at the Rate of Three Pounds Ten Shillings *per Centum per Annum* until the Fifth Day of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for every One hundred Pounds of the said Capital Stocks of Three Pounds *per Centum* Annuities the Sum of One hundred and ten Pounds in a new Stock of Two and a Half *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, which said Annuities shall be paid at the Rate of Two Pounds Ten Shillings *per Centum per Annum* until the Fifth Day of *January* One thousand eight hundred and ninety-four, from and after which Day the said Annuities shall be subject to Redemption by Parliament; or for every Sum of One hundred Pounds of the said Capital Stocks of Three Pounds *per Centum* Annuities an Exchequer Bond for the like Amount, payable to Bearer, and carrying Interest at the Rate of Two Pounds Fifteen Shillings *per Centum per Annum*, payable half-yearly on the First Day of *March* and the First Day of *September* in every Year, until the First Day of *September* in a Year to be named in such Bond, and not later than the First Day of *September* One thousand eight hundred and sixty-four inclusive, and thenceforth Two Pounds Ten Shillings *per Centum per Annum*, payable half-yearly in like Manner, until and including the First Day of *September* One thousand eight hundred and ninety-four, and thereafter to be subject to Redemption at Par, at the Option of the Holder or at the Option of the Commissioners of Her Majesty's Treasury, as shall be named in such Bond.

Treasury to fix the Term for Payment of 2*l.*15*s.* per Cent. Exchequer Bonds, and the Options of Redemption.

III. The Commissioners of Her Majesty's Treasury are hereby authorized and empowered to fix the Number of Years during which the Interest of Two Pounds Fifteen Shillings *per Centum* shall be payable on the Exchequer Bonds to be issued under this Act, subject to the Limitation herein-before contained, and likewise to determine whether such Bonds after the First Day of *September* One thousand eight hundred and ninety-four shall be redeemable at their Option only, or shall also be redeemable at the Option of the Holder, and if such Bonds shall be redeemable at the Option of the Holders, then to fix the Time, not being earlier than the First Day of *September* One thousand eight hundred and ninety-four or later than the First Day of *September* One thousand nine hundred, at which they may be respectively presented for Payment; and the said Commissioners shall give Notice in the *London Gazette* of what they shall determine in these respects as soon as may be after the passing of this Act.

Dividends charged on the Consolidated Fund.

IV. The Dividends and Interest payable on such New Three Pounds Ten Shillings *per Centum* Annuities, on such Two Pounds Ten Shillings *per Centum* Annuities, and on such Exchequer Bonds as shall be created and issued respectively under this Act, shall be charged and chargeable upon and shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the same Manner as the said Annuity or Interest payable to the said *South Sea* Company; and the Interest and Dividends of the Three Pounds *per Centum* Annuities to be paid off and redeemed or commuted under this Act, now stand charged on the said Fund.

Annuity on South Sea Stock, Dividends on New and Old South Sea Annuities, Bank Annuities 1726, and 3*l.* per Cent Annuities 1751, to cease after a certain Period.

V. The Annuity or Interest now payable by Law to the said *South Sea* Company on their said Trading or Capital Stock, and the Dividends now payable by Law on the Fifth Day of *July* and the Fifth Day of *January* in every Year on the said Capital Stocks of the said New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one respectively, shall severally continue payable until the Fifth Day of *January* One thousand eight hundred and fifty-four inclusive, and no longer; and the Dividends now payable by Law on the Tenth Day of *October* and the Fifth Day of *April* in every Year on the said Capital Stock of Old *South Sea* Annuities shall continue payable until the Fifth Day of *April* One thousand eight hundred and fifty-four inclusive, and no longer.

South Sea Company to have the same Option of Commutation as Proprietors of 3*l.* per Cents.

VI. If the said *South Sea* Company shall at any Time on or before *Friday* the First Day of *July* One thousand eight hundred and fifty-three signify to the Commissioners of Her Majesty's Treasury, in Writing under the Common Seal of such Company, their Assent to commute and exchange the Annuity or Interest now payable on their said Trading or Capital Stock, or any Part thereof, into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, the said Company shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the like Conditions as are granted to Persons and Bodies Politic and Corporate interested in the said Capital Stocks of Three Pounds *per Centum* Annuities to be paid off and redeemed or commuted under this Act; and for the Purpose of such Commutation or Exchange the Annuity or Interest payable in respect of every One hundred Pounds of the said Trading or Capital Stock shall be equivalent to One hundred Pounds of the said Capital Stocks of Three Pounds *per Centum* Annuities.

Assents of Proprietors of the said 3*l.* per Cents how to be signified.

VII. All and every Persons or Person, Bodies Politic or Corporate, possessed of any Part of the said Three Pounds *per Centum* Annuities, and who shall desire to signify his, her, or their Assent to receive the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per*

per Centum Annuities, or Exchequer Bonds, in lieu thereof, shall, on or before the Third Day of *June* One thousand eight hundred and fifty-three, but within the usual Hours of transacting Business at the Bank of *England* or at the *South Sea* House, by themselves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *England*, or to the said *South Sea* Company, as the Case may be, such Assent in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents, together with the Amount of his, her, or their respective Share or Shares in the said Three Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the said Governor and Company of the Bank of *England* and by the said *South Sea* Company for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the Books of the Bank of *England* and *South Sea* Company respectively separately from the said Three Pounds *per Centum* Annuities in respect of which no such Assent shall be signified; and all and every such Persons or Person so assenting, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall as respects the said New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, from the Fifth Day of *January* One thousand eight hundred and fifty-four, and as respects the said Old *South Sea* Annuities from the Fifth Day of *April* One thousand eight hundred and fifty-four, be entitled for every One hundred Pounds Capital Stock of the said Annuities to Eighty-two Pounds Ten Shillings of the Capital Stock of New Three Pounds Ten Shillings *per Centum* Annuities, or to One hundred and ten Pounds of the Capital Stock of the Two Pounds Ten Shillings *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, or to an Exchequer Bond of One hundred Pounds bearing Interest as aforesaid: Provided always, that if any Person or Persons holding any such Three Pounds *per Centum* Annuities shall not be within the Limits of the United Kingdom at any Time between the Eighth Day of *April* and the Third Day of *June* One thousand eight hundred and fifty-three, both inclusive, but shall be in any other Part of *Europe*, it shall be lawful for such Person or Persons to signify such Assent at any Time before the Thirtieth Day of *July* One thousand eight hundred and fifty-three; and if any such Person or Persons shall not at any Time between the Eighth Day of *April* One thousand eight hundred and fifty-three and the Thirtieth Day of *July* One thousand eight hundred and fifty-three be within any Part of *Europe*, it shall be lawful for him, her, or them to signify such Assent at any Time before the First Day of *February* One thousand eight hundred and fifty-four, such Person or Persons proving to the Satisfaction of the Governor or Deputy Governor of the Bank of *England*, or to the Governor, Sub-Governor, or Deputy Governor of the said *South Sea* Company, his, her, or their Absence from the United Kingdom or out of *Europe* as above specified, and that his, her, or their Share or Shares of such Three Pounds *per Centum* Annuities stood in his, her, or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on his, her, or their Behalf, in the Books of the Governor and Company of the Bank of *England* or of the said *South Sea* Company on the Third Day of *June* One thousand eight hundred and fifty-three; provided also, that such Person or Persons so absent from the United Kingdom or out of *Europe* shall signify such his, her, or their Assent within Ten Days after his, her, or their Return to the United Kingdom.

Proprietors of New South Sea Annuities, Bank Annuities 1726, and 3 per Cent. Annuities 1751 (not assenting to commute) to receive on 5th Jan. 1854 100*l.* for 100*l.* Stock, and Proprietors of Old South Sea Annuities, to receive on 5th April 1854 100*l.* for 100*l.* Stock.

VIII. All Persons and Bodies Politic or Corporate interested in the said Capital Stocks of New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one respectively, who shall not signify their Assents to accept New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, upon the Terms and in the Manner herein mentioned, shall, on the Fifth Day of *January* One thousand eight hundred and fifty-four, receive the Sum of One hundred Pounds for every One hundred Pounds of such Capital Stock which may be then standing in their respective Names, and so in proportion for any greater or less Amount; and all Persons and Bodies Politic or Corporate interested in the said Capital Stock of Old *South Sea* Annuities, who shall not signify their Assents to accept New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, upon the Terms and in the Manner herein mentioned, shall, on the Fifth Day of *April* One thousand eight hundred and fifty-four, receive the Sum of One hundred Pounds for every One hundred Pounds of such Capital Stock which may be then standing in their respective Names, and so in proportion for any greater or less Amount: Provided always, that the Payment at the Bank of *England* for the Use of the Persons entitled thereto of any Money payable under this Provision in respect of the said Capital Stocks shall be and be deemed a full Discharge of the Amount so paid, and that the Proprietors of the said Capital Stocks respectively, or their Agents duly authorized, shall be at liberty to demand and receive Payment from the said Bank, upon Application for that Purpose, at any Time after the said Fifth Day of *January* and Fifth Day of *April* One thousand eight hundred and fifty-four respectively, of the Sums so paid for the Use of such Proprietors respectively.

South Sea Company to be paid Principal Money the Interest on which they may not assent to commute.

IX. In case the said *South Sea* Company do not signify their Assent to commute or exchange the whole of the Annuity or Interest now payable on their said Trading or Capital Stock into One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, on the Terms and in manner herein mentioned, there shall be paid to the said *South Sea* Company, or into the Bank of *England* to the Credit of the said *South Sea* Company or of their Chief Cashier to their Use, a Principal Sum equal to the Amount of the said Trading

or Capital Stock of the said Company, or if any Part of their Annuity or Interest have been commuted or exchanged, then to the Part of the said Trading or Capital Stock the Annuity or Interest on which shall not have been commuted or exchanged as aforesaid.

Power to Accountants General of Chancery and Accountant in Bankruptcy to assent.

X. It shall be lawful for the Accountant General of the Courts of Chancery in *England* and *Ireland* respectively, and for the Accountant in Bankruptcy in *England*, at any Time before the Third Day of *June* One thousand eight hundred and fifty-three, to signify to the Governor and Company of the Bank of *England* or to the *South Sea* Company (as the Case may be), on behalf of any Suitor or Suitors or others interested in any of the said Capital Stocks of New *South Sea* Annuities, Old *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, standing in the Names of such Accountants General and Accountant respectively, their Assent to accept and receive in lieu thereof the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds; and General or Special Orders may be made in a summary Way, upon Application, either by Motion or Petition, of Suitors or Persons interested or otherwise, by the Courts of Chancery in *England* and *Ireland* and by the Court of Bankruptcy in *England* respectively, for directing the said Accountants General and Accountant respectively, as to signifying or not signifying such Assent, and otherwise in relation thereto; and the said Accountants General and Accountant respectively shall be fully indemnified against all Actions, Suits, or Proceedings for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of this Act.

Power to Executors, &c. to assent.

XI. All Executors, Administrators, Guardians, and Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Control over any Share or Shares of the said Capital Stocks of Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, standing either in their own Names or in the Name or Names of any Testator or Intestate, Infant, Idiot, or Lunatic, or other Person or Persons, may signify such Assent as aforesaid at any Time before the Third Day of *June* One thousand eight hundred and fifty-three; and if either or any Two or more of such Executors, Administrators, Guardians, Trustees, and Committees shall reside out of the United Kingdom, the Period within which such Assent may be signified shall be regulated by the Residence of the most distant of such Executors, Administrators, Guardians, Trustees, and Committees in each Case; and all Executors, Administrators, Guardians, Trustees, and Committees signifying such Assent shall be severally and respectively indemnified in respect thereof: Provided always, that an Assent for the Purposes aforesaid, signed by One of such Executors, Administrators, Guardians, Trustees, or Committees, for and on behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the Governor and Company of the Bank of *England* and by the *South Sea* Company as if the same had been signed by the whole of such Executors, Administrators, Guardians, Trustees, and Committees, unless some One or more of them shall give Notice to the said Governor and Company or to the said *South Sea* Company (as the Case may be), previous to the Expiration of the Time hereby given for signifying such Assent, of his, her, or their Dissent thereto.

Conditions on which Trustees may assent.

XII. Provided always, That in all Cases in which any Trustee, Executor, or Administrator shall hold or be entitled to any Part of the Capital Stock of any of the Three *per Centum* Annuities by this Act proposed or enabled to be paid off, commuted, or redeemed, upon trust for or for the Benefit of any Person having a limited Interest, or under legal Disability, no such Trustee, Executor, or Administrator shall be at liberty to give Notice of his Assent to receive, in lieu of such Capital Stock, the aforesaid new Stock of Three and a Half *per Centum* Annuities without the Consent in Writing of all Persons beneficially interested in such Stock, if competent and willing to consent; but if such Persons shall not agree, or if any of the Parties shall be under legal Disability, or if the Trust be such that Persons yet unborn may become interested under the same, then and in any or either of such Cases every such Trustee, Executor, or Administrator shall commute the Stock so held by him in such Manner only as a Judge of the Court of Chancery in *England* or *Ireland*, or of the Court of Session in *Scotland*, shall direct: Provided also, that all Applications for such Purpose as last aforesaid, and every other Application hereby authorized to be made to the Courts of Chancery in *England* and *Ireland* respectively, and to the Court of Session in *Scotland*, may be heard and disposed of in such Manner, on the Attendance of such Parties, and on such Evidence as the Judge shall think fit, who shall have Power to direct in what Way the Costs and Expenses of such Applications respectively shall be borne and defrayed.

Proprietors of Consols or Reduced 3*l.* per Cents may commute on the same Terms as Proprietors of 3*l.* per Cents.

XIII. Every Person, Body Politic or Corporate, who now is or hereafter may be interested in or entitled to any Part of the Capital Stock of the Consolidated Three Pounds *per Centum* Annuities, or of the Capital Stock of the Reduced Three Pounds *per Centum* Annuities, payable at the Bank of *England* or at the Bank of *Ireland*, and who shall at any Time before the Tenth Day of *October* One thousand eight hundred and fifty-three signify to the Governor and Company of the Bank of *England*, or to the Governor and Company of the Bank of *Ireland*, by an Entry to be made in Books to be opened for such Purpose, his Assent to commute and exchange any or all of the said Annuities to which he may be entitled into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, shall be permitted to make such Commutation and Exchange upon the same Terms and subject to the like Conditions as are granted to Persons, Bodies Politic or Corporate, interested in or entitled to the Capital Stocks of Three Pounds *per Centum* Annuities to be paid off and redeemed or commuted as herein-before mentioned; and the Dividends

Dividends now payable by Law on such Part of the Capital Stock of the said Consolidated Three Pounds *per Centum* Annuities as shall be so commuted shall continue payable until the Fifth Day of *January* One thousand eight hundred and fifty-four inclusive, and the Dividends now payable by Law on such Part of the Capital Stock of the said Reduced Three Pounds *per Centum* Annuities as shall be so commuted shall continue payable until the Fifth Day of *April* One thousand eight hundred and fifty-four inclusive; and from and after the said Fifth Day of *January* and Fifth Day of *April* One thousand eight hundred and fifty-four respectively such Part of such respective Capital Stocks shall be considered as cancelled and paid off, and no Dividends or Interest shall be thenceforth payable thereon.

Commutations into New 3*l.* 10*s.* and 2*l.* 10*s.* per Cents limited.

XIV. Nothing herein contained shall extend to authorize the Commutation of the said Consolidated Three Pounds *per Centum* Annuities or the said Reduced Three Pounds *per Centum* Annuities into the said New Three Pounds Ten Shillings *per Centum* Annuities, after the aggregate Amount of the Capital Stocks of the said Consolidated Three Pounds *per Centum* Annuities, and Reduced Three Pounds *per Centum* Annuities, entered for Commutation into such New Three Pounds Ten Shillings *per Centum* Annuities in the said Books of the Bank of *England* and Bank of *Ireland* shall have reached the Sum of Thirty Millions, or to authorize the Commutation of the said Consolidated Three Pounds *per Centum* Annuities, or the said Reduced Three Pounds *per Centum* Annuities, into the said Two Pounds Ten Shillings *per Centum* Annuities after the aggregate Amount of the Capital Stocks of the said Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities entered for Commutation into such Two Pounds Ten Shillings *per Centum* Annuities in the said Books of the Bank of *England* and Bank of *Ireland* shall have reached the Sum of Thirty Millions: Provided always, that for the Purpose of determining the Rights of Proprietors of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, Assents for such Commutation shall be taken at the Banks of *England* and *Ireland* respectively on the same Day or Days, and all Assents given at the Bank of *England* and Bank of *Ireland* on the same Day shall be deemed to have equal Priority; and if the aggregate Amount of the Capital Stocks of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities entered for Commutation into New Three Pounds Ten Shillings *per Centum* Annuities, or the aggregate Amount of the said Capital Stocks entered for Commutation into Two Pounds Ten Shillings *per Centum* Annuities, in *England* and *Ireland* on the First Day on which such Assents as aforesaid are taken exceed Thirty Millions of Capital Stock, the said Thirty Millions shall be apportioned rateably among the Proprietors of the said Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities who on that Day may have given their Assent to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities (as the Case may be), in proportion to the Amounts in respect whereof such Assents may have been so given by them respectively to commute into such respective Annuities, omitting Fractions of a Pound, and such Proprietors shall be entitled to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities accordingly; or in case the aggregate Amount of the Capital Stocks of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities entered as aforesaid for Commutation into New Three Pounds Ten Shillings *per Centum* Annuities, or the aggregate Amount of the said Capital Stocks entered for Commutation into Two Pounds Ten Shillings *per Centum* Annuities, on any subsequent Day exceed such Residue of the said Sum of Thirty Millions as at the Commencement of such Day may remain open for Commutation into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, such Residue of the said Sum of Thirty Millions shall be apportioned rateably as aforesaid among the Proprietors of Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities who on that Day may have given their Assents to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities (as the Case may be), and such Proprietors shall be entitled to commute into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities accordingly.

Assents of Proprietors of Consolidated or Reduced 3*l.* per Cents how to be signified.

XV. All and every Persons or Person, Bodies Politic or Corporate, possessed of any Part of the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, and who shall desire to signify his, her, or their Assent to receive the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, or Exchequer Bonds, in lieu thereof, shall, on or before the Tenth Day of *October* One thousand eight hundred and fifty-three, but within the usual Hours of transacting Business at the Bank of *England* or Bank of *Ireland*, by themselves or some Agent or Agents for that Purpose duly authorized, signify to the Governor and Company of the Bank of *England*, or to the Governor and Company of the Bank of *Ireland*, as the Case may be, such Assent in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents, together with the Amount of his, her, or their respective Share or Shares in the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, and which said Assent shall be entered in a Book or Books to be opened and kept by the Governor and Company of the Bank of *England* and by the Governor and Company of the Bank of *Ireland* for that Purpose; and in case of any Transfer of such Share or Shares of such Annuities, or any Part or Parts thereof, after such Assent, the Part or Parts of such Annuities so transferred shall be entered in the Books of the Bank of *England* and of the Bank of *Ireland* respectively separately from the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities

Annuities in respect of which no such Assent shall be signified; and all and every such Persons or Person so assenting, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall, as respects Consolidated Three Pounds *per Centum* Annuities from the Fifth Day of *January* One thousand eight hundred and fifty-four, and as respects Reduced Three Pounds *per Centum* Annuities from the Fifth Day of *April* One thousand eight hundred and fifty-four, be entitled for every One hundred Pounds Capital Stock of the said Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities to Eighty-two Pounds Ten Shillings of the Capital Stock of New Three Pounds Ten Shillings *per Centum* Annuities, or, subject to the Limitations herein-before contained, to One hundred and ten Pounds of the Capital Stock of the Two Pounds Ten Shillings *per Centum* Annuities, and so in proportion for any Amount less than One hundred Pounds, or an Exchequer Bond of One hundred Pounds bearing Interest as aforesaid.

Power to Executors, &c. to assent.

XVI. All Executors, Administrators, Guardians, and Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Control over any Share or Shares of the said Capital Stocks of Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities, standing either in their own Names or in the Name or Names of any Testator or Intestate, Infant, Idiot, or Lunatic, or other Person or Persons, may signify such Assent as aforesaid at any Time before the Tenth Day of *October* One thousand eight hundred and fifty-three; and all Executors, Administrators, Guardians, Trustees, and Committees signifying such Assent shall be severally and respectively indemnified in respect thereof: Provided always, that an Assent for the Purposes aforesaid, signed by One of such Executors, Administrators, Guardians, Trustees, or Committees, for and on behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the Governor and Company of the Bank of *England* and by the Governor and Company of the Bank of *Ireland* respectively as if the same had been signed by the whole of such Executors, Administrators, Guardians, Trustees, and Committees, unless some One or more of them shall give Notice to the Governor and Company of the Bank of *England* or to the Governor and Company of the Bank of *Ireland* (as the Case may be), previous to the Expiration of the Time hereby given for signifying such Assent, of his, her, or their Dissent thereto.

Dividends on New 3*l.* 10*s.* per Cents and 2*l.* 10*s.* per Cents to be payable on 5th Jan. and 5th July.

XVII. The Dividends or Interest on the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities shall be paid and payable at the Bank of *England* or at the Bank of *Ireland* on the Fifth Day of *January* and Fifth Day of *July* in every Year, and the First Payment thereof shall be made on the Fifth Day of *July* One thousand eight hundred and fifty-four; provided that a Quarter of a Year's Dividends or Interest, and no more, shall be paid on the Fifth Day of *July* One thousand eight hundred and fifty-four on any Sum or Share of the said Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities which may have been accepted in lieu of Old *South Sea* Annuities or Reduced Three Pounds *per Centum* Annuities; and the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities shall be free from all Taxes, Charges, and Impositions, in the like Manner as the Three Pounds *per Centum* Annuities redeemed or commuted under this Act.

Books to be opened at Banks of England and Ireland for receiving the Entry of the New 3*l.* 10*s.* per Cents and 2*l.* 10*s.* per Cents.

XVIII. It shall and may be lawful for the Governor and Company of the Bank of *England*, and for the Governor and Company of the Bank of *Ireland*, at any Time after the Third Day of *June* One thousand eight hundred and fifty-three, to open Books for writing up and receiving the Entry into the New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities of any of the said Capital Stocks of Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, Consolidated Three Pounds *per Centum* Annuities, and Reduced Three Pounds *per Centum* Annuities, belonging to any Proprietor or Proprietors who may have expressed his, her, or their Assent to receive such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities, and who may thereby have commuted his, her, or their Share of the said Capital Stocks into the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities; but the Dividends on any of the said Capital Stocks of New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, and Consolidated Three Pounds *per Centum* Annuities, so commuted, shall continue payable until the Fifth Day of *January* One thousand eight hundred and fifty-four inclusive; and the Dividends on the said Capital Stocks of Old *South Sea* Annuities and Reduced Three Pounds *per Centum* Annuities so commuted shall continue payable until the Fifth Day of *April* One thousand eight hundred and fifty-four inclusive to the Persons in whose Names the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities received in lieu of such Capital Stocks respectively may stand on the Days of Payment of such Dividends.

Payment of Dividends of Stocks commuted.

South Sea Company to certify to the Bank of England Amounts of Stock assented to and not assented to.

XIX. The Books kept at the *South Sea* House for Transfer of the said New *South Sea* Annuities and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one shall be closed from the First Day of *December* One thousand eight hundred and fifty-three, and the Books kept at the *South Sea* House for Transfer of the said Old *South Sea* Annuities shall be closed from the First Day of *March* One thousand eight hundred and fifty-four; and the *South Sea* Company shall with all convenient Speed, and not later than Fifteen Days after the closing of their Books in each Case as aforesaid, transmit to the Governor and Company of the Bank of *England* a Certificate under their Common Seal, setting forth a Statement of all Sums of Annuities in respect of which Assents have been given by Proprietors and others authorized to assent under this Act to accept New Three Pounds Ten Shillings *per Cent.* Annuities,

Annuities, Two Pounds Ten Shillings *per Cent.* Annuities, or Exchequer Bonds, and of all Sums of Annuities in respect of which Assents have not been so given, and of the Names of the Persons appearing by the Books of the *South Sea* Company to be Proprietors of such assented Annuities and of such Annuities in respect whereof Assents have not been given respectively at the Date of closing the Transfer Books as aforesaid; and the *South Sea* Company shall likewise from Time to Time transmit to the said Governor and Company of the Bank of *England*, under their Common Seal, Certificates of such further Sums of New *South Sea* Annuities and Annuities One thousand seven hundred and fifty-one in respect whereof Assents shall be given subsequently to the closing of the Transfer Books of those Funds as aforesaid, under the Authorities herein contained, and of the Proprietors thereof; and the Entries in such Certificates shall be sufficient Authority to the Governor and Company of the Bank of *England* for writing up or causing or permitting to be entered in the Names of the Persons specified in such Certificates of Sums in the New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities respectively, equivalent at the Rates aforesaid to the several Sums of the said Capital Stocks in respect whereof such Assents have been entered, and also for the Payment to the Persons specified in such Certificates of the Money payable in respect of the Sums of the said Capital Stocks in respect whereof Assents may not have been entered, and also (in case the said Governor and Company shall be Agents for the Delivery of the said Exchequer Bonds) for the Delivery to the Persons specified in such Certificates of Exchequer Bonds equivalent to the several Sums of the said Capital Stocks in respect whereof Assents to receive Exchequer Bonds in lieu thereof may have been entered.

New 3*l.* 10*s.* per Cent. and 2*l.* 10*s.* per Cent. Annuities, to which the Company may be entitled under their Assent, to be entered in their Name.

XX. In case the said *South Sea* Company shall, within the Time and in manner herein-before mentioned, signify to the Commissioners of Her Majesty's Treasury their Assent to commute and exchange the Annuity or Interest now payable on their said Trading or Capital Stock, or any Part thereof, into or for New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, the Commissioners of Her Majesty's Treasury shall thereupon by Warrant under their Hands authorize and direct the Governor and Company of the Bank of *England* to enter or cause to be entered into the Name of the said *South Sea* Company in the Books of the said Governor and Company of the Bank of *England* the Amounts of New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities, or the Amount of either of such Annuities, to which the said *South Sea* Company may be entitled under such Assent.

Bank to appoint a Cashier and an Accountant General.

XXI. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of *England* and the Governor and Company of the Bank of *Ireland* respectively, and their Successors, shall from Time to Time appoint and employ One or more sufficient Person or Persons within their Office to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant General; and the Monies from Time to Time and at any Time being in the Receipt of the Exchequer, hereby made applicable to the Payment of the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities respectively, shall, by Order of the Commissioners of Her Majesty's Treasury, without any further or other Warrant to be sued for, had, or obtained in that Behelf, be issued and paid at the said Receipt of Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of *England* or Bank of *Ireland* respectively, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the said Annuities; and such Cashier or Cashiers to whom the said Monies shall from Time to Time be issued shall from Time to Time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer.

Said Accountants General to examine Receipts and Payments.

XXII. The said Accountants General for the Time being respectively shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence, or Delay.

The Annuities created by this Act to be several Joint Stocks.

XXIII. All the New Three Pounds Ten Shillings *per Centum* Annuities created by virtue of this Act shall be deemed, reputed, and taken to be One Capital or Joint Stock, and all the Two Pounds Ten Shillings *per Centum* Annuities created by virtue of this Act shall be deemed, reputed, and taken to be One other Capital or Joint Stock; and all and every Persons and Person and Bodies Politic and Corporate whatsoever entitled thereto shall have and be deemed to have a proportional Interest and Share in the said respective Stocks, and in the Annuities attending the same; and the said Capital or Joint Stocks respectively, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferable as this Act directs, and not otherwise; and there shall be constantly kept in the Office of the said Accountants General for the Time being Books wherein all Assignments or Transfers of the said Capital or Joint Stocks respectively, or any Part thereof, and the proportional Annuities attending the same, shall be entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if any such Party or Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses, and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Method of assigning or transferring the said Stocks respectively, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law; and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

XXIV. All

Annuities to be Personal Estate.

XXIV. All Persons and Corporations entitled to the said New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities respectively, created by this Act, and his, her, or their Executors, Administrators, Successors, and Assigns respectively, and all Persons and Corporations lawfully claiming under them, shall have good, sure, absolute, and indefeasible Estates and Interests in the said respective Annuities, according to the true Tenor and Meaning of this Act, and shall be possessed thereof as of a Personal Estate, devisable as such, and which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise, any Law, Custom, or Usage to the contrary notwithstanding.

Certificates of Amount of Stock exchanged or paid off, &c. to be sent to Commissioners for Reduction of the National Debt.

XXV. As soon after the Expiration of the respective Periods allowed by this Act for signifying Assent under this Act as the same can be done, Certificates shall be from Time to Time made out and transmitted to the Commissioners for the Reduction of the National Debt, by the proper Officer or Officers of the Banks of *England* and *Ireland* respectively, and of the said *South Sea* Company, of the Amount of Three Pounds *per Centum* Annuities which shall have been exchanged into such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities or Exchequer Bonds, or paid off under the Provisions of this Act, and of the annual Interest which shall have ceased thereby, and also of the Capital Amount of such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities created by such Exchange, and of the annual Interest thereon.

Bonds or Contracts to transfer the said 3*l.* per Cents to be deemed satisfied by Transfer of New 3*l.* 10*s.* per Cents or 2*l.* 10*s.* per Cents.

XXVI. In every Case in which any Person or Persons shall at the Time of the passing of this Act be or remain bound by the Condition of any Bond or Obligation, or by the Terms of any Instrument in Writing, or by any Agreement or Contract, to transfer any Amount of the said Capital Stocks of Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one respectively, the Condition of such Bond or Obligation, or the Terms of such Instrument, Agreement, or Contract, shall, unless such Option and Notice be declared and given as herein-after provided, be deemed in Law and Equity to be satisfied by making a Transfer of such an Amount of Capital Stock, either in the New Three Pounds Ten Shillings *per Centum* Annuities or in the Two Pounds Ten Shillings *per Centum* Annuities created under this Act, as would upon an Assent by a Person entitled thereto be receivable in respect of such an Amount of the Capital Stock which under such Condition or Terms should be transferred; and where any Party is by the Condition of any such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, bound or required to pay half-yearly Sums equal to the Dividends on any specified Amount of any such Three Pounds *per Centum* Annuities respectively, every such Bond, Obligation, Instrument, Agreement, or Contract shall be satisfied by the Payment of half-yearly Sums equal to the Dividends of or upon such Amount of Capital Stock in the said New Three Pounds Ten Shillings *per Centum* Annuities as would upon an Assent by a Person entitled thereto be receivable in respect of such specified Amount of Three Pounds *per Centum* Annuities.

As to Payment of Dividends.

Lenders of 3*l.* per Cents redeemed on Contract to replace may demand 100*l.* Money for every 100*l.* Stock.

XXVII. In every Case in which any of the said Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, or Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall have been transferred in the way of Loan, upon any Condition in any Bond or Instrument, or under or upon any Agreement or Contract, for the Repayment of such Loan, by the replacing the Amount of Stock so transferred, it shall be lawful for the Person or Persons who shall have made any such Loan, or their Executors, Administrators, or Assigns, to declare an Option, and give Notice thereof in Writing, and thereby require, but at the same Times and on the same Terms on which he might have required a Retransfer of the Stock so lent, the Repayment of One hundred Pounds of lawful Money of *Great Britain* for every One hundred Pounds Capital Stock of such Annuities so transferred in the way of Loan as aforesaid, and so in proportion for any greater or less Amount; and every Bond, Obligation, Instrument, Agreement, or Contract given, entered into, or made upon any such Loan or Contract shall be deemed in every such Case in Law and in Equity to entitle the Person or Persons, his, her, or their Executors, Administrators, or Assigns, to such Repayment in Money, and in the meantime to receive Interest according to the original Contract, and to demand and recover the same respectively in any Court in which any Action, Suit, Process, or Proceeding may be brought, instituted, or carried on upon any such Bond, Obligation, Instrument, Agreement, or Contract, anything in any such Bond or Obligation, Instrument, Agreement, or Contract, to the contrary notwithstanding.

Powers of Attorney for Sale or Transfer o 3*l.* per Cents redeemed to continue in force.

XXVIII. Every Power of Attorney in force at the Time of passing this Act for the Sale or Transfer of any of the said Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, or Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, in respect of which an Assent to accept other Securities may not have been signified under the Provisions of this Act, shall remain and continue in full Force, unless legally revoked for the Purpose of enabling the Attorney or Attornies therein named to give a legal Discharge for the Principal and Dividend of such Annuities, when paid off under the Provisions of this Act, or to assent to receive New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, or any of them, in lieu of the said Three Pounds *per Centum* Annuities; and all such Powers of Attorney deposited with the *South Sea* Company concerning any of the said Old *South Sea* Annuities, New *South Sea* Annuities, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall, as soon as conveniently may be after Dividends thereon respectively shall cease to be payable, be transferred and delivered by the *South Sea* Company to the Governor and Company of the Bank of *England*.

XXIX. All

Trusts as to Stock commuted shall extend to newly created Stocks.

XXIX. All Trusts, whether created by Will or otherwise, and which existed either in the whole or in part, and all Directions contained in any Will or Devise or testamentary Paper, which remain unexecuted at the Time of the passing of this Act, as to any Three Pounds *per Centum* Annuities which may under this Act be commuted into New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, or as to the Payment or Distribution of any Dividends thereon, or as to the Transfer of any such Annuities in any Events specified in any such Trusts or Will or testamentary Paper, shall extend and be deemed and construed in all Cases, and in all Courts of Law and Equity in the United Kingdom or elsewhere in any Dominions or Territories belonging to Her Majesty, to extend and to apply to all such New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities created in lieu of any Three Pounds *per Centum* Annuities subject to or affected by any such Trusts or Devises or Wills or testamentary Papers, for all Purposes and in all Cases in which such Trusts or to which any such Directions can be made applicable: Provided always, that in all Cases in which any Proportions or Parts of any such Three Pounds *per Centum* Annuities are required to be transferred under any such Trusts, or under the Provisions of or Directions contained in any Will, Devise, or testamentary Paper, or any Proportion or Part of any Dividends arising from and out of any such Three Pounds *per Centum* Annuities, are required to be paid or distributed, the Transfer of an Amount of New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities, equivalent at the Rate of Commutation hereby authorized, and the Payment and Distribution of Dividends at the Rate of Three Pounds Ten Shillings *per Centum* and Two Pounds Ten Shillings *per Centum*, instead of Three Pounds *per Centum*, upon the Capital, shall be and be deemed and taken in all Courts and for all Purposes to be a due Execution of such Trusts, or of the Directions contained in any Will or testamentary Paper, and shall fully discharge the Trustee or Executor or Executors making the same, who are hereby declared to be and are hereby fully indemnified in respect of such Execution of any such Trusts and Executorship as aforesaid.

Questions as to Trusts arising on Commutations under this Act may be decided by Courts of Chancery in England or Ireland, or by the Court of Session in Scotland.

XXX. In every Case in which any Question may have arisen or may arise upon the Execution of any Trusts or upon any Distributions which may have been or may be made or may remain to be made by any Trustees, Executors, or Administrators of or in relation to or arising out of any such Three Pounds *per Centum* Annuities which may have been vested in any Trustees, or which may have been distributable by any Executors or Administrators, or as to the Application of any Residue thereof, or as to the Distribution or Application of any New Three Pounds Ten Shillings *per Centum* Annuities and Two Pounds Ten Shillings *per Centum* Annuities transferred under the Provisions of this Act, in lieu of any Annuities or Stock commuted hereunder, whether as to the Powers or Authorities of any such Trustees, Executors, or Administrators, or as to the relative Interest of any Persons entitled under any such Trusts or under Wills to receive any Annuities charged upon or arising or payable out of the Proceeds of any such Annuities or Stock, and of any Persons interested in any Residue of any of such Annuities or Stock, whether under any specific Provision relating to any such Trusts, or contained in any Wills, or arising out of the Execution of any Wills by any Executors, or the Distribution of any Estates by any Administrators, and in all other Cases whatsoever in which any Question may arise in consequence of Commutation under this Act, it shall be lawful for any such Trustees, Executors, or Administrators, and for Persons entitled to or interested in any Annuities or Stock extinguished or created under this Act, whether in reversion or otherwise, to make Application to the High Court of Chancery in *England* or to the High Court of Chancery in *Ireland* respectively, or to the Court of Session in *Scotland*, in a summary Way, either by Motion or Petition; and it shall be lawful for the said High Courts of Chancery in *England* or *Ireland* respectively, or for the Court of Session in *Scotland*, to make general Orders in relation to any such Question, or special Orders in a summary Way, upon any such Application, or as to any other Matter or Thing relating to any such Annuities or Stock, or to any Dividends thereof; and all Trustees, Executors, Administrators, and other Persons acting under any Orders made by any or either of such Courts respectively, or whose Acts shall be confirmed by any or either of such Courts respectively, if done before any Application made to any or either of the said Courts respectively, shall be and are hereby fully indemnified against all Actions, Suits, or Proceeding for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of or under any such Order, or which shall be confirmed by any such Order; and in case any Action, Suit, or other Proceeding be commenced or instituted against any such Trustee, Executor, Administrator, or other Person, for or in respect of any such Act, Matter, or Thing, it shall be lawful for the Court in which such Action, Suit, or Proceeding shall be commenced or shall be pending, upon summary Application, to stay, and such Court is hereby required to stay, such Action, Suit, or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

New Stock transferable at Banks of England and Ireland may be mutually transferred, conformably to Directions of 5 G. 4. c. 53. as altered by 6 G. 4. c. 79.

XXXI. It shall and may be lawful for any Person who shall at any Time hold any Stock in the New Three Pounds Ten Shillings *per Centum* Annuities or Two Pounds Ten Shillings *per Centum* Annuities created by this Act, transferable at the Bank of *Ireland*, to transfer or cause to be transferred any such Annuities respectively, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the like Annuities respectively transferable at the Bank of *England*; and in like Manner it shall be lawful for any Person who shall at any Time hold any Stock in the said New Three Pounds Ten Shillings *per Centum* Annuities or in the Two Pounds Ten Shillings *per Centum* Annuities created by this Act, transferable at the Bank of *England*, to transfer or cause to be transferred any such Annuities respectively, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the like Annuities respectively transferable at the

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Bank of *Ireland;* and all such Transfers shall be made on the Terms and Conditions, and subject to all the Clauses, Directions, and Regulations contained in an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to permit the mutual Transfer of Capital in certain Public Stock or Funds transferable at the Banks of* England *and* Ireland *respectively,* as the same is altered or affected by an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to provide for the Assimilation of the Currency and Monies of Account throughout the United Kingdom of* Great Britain *and* Ireland; and all Clauses and Provisions of the said Acts relating to any Funds, Stocks, or Annuities shall extend and be construed to extend to the Annuities created by this Act, in like Manner as if the said Annuities had been specified in the said recited Acts or either of them.

In respect of every 110*l.* of 2*l.* 10*s.* per Cents, a yearly Sum of 5*s.* to be paid to Commissioners for Reduction of National Debt.

XXXII. In respect of each Sum of One hundred and ten Pounds of Two Pounds Ten Shillings *per Centum* Annuities created under this Act, there shall be paid to the Commissioners for the Reduction of the National Debt on the Fifth Day of *July* in every Year, until and inclusive of the Fifth Day of *July* One thousand eight hundred and ninety-four, the yearly Sum of Five Shillings, and so in proportion for any lesser Sum of such Annuities; such yearly Sums to be charged on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* and to be issued and paid thereout, either into the Bank of *England* or into the Bank of *Ireland,* to the Account of the said Commissioners for the Reduction of the National Debt, as the said Commissioners shall from Time to Time direct, and to be applied towards the Reduction of the National Debt as other Monies paid to them for that Purpose are by Law applicable; but a separate Account shall be kept by the said Commissioners of the Application of the Sums paid to them under this Provision; and for the Purposes of the Acts for regulating the Reduction of the National Debt such Sums shall be deemed Part of the Expenditure of the United Kingdom.

Stock, Bonds, and Money received in respect of the Annuities in Names of Commissioners for the Reduction of National Debt to remain subject to the same Rights as such Annuities.

XXXIII. All Sums of the Annuities created under this Act, and all Exchequer Bonds into or for which any Sums of Annuities standing in the Books of the *South Sea* Company to the Credit of the Account of the Commissioners for the Reduction of the National Debt under the Provisions of the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty, shall be commuted or exchanged, and all Principal Money paid or payable for the Redemption of any of the last-mentioned Sums of Annuities, shall be and remain subject to the Claims and Rights of the Persons entitled to such respective Sums of Annuities under the Provisions of the said Act; and the Governor and Deputy Governor of the Bank of *England,* and the Court of Chancery, and the Officers of the Governor and Company of the Bank of *England* respectively shall and may exercise all such or the like Powers of and for transferring, and paying and ordering the Transfer, Delivery, and Payment of the said Sums of the Annuities created under this Act and Exchequer Bonds, and the Dividends or Interest on such Sums of Annuities and Exchequer Bonds, and the said Principal Money paid or payable for Redemption as aforesaid to the Persons claiming to be entitled thereto as the said Governor, Deputy Governor, and the Court of Chancery, and the Officers of the said Governor and Company respectively are authorized to exercise in respect to the Transfer of the Stocks or Annuities and the Payment of the Dividends and other Monies which, under the Provisions of an Act of the Fifty-sixth Year of King *George* the Third, Chapter Sixty, and an Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-two, may be transferred or payable to the Account of the said Commissioners for the Reduction of the National Debt; and the *South Sea* Company shall deliver and furnish to the said Governor and Company all Documents and Information in the Possession or Power of the *South Sea* Company which may be necessary or proper for showing the Persons interested in the said Sums of Annuities so standing to the Credit of the Commissioners for the Reduction of the National Debt as aforesaid, or the Dividends thereon.

Stock not demanded for Ten Years, or whereon Dividends are unclaimed for Ten Years, to be transferred to National Debt Commissioners.

XXXIV. All Sums of Money payable to any Persons entitled to any of the Annuities hereby directed to be paid off which shall not be demanded for Ten Years, or for so many Years as with the Period during which the Dividends on such Annuities shall not have been demanded shall make up Ten Years, and all such unclaimed Dividends, and all Capital Stock in any of the Annuities hereby created whereon the Dividends shall not be demanded for Ten Years, or for so many Years as with the Period during which the Dividends on the Stock for which it was substituted upon Commutation under this Act shall not have been demanded shall make up Ten Years, and all such unclaimed Dividends on such respective Stocks, shall be paid and transferred respectively to the Account of the Commissioners for the Reduction of the National Debt, and shall be subject to the Provisions of the said Act of the Fifty-sixth Year of King *George* the Third, Chapter Sixty, and of the said Act of the Eighth and Ninth Years of Her Majesty, Chapter Sixty-two.

Unclaimed Dividends on 3*l.* per Cent. Annuities transferable at the South Sea House to be transferred to the Bank of England.

XXXV. The *South Sea* Company shall, on the First Day of *June* One thousand eight hundred and fifty-four, transmit to the Governor and Company of the Bank of *England* a Certificate under their Common Seal, setting forth a Statement of all Arrears of Dividends remaining unpaid in respect of any Share or Interest in the said Old *South Sea* Annuities, New *South Sea* Annuities, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, and of all Balances (if any) of Sums issued to the said *South Sea* Company for paying any Part of the Principal Sums invested in such Annuities remaining unpaid, and shall also deliver to the said Governor and Company all Letters of Attorney then subsisting and in force for Payment of all or any Part of such Arrears of Dividends, and shall at the same Time pay over to the Governor and Company of the Bank of *England* all Monies remaining in the Hands of the said *South Sea* Company applicable to the Payment of such Dividends, or to the Payment of any of the Principal Sums invested in such Annuities, and the same shall be placed

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by the said Governor and Company to the Credit of the then current Account kept by the said Governor and Company of Monies received for satisfying and discharging the Principal and Interest of the several Annuities transferable at the Bank of *England*, and such Certificate shall be sufficient Authority to the Governor and Company of the Bank of *England* for paying to the Persons named therein, and their respective Attorneys, Executors, and Administrators, all or any Part of the Sums of Money specified in such Certificates to be due to such Persons respectively, and the Payment by the said Governor and Company of any Monies to the Persons appearing by the Letters of Attorney so delivered to them by the *South Sea* Company to be entitled to receive and give Discharges for the same shall effectually indemnify the said Governor and Company in respect thereof; and the said Governor and Company shall debit all Sums paid by them for or in respect of such Arrears of Dividends and Principal Sums remaining unpaid to the said Account of Monies received for satisfying and discharging the Principal and Interest of the several Annuities transferable at the Bank of *England*.

This Act to be an Indemnity to Banks of England and Ireland and South Sea Company.

XXXVI. This Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the said Governor and Company of the Bank of *England*, and the Governor and Company of the Bank of *Ireland*, and to the *South Sea* Company, their Officers and Servants, and every of them, for all Things done or permitted to be done pursuant thereto, and that the same shall not be questioned or impeached in any Court of Law or Equity whatsoever to their Prejudice or Detriment.

The Treasury may cause Exchequer Bonds to be issued.

XXXVII. It shall be lawful for the said Commissioners of Her Majesty's Treasury, from Time to Time, between the Fifth Day of *April* One thousand eight hundred and fifty-three and the Fifth Day of *April* One thousand eight hundred and fifty-four, by Warrant under their Hands, to cause or direct any Number of Exchequer Bonds for like Principal Sums, or different Sums not less in any Case than One hundred Pounds, bearing Interest, and conformable to the Terms and Provisions of this Act, to be made out at the Receipt of Her Majesty's Exchequer at *Westminster*, for the Purposes of this Act, subject to the Limitation herein-after contained, which Exchequer Bonds, and the Interest accruing thereon respectively, shall be transferable by the Delivery of such Bonds, and of the Receipts or Certificates for accruing Interest thereon, which may be issued therewith under this Act respectively; and it shall be lawful for the Commissioners of Her Majesty's Treasury to provide for the Delivery to the Persons and Corporations entitled thereto of such Exchequer Bonds as may be due to them under the Commutation and Exchange by the Authority of this Act, or it shall be lawful for the Commissioners of Her Majesty's Treasury, after public Notice in the *London Gazette*, from Time to Time to sell such Exchequer Bonds or any Part thereof, and to apply the Proceeds in redeeming the Annuity or Interest payable on any Part of the said Trading or Capital Stock or Capital Stocks of Three Pounds *per Centum* Annuities to be paid off and redeemed, or in purchasing and cancelling any Exchequer Bills, or in exchanging such Bonds for Exchequer Bills, upon such Terms as the said Commissioners shall think proper, or in purchasing and cancelling any of the Consolidated Three Pounds *per Centum* Annuities or Reduced Three Pounds *per Centum* Annuities payable at the Bank of *England* or at the Bank of *Ireland*, as the Case may be: Provided always, that all Exchequer Bills which shall be purchased with the Proceeds of the Sale of any Exchequer Bonds, or taken in exchange for any Exchequer Bonds, under the Power herein-before contained, shall be cancelled, and no Exchequer Bills shall be issued in lieu of the Exchequer Bills so cancelled; and the Amount of Exchequer Bills which the Commissioners of the Treasury may be authorized to direct the Issue of at any One Time in pursuance of any Act of this Session of Parliament shall be diminished by the Amount of the Exchequer Bills which may be so cancelled as aforesaid.

Limitation of Amount of Exchequer Bonds to 30,000,000*l.*

XXXVIII. The whole Amount of Principal Money to be secured by the Exchequer Bonds to be issued under the Authority of this Act shall not exceed the Sum of Thirty Millions: Provided always, that the said *South Sea* Company, and the Proprietors of the said Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities One thousand seven hundred and twenty-six, and Three Pounds *per Centum* Annuities One thousand seven hundred and fifty-one, shall receive such an Amount of such Exchequer Bonds as they may be entitled to and claim under the Terms of the Commutation or Exchange applicable to them respectively under this Act, in preference to the Proprietors desirous of commuting their Consolidated Three Pounds *per Centum* Annuities and Reduced Three Pounds *per Centum* Annuities respectively; and, subject to such Preference as aforesaid, such last-mentioned Proprietors shall be entitled, according to the Priority of Time of their respective Assents, to such Exchequer Bonds as may remain to be issued under the Authority of this Act, in the same Manner, as near as may be, as in the Case of Commutation into Two Pounds Ten Shillings *per Centum* Annuities under the Provisions herein contained.

Treasury to regulate the Issue of Exchequer Bonds.

XXXIX. It shall be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time, subject to the Provisions herein contained, by Warrant under their Hands to prescribe and regulate the Method and Form in which Exchequer Bonds under this Act shall be made out and issued, and how and by what Officer or Officers such Exchequer Bonds may be signed or otherwise authenticated, and to provide for the Manner of Payment of the Interest accruing thereon, and for the Issue, if they think fit, of Receipts or Certificates of such Interest annexed to such Bonds or otherwise, and also to provide for the Issue of new Bonds in lieu of any such Bonds worn or defaced which may be delivered up to be cancelled, and for the Issue in lieu of such Exchequer Bonds as may be lost of new Bonds, at such Times, upon such Securities, and under such Conditions and Precautions as they may think fit, and generally to make such Regulations for the Safety and Convenience of the Holders of such Bonds, and the Payment of such Interest upon the Production or Delivery of such Receipts or Certificates, or otherwise, as they may think fit; and it shall be lawful for the said Commissioners, by such Regulations as aforesaid, to provide for the Conversion of any such Bonds as may be delivered up to them by the Holders

Holders thereof for that Purpose into Bonds or other Securities for the like Amount of Principal Monies and Interest respectively, which shall be transferable by Entries in a Register which may be provided for that Purpose in such Manner and subject to such Conditions and Restrictions as the said Commissioners may see fit, and every such Warrant shall from Time to Time be published in the *London Gazette*.

Relief in case Exchequer Bonds should be accidentally destroyed.

XL. In case Proof shall be made, on the Oath or Oaths of One or more Witness or Witnesses, before the Lord Chief Baron and other the Barons of the Coif of Her Majesty's Court of Exchequer, or any of them, that any Exchequer Bond issued under this Act, and not redeemed, shall by Casualty or Mischance have been burnt or otherwise destroyed, and if by such Oath or Oaths the Numbers and Sums of such Bond or Bonds shall be ascertained, and the said Chief Baron and other Barons, or any of them, before whom such Oath or Oaths shall be made, shall certify that he or they are satisfied with such Proof, then and in every such Case the Commissioners of the Treasury are hereby authorized to cause another Bond or other Bonds of equal Amount to be issued, in lieu of such Bond or Bonds so burnt or destroyed; provided the Person or Persons so receiving such new Bond or Bonds do give Security to the Queen, to the Satisfaction of the Commissioners of the Treasury, to deliver up to the Exchequer to be cancelled the Bond or Bonds so certified to be burnt or destroyed, if the same shall be thereafter found or produced, and to pay into the Receipt of the Exchequer, to the Use of the Public, all such Monies as shall have been paid out of the Exchequer as Principal or Interest on the new Bond or Bonds which may have been issued under this Provision.

Persons forging Exchequer Bonds, &c. guilty of Felony.

XLI. If any Person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer Bond, or any Receipt or Certificate for Interest accruing thereon, issued under this Act, such Person shall be guilty of Felony, and upon Conviction thereof shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Bank to continue a Corporation for Purposes of this Act until Annuities hereby granted are redeemed.

XLII. The said Governor and Company of the Bank of *England* and their Successors, notwithstanding the Redemption of all or any of their own Funds in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act, until the Annuities by this Act granted shall be redeemed by Parliament as aforesaid; and the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

CAP. XXIV.

An Act to confirm and extend certain Provisional Orders of the General Board of Health for the Towns of *Wakefield*, *Elland*, *Wallasey*, *Dudley*, *Barnsley*, *Dorchester*, and *Welshpool*.

[9th *May* 1853.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, certain Provisional Orders mentioned in the Schedule to this Act annexed, and it is expedient that the said Orders should be confirmed, and further Provisions made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provisional Orders of General Board of Health confirmed.

I. That the Provisional Orders of the General Board of Health referred to in the Schedule annexed shall, from and after the passing of this Act, so far as the same are authorized by the said Public Health Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

First Election of Local Board for Elland;

II. The First Election of the Local Board of Health for the District of *Elland*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three.

for Wallasey;

III. The First Election of the Local Board of Health for the District of *Wallasey*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three.

for Dudley;

IV. The First Election of the Local Board of Health for the District of *Dudley*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three.

for Barnsley.

Limiting Amount of Rates leviable within District of Barnsley.

V. The First Election of the Local Board of Health for the District of *Barnsley*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-three: Provided always, that the Rates leviable within the District of *Barnsley*, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying to the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and this Act, shall not, inclusive of all Highway Rates, in any One Year exceed in the whole the Sum of Four Shillings in the Pound upon the net annual Value of Property assessable thereto within such District.

So much of s. 88. of 11 & 12 Vict. c. 63. as relates

VI. From and after the Application of the Public Health Act to the Borough of *Wakefield* the last Proviso of Section Eighty-eight of "the Public Health Act, 1848," with respect to Exemptions from rating, shall not apply to any Property within the District constituted by the Provisional Order applying "the

to Exemption from rating, not to apply to Wakefield.

"the Public Health Act, 1848," to the Borough of *Wakefield*, that Act, or any Act supplemental thereto, or this Act, or anything therein respectively contained, to the contrary notwithstanding, but all such Exemptions shall from and after the passing of this Act cease and determine within the said District; and the Local Board of Health for the Borough of *Wakefield* may straighten, deepen, cleanse, and cover all Becks and running Streams within the said Borough, and shall prevent all Pollution thereof by the Discharge of any Sewage, Refuse, Dye Stuff, Washings, or other noxious or offensive Matter therein; and for these Purposes, as well as for the Purposes of Assessment, to defray the Cost of Works in relation thereto, the Word "Sewer" in "the Public Health Act, 1848," shall include all Becks and running Streams of Water within the Borough of *Wakefield*, that Act or any other Act supplemental thereto, or this Act, or anything therein respectively contained, to the contrary notwithstanding.

Local Board may cleanse, &c. running Streams, &c.

Meaning of "Sewer."

Monies, &c. applicable for Repair of Roads in Divisions of Westgate, Northgate, and Kirkgate, vested in Wakefield Local Board of Health.

VII. The Sum of Six hundred and four Pounds Eleven Shillings by the Award of the Twenty-seventh Day of *April* One thousand eight hundred and five made by the Commissioners under the Act of the Thirty-third Year of *George* the Third, intituled *An Act for dividing and enclosing the open Common Fields, Ings, Commons, and Waste Grounds within the Townships or Graveships of* Wakefield, Stanley Wrenthorpe, Alverthorpe, *and* Thornes *in the Parish of* Wakefield *in the West Riding of the County of* York, ordered to be invested at Interest upon Government or Real Securities, or in the Purchase of Lands, Tenements, or Hereditaments, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Division of *Westgate* in *Wakefield;* and the Sum of Four hundred and sixty-one Pounds Nine Shillings by that Award ordered to be invested in the like Manner, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Division of *Northgate* in *Wakefield;* and the Sum of Seven hundred and sixty-nine Pounds Seventeen Shillings by that Award ordered to be invested in like Manner, and the Interest, Dividends, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Division of *Kirkgate* in *Wakefield*, or the Securities, Lands, Tenements, or Hereditaments in or upon which those Three Sums, or any of them, or any Part thereof respectively, are invested, shall be by this Act vested absolutely in the *Wakefield* Local Board of Health, with full Power for such Board from Time to Time to alter and vary the Estates, Funds, and Securities in or upon which the same Sums, or any of them, or any Part thereof respectively, are, is, or may be invested, and the Interest, Dividends, Rents, and Produce thereof shall be applied by that Board in and towards the Repairs of the public Highways within the Borough.

Proportion of Money, &c. applicable for Repair of Alverthorpe-cum-Thornes and Stanley-cum-Wrenthorpe vested in Wakefield Local Board of Health.

VIII. A due Part or Proportion of the Sum of One thousand and thirty-two Pounds Three Shillings by that Award ordered to be invested in like Manner, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Township of *Alverthorpe-cum-Thornes*, and a due Part or Proportion of the Sum of One thousand one hundred and thirty-two Pounds by that Award ordered to be invested in like Manner, and the Interest, Dividends, Rents, and Produce thereof to be applied annually in aid of the Expenses of repairing the public Roads and Ways within the Township of *Stanley-cum-Wrenthorpe*, or a due Part or Portion of the Securities, Lands, Tenements, or Hereditaments in or upon which those Two Sums, or either of them, or any Part thereof respectively, are invested (such Part or Proportion to be determined by the Order of the General Board of Health under their Hands and Official Seal), with reference to the total Length of the public Roads and Ways in each of those Two Townships which are partly within and partly without the Borough of *Wakefield*, or (if the General Board of Health by any such Order so determine) a due Part or Proportion (to be determined in like Manner by the General Board of Health) of the Interest, Dividends, Rents, and Produce thereof respectively, shall be by this Act absolutely vested in or (as shall be so determined) shall be from Time to Time paid to the *Wakefield* Local Board of Health, and shall be applied by them annually in aid of the Expenses of repairing the public Highways within the Borough.

Monies payable for Repair of Roads in Wakefield to be paid to Wakefield Local Board.

IX. All Persons who, if this Act were not passed, would at any Time be liable to pay any Money to any Surveyors of Highways or others towards the Repair of any public Roads or Ways which the Inhabitants of the Borough or any Part thereof are now liable to repair, shall henceforth pay the same to the *Wakefield* Local Board of Health, instead of to such Surveyors or others, and the same shall be applied by the *Wakefield* Local Board of Health accordingly: Provided always, that nothing herein or in the said Provisional Order contained shall prejudice, lessen, or defeat the Rights or Interests of the Lord of the Manor of *Wakefield*.

Clerk to Wakefield Commissioners may be continued in Office, and, if removed, shall be entitled to Annuity of 40*l*.

X. The Clerk and Agent of the Commissioners acting in execution of the Local Act recited in the Provisional Order applying the Public Health Act to the Borough of *Wakefield*, whose Office will be superseded by reason of the Transfer of the Powers of the said Commissioners to the Local Board of Health for the said Borough, may, notwithstanding anything in the said Order contained, be continued in his Office after such Transfer of the Powers of the said Commissioners to the said Local Board; and if such Clerk and Agent shall at any Time after the passing of this Act be removed from such Office, he shall, unless he be employed by the said Local Board in an Office of higher Value, be entitled to receive, as a Compensation from the said Local Board for the Emoluments of such Office, an Annuity of Forty Pounds for his natural Life.

Act incorporated with Public Health Act.

XI. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

XII. That

XII. That in citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1853 (No. 1.)" Short Title.

SCHEDULE.

WAKEFIELD.

Provisional Order for the Application of the Public Health Act to the Borough of Wakefield, in the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last Return, for the Time being, made up by the Registrar General of Births, Deaths, and Marriages, that the annual Number of Deaths within the Boundaries of the Borough of Wakefield, in the County of York, as the same were fixed for the Purposes of an Act passed in the Sixth Year of the Reign of King William the Fourth, intituled "An Act "to provide for the Regulation of Municipal Corporations in England and Wales," has on an Average of Seven Years exceeded during that Period the Proportion of Twenty-three to a Thousand of the Population of such Borough, the General Board of Health have, in pursuance of the Provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the Purposes of the said Act, to visit the said Borough, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Borough for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Borough, or having relation to the Purposes of the said Act; and also as to the natural Drainage Areas, and the existing municipal, parochial, or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Public Health Act.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said Inquiry, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was directed to inquire, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of that Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by the Act.

And whereas it appears upon such Report that there are certain Local Acts of Parliament in force within the said Borough, having relation to the Purposes of the said Public Health Act; (that is to say,)

An Act passed in the Eleventh Year of the Reign of King George the Third, intituled "An Act "for the better paving, repairing, and cleansing the Streets, Lanes, Alleys, and other public "Passages within that Part of the Town of Wakefield, in the County of York, which lies "within the East End of Westgate Bridge, the South Side of Northgate Bar, the North End "of Kirkgate Bridge (except so much thereof as is repaired by the West Riding of the said "County of York), and the extreme Part of the Township of Wakefield aforesaid, leading from "Wrengate towards East Moor; for preventing Nuisances and Annoyances therein, and for "widening and rendering the same more commodious;" and also another Act passed in the Thirty-sixth Year of the same Reign, intituled "An Act for lighting and watching the Streets "and other public Passages and Places within the Town of Wakefield, in the County of York, "and for more effectually cleansing the same, and removing and preventing Obstructions, "Nuisances, and Annoyances therein."

And whereas from such Report it appears that, although the Mortality of Wakefield is below that of some of the neighbouring Towns, it is still excessive, and that the real Cause of this excessive Mortality is to be found in the generally defective Nature of the existing sanitary Arrangements; that certain Localities contribute an undue Proportion of the Mortality of the whole Borough, and that in these Quarters there is the least Sewerage and Drainage, the largest Collection of offensive Refuse, and the scantiest Supply of Water; that the unsatisfactory Condition of the Borough in these respects may be accounted for by the defective Nature of the Local Acts, and the divided Jurisdiction exercised by the various public Bodies; that this divided Jurisdiction further causes unnecessary Expense, and effectually prevents the carrying out of general and comprehensive Measures; that the existing Water Supply requires Re-adjustment and Extension; that the present Sewerage and Drainage is much too limited in Extent, and that where Sewers or House Drains are laid down, they are, in many Cases, defective both in Construction and Arrangement; that the partial Provisions made for either Sewerage or House Drains have been carried out at various Periods and in various Ways, instead of on a combined and carefully arranged System, by which alone due Efficiency can be secured, and that the present Outfalls for the Sewage are also highly prejudicial to Health; that the present System of cleansing the Streets and removing the House Refuse is imperfect; that the existing Burial Grounds are insufficient, and

some of them unfit to be longer used as Places of Interment; that many Portions of the Town are insufficiently lighted, particularly a great Number of the Courts and Lanes occupied by the poorer Classes; that it would be a Means of Health and Comfort to all, but particularly the poorer Classes of the Borough, if public Baths and Wash-houses were established.

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough; and that Provision should be made with respect to the said Local Acts of Parliament, and the partial Repeal, Alteration, Extension, and further Execution thereof; but the same cannot be done without the Authority of Parliament.

Now, therefore, in pursuance of the Power vested in the said Board by the Public Health Act, 1848, We the said General Board of Health, do, by this Provisional Order, under our Hands and Seal of Office direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1. In the Construction of this Order, and of the Sections of the several Acts of Parliament incorporated therewith, the same Meanings shall be assigned to certain Expressions which are assigned to them by the Section numbered 2 in the Copies of "The Public Health Act, 1848," printed by Her Majesty's Printer, unless such Meanings be repugnant to or inconsistent with the Context or Subject Matter in which such Expressions occur.
2. The "Public Health Act, 1848," and every Part thereof relating to Corporate Districts, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the Area comprised within the Boundaries of the said Borough of Wakefield.
3. The Mayor, Aldermen, and Burgesses of the said Borough shall be, by the Council of the said Borough, the Local Board of Health under the said Public Health Act.
4. Such Parts of the said Local Acts as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.
5. The Powers, Authorities, and Duties of the Commissioners for the Time being acting in execution of the said Local Acts shall cease; and such of them as are granted or imposed by the unrepealed Parts of the said Local Acts shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the Officers and Servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act; and for this Purpose the unrepealed Parts of the said Local Acts shall be incorporated with the said Public Health Act as applied to the said Borough, and all Places within the Limits of the said Borough shall be subject to the unrepealed Parts of the said Local Acts.
6. The said Local Board shall be the Commissioners for executing the unrepealed Parts of the said Local Acts.
7. All Property and Estate of the Commissioners acting in the Execution of the said Local Acts shall be transferred to the said Local Board of Health, and shall, as near as Circumstances will permit, be held by the said Local Board of Health upon the same Trusts, and for the same Purposes, as by such Commissioners.
8. All Debts, Monies, and Securities for Money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such Parts of the said transferred Property and Estate as would have been chargeable therewith if this Order had not been made; and shall be paid and satisfied by the said Local Board, as by such Commissioners.
9. Provided always, that if such Property and Estate be insufficient for that Purpose, the Deficiency shall be charged upon the Rates leviable under the said Public Health Act, in the Parts only which would have been chargeable with such Deficiency if this Order had not been made.
10. Provided also, that if such Property and Estate be more than sufficient, the Surplus shall be applied to the exclusive Use of the same Parts and to the same Purposes as it would have been if this Order had not been made.
11. All Expenses which shall be incurred by the said Local Board of Health under the unrepealed Parts of the said Local Acts, and which shall not be defrayed out of Monies arising under such Local Acts, shall be deemed to be Expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the Rates under that Act (as the Nature of the Case may require); and the Monies necessary to be raised for the Purposes of such Local Acts may be raised as under the said Public Health Act.
12. The Sections of the Town Police Clauses Act, 1847, with respect to Obstructions and Nuisances in the Streets, and with respect to Fires, and with respect to Places of public Resort, and with respect to Hackney Carriages; and the Sections of the Towns Improvement Clauses Act, 1847, with respect to naming the Streets and numbering the Houses, and with respect to improving the Line of the Streets and removing Obstructions, and with respect to ruinous or dangerous Buildings, and with respect to Precautions during the Construction and Repair of Sewers, Streets, and Houses; and the Section with respect to the Prevention of Nuisances, numbered 104; and the Sections with respect to the Construction of Houses for Prevention of Fire; and the Sections with respect to supplying Buildings with fresh Air, numbered 110 and 111; and the Section with

with respect to Clocks; and so much of the Sections with respect to Things to be done by the Commissioners by special Order only, as relates to Baths and Wash-houses, except so much of the said last-mentioned Sections as requires any special Order in respect of the Matters contained therein, shall be incorporated with the unrepealed Parts of the said Local Acts, and with the said Public Health Act, as applied to the said Town, and any Act of Parliament confirming the same; and the Expression "the Special Act," used in the said Sections, shall be construed to mean the unrepealed Parts of the said Local Acts, and the said Public Health Act so applied; and the Expression "Limits of the Special Act," used in the same Sections, shall be construed to mean the District constituted by this Order, and any Act of Parliament confirming the same; and the Expression "the Commissioners," used in the said Sections, shall mean the said Local Board.

13. Provided always, that this Order, and the Repeal of the Parts of the said Local Acts mentioned in the Schedule thereto, shall not prejudicially affect anything done under those Acts before the passing of any Act of Parliament confirming this Order; but notwithstanding this Order, and the Schedule thereto, all such Things shall be as valid with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same Manner, in all respects, as if they related to that Board, instead of such Commissioners.

14. Provided also, that this Order, and the Repeal of the Parts of the said Local Acts mentioned in the Schedule thereto, shall be without Prejudice to any Penalties incurred under the said Local Acts, but all such Penalties may be recovered by the said Local Board of Health according to the Provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Twentieth Day of November, in the Year of our Lord One thousand eight hundred and fifty-two.

(Signed) Shaftesbury.
(L.S.) Edwin Chadwick.
T. Southwood Smith.

Schedule to which this Order refers.

The Parts of the said Local Acts referred to in this Order to be repealed are as follows; (that is to say,)

All of the said Act of the Eleventh Year of the Reign of George the Third, except so much as excepts from Rates certain Property therein mentioned.

The Sections numbered respectively in the Copies of the said Act of the Thirty-sixth Year of the same Reign, printed by the King's Printers, 1 to 21, 23 to 35, all inclusive.

And so much of any unrepealed Part of the said Acts, or of any Act by this Order incorporated therewith or with the Public Health Act, 1848, as fixes the Amount of any Penalty for any Offence under any of the said Acts, wherever the Penalty for such Offence shall have been fixed by the Public Health Act, 1848, or by any Byelaw of the Local Board of Health, made under and by virtue of the said Public Health Act, at an Amount other than that fixed by any of the said first-mentioned Acts.

ELLAND.

Provisional Order for the Application of the Public Health Act to the District of Elland, in the County of York.

General Board of Health.

Whereas the General Board of Health have, upon the joint Petition of not less than One Tenth of the Inhabitants rated to the Relief of the Poor of and within the Township of Elland-cum-Greetland, in the County of York, (the Number of the said Petitioners exceeding Thirty in the whole,) directed William Ranger, One of their Superintending Inspectors, to visit the said Township, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Township, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing parochial or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices required by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of the said Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed; and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the Boundaries which might be most advantageously adopted for the Purposes of the Act were not the same as those of the said Township,

with respect to which the said Inquiry had been made, the said Board caused the said William Ranger to visit the Parts within the Boundaries proposed to be adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, after having given such Notice as is required by the said Act, did hear all Persons desirous of being heard before him on the Subject of the said Report, and did make further Inquiry and report according to the Directions of the said Board.

And whereas Copies of such further Report, accompanied by a Notice stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said last-mentioned Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed; and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to so much of the said Township as is included within the Boundaries described in the Schedule to this Order, being the same as the Boundary Line coloured Yellow in the Map accompanying the said First Report of the said William Ranger, and being the same within which the said Inquiry and further Inquiry have been made; but the same cannot be done without the Authority of Parliament.

Now, therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and Seal, direct:—

That from and after the passing of any Act of Parliament confirming the present Order,—

1. The Public Health Act, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the Area comprised within so much of the said Township of Elland-cum-Greetland as is contained within the Yellow Line referred to as "proposed Boundary" in the Plan annexed to the said First Report of the said William Ranger, and described in the Schedule to this Order annexed.
2. The Local Board of Health for the said District shall consist of Nine Persons, and that the entire Number shall be elected for the whole of the said District.
3. One Third in Number of the Persons so elected shall go out of Office on the Twenty-fifth Day of March in each Year subsequent to that of the First Election of the said Local Board.
4. Every Person shall, at the Time of his Election as Member of the said Local Board, and so long as he shall continue in Office by virtue of such Election, be resident, as in the Public Health Act, 1848, is required, and be seised and possessed of Real or Personal Estate, or both, to the Value or Amount of not less than Three hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place of which some Part is within the said District, upon an annual Value of not less than Seven Pounds Ten Shillings.
5. At the First Election of the said Local Board, David Meredith, Clerk, shall have the Powers and perform the Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said David Meredith, from Illness or other sufficient Cause, shall be unable to discharge such Duties, or shall be absent, or shall refuse to act, then George Bayldon Baker, Esq. shall perform such of those Duties as then remain to be exercised or performed.
6. The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said David Meredith, at his Residence, Calder Cottage, within the aforesaid District of Elland; or in case he shall refuse or be unable to receive the same, then to the said George Bayldon Baker, at his Residence, South House, likewise within the District of Elland aforesaid.

Given under our Hands and under the Seal of the General Board of Health, this Ninth Day of November, in the Year of our Lord One thousand eight hundred and fifty-two.

(L.S.)

(Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule.

The following is the Description of the Boundary of the District of Elland referred to in the above Order:

The Boundary of the District of Elland-cum-Greetland, in the Parish of Halifax, in the West Riding of the County of York, (as marked by a Yellow Line drawn on the Plan of the Township of Elland, prefixed to the First Report on Elland-cum-Greetland, made by Mr. Ranger to the General Board of Health, and dated 25th July 1851, and described on that Plan as the "proposed Boundary,") commences at an Angle formed by the Lancashire and Yorkshire Railway and a Line running Southwards and coinciding with the Fence which forms the Western Boundary of a Field the Property of the Reverend J. Dine, and numbered on the Plan of the said Township 884 and 883, and thence taking a circuitous Direction to the North-west, and terminated at the North-west Extremity of a Field No. 882, and thence directly South to a Junction with the Road leading to Elland Lower Edge, meeting it at the North-east Corner of a Field No. 774, and thence along the North Fence of this Field; it then takes a direct Western Direction to the North-west Corner of a Field numbered 783, the Property of Messrs. Sunderlands, along the North Fence of a Field No. 795, belonging to the said Parties; thence it continues a Westward Course to Canker Dyke, and meeting at the North-west Corner of a Field No. 793, the Property of Messrs. C.

and

and A. Pitchforth, and turning Southwards to the North-west Corner of a Field No. 629, the Property of Mr. Jno. Hamerton, takes a North-westerly Direction to the Northern Extremity of a Field No. 622, the Property of Mr. David Garsed; it then bends again Southward to its Junction with the Halifax and Huddersfield Turnpike Road, meeting at the North-west Angle of a Field No. 621, and passing Southwards on the West Side of the Turnpike Road, diverts to a South-western Direction from the North-east Corner of a Field No. 593, to the East Corner of a Field No. 584, the Property of Mrs. Langdale; it thence continues on the North Fence of the said Fields numbered respectively 584 and 583, to the Northern Corner of a Field No. 601, the Property of Mr. Vickers; then turning in a North-eastern Direction along the Fence of a Field No. 602, the Property of the Executors of the late Mr. John Milner, runs on the Eastern Fence of the said Field to its Junction with South Lane, at the North-eastern Extremity of the said Field; thence it takes a Western Direction along the North Side of South Lane to the South-eastern Extremity of a Field No. 202, running along the Eastern Fence of the last said Field and half way on the Eastern Fence of the Field No. 203, turning to the South-eastern Corner of a Field No. 204, the Property of Mrs. Langdale, and continuing on the Eastern Fence of the said Field, and afterwards successively on the Eastern and Northern Fence of a Field No. 205, it turns directly North along Cross Lane to its Junction with Townfield Lane, at the North-eastern Angle of a Field No. 206, the Property of the Earl of Scarborough; it thence runs directly West on the North Side of the said Townfield Lane to the South-eastern Angle of a Field No. 260, and turns directly North along the Eastern Fence of the last said Field, and along the Eastern Fence of a Field No. 154, crossing the Road leading from Elland to Hullen Edge, at the North-east Corner of the said Field No. 154, continuing in the same Northern Direction across the Elland and Rochdale Turnpike Road, and across the Elland and Saddleworth Turnpike Road, and crossing a Field about the Middle of No. 152, called Pike Purse, the Property of Sir Joseph Radcliff, to the Middle of the River Calder; thence taking an Eastern Direction along the Middle of the said River Calder, it turns Northwards at the Eastern Extremity of the Property belonging to the Reverend John Ashworth, and runs across Bridge Field, the Property of the Earl of Scarborough, No. 983; then crosses the Calder and Hebble Navigation Company's Canal, and running across a Field called Long Lees and No. 990, the Property of the Earl of Scarborough, crosses the Halifax and Huddersfield Turnpike Road, running up to the Eastern Fence of Elland Wood, and continuing to the South-eastern Corner of a Field No. 1,046, the Property of the Earl of Scarborough; then turning Eastward along the South Fence of a Field No. 1,044, to its Junction with Exley Lane, it continues on the East Side of Exley Lane to its Junction with the Halifax and Wakefield Turnpike Road; thence running on the North Side of the said Halifax and Wakefield Turnpike Road to the North-eastern Side of the Lancashire and Yorkshire Railway, it continues on the North-eastern Side of the said Lancashire and Yorkshire Railway as far as the Western Fence of the Property of the Reverend J. Dine, Nos. 883 and 884 on the said Township Plan first described.

WALLASEY.

Provisional Order for the Application of the Public Health Act, 1848, to the District of Wallasey, in the County of Chester.

GENERAL BOARD OF HEALTH.

WHEREAS in pursuance of the Public Health Act, 1848, the General Board of Health, upon the joint Petition of not less than One Tenth of the Inhabitants rated to the Relief of the Poor of and within the Township of Poulton-cum-Seacombe, in the Parish of Wallasey, in the County of Chester, (the Number of the said Petitioners exceeding Thirty in the whole,) directed Robert Rawlinson, One of their Superintending Inspectors, to visit the said Township, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Township, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing parochial or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices required by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of the said Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the Boundaries which might be most advantageously adopted for the Purposes of the said Act were not the same as those of the said Township with respect to which the said Inquiry had been made, the said Board caused the said Robert Rawlinson to visit the Parts within the Boundaries proposed to be adopted for the Purposes of the said Act.

And

And whereas the said Superintending Inspector, after having given such Notice as is required by the said Act, did hear all Persons desirous of being heard before him on the Subject of the said Report, and did make further Inquiry and Report according to the Directions of the said Board.

And whereas Copies of such further Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Reports that there is a certain Local Act in force within the said Township having relation to the Purposes of the said Public Health Act, that is to say,

An Act passed in the Eighth Year of the Reign of Her present Majesty Queen Victoria, intituled "An Act for paving, lighting, watching, cleansing, and otherwise improving the Parish of Wallasey, in the County of Chester; and for establishing a Police, and also a Market, within the said Parish; and for other Purposes."

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to a District included within the same Boundaries as those of the herein-before recited Local Act, subject to the Extension hereafter mentioned, being the Boundaries within which the said Inquiry and further Inquiry have been made, and that Provision should be made in respect to the said Local Act of Parliament, and the Repeal, Alteration, Extension, and future Execution thereof; but the same cannot be done without the Authority of Parliament.

Now, therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and official Seal, direct, That from and after the Day appointed for the First Election of the Local Board of Health by any Act of Parliament confirming this Order:—

1. The Public Health Act, and every Part thereof, except the Sections numbered 50 and 109 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the Area comprised within the Jurisdiction of the Commissioners under the herein-before recited Local Act, and to the Strand or Shore between High and Low Water Mark of the Irish Sea, bounding such Part of the said Area as is in the Township of Wallasey, subject to any Rights of the Crown therein; and such Area so extended shall constitute a District called the Wallasey District, for the Purposes of the said Public Health Act.
2. The Local Board of Health shall consist of Fifteen Persons, of whom Six shall be elected by the Owners of and Ratepayers in respect of Property in the Township of Poulton-cum-Seacombe, Six by the Owners of and Ratepayers in respect of Property in the Township of Liscard, and the remaining Three by Owners of and Ratepayers in respect of Property in the Township of Wallasey.
3. One Third in Number of the said Local Board shall go out of Office on the Day next after the Expiration of a Year from the Day appointed by Parliament for the First Election of the said Local Board, and so on annually; so that Two of the Members elected for the Townships of Poulton-cum-Seacombe and Liscard respectively, and One of the Members elected for the Township of Wallasey, shall go out every Year.
4. Every Person shall, when elected, and while he continues a Member of the said Local Board, be resident, as in the Public Health Act, 1848, is required, and be possessed of Real or Personal Estate, or both, to the Amount of not less than One thousand Pounds, or shall be so resident and rated to the Relief of the Poor of the said Parish, or of some Township or Place of which some Part is within the said District, upon an annual Value of not less than Thirty Pounds.
5. At the First Election of the said Local Board, Isaac Penny, Esquire, of Poulton-cum-Seacombe, within the aforesaid District of Wallasey, shall perform the Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said Isaac Penny, from Illness or other sufficient Cause, shall be unable to discharge such Duties, or shall be absent, or shall refuse to act, then Henry Pooley, Esquire, of Liscard, likewise within the District of Wallasey aforesaid, shall perform such of the said Duties as then remain to be performed.
6. The Fourteen Days' Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to said Isaac Penny, at his Dwelling House in Poulton-cum-Seacombe, within the aforesaid District of Wallasey; or in case he shall refuse or be unable to receive the same, then to the said Henry Pooley, at his Dwelling House in Liscard, likewise within the District of Wallasey aforesaid.
7. The Parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as the same repeal any other Act or Acts of Parliament.
8. All the Powers of the Commissioners under the said Local Act shall cease, and those of their Officers shall cease from the Time appointed by Order under the Hands and Seal of Office of the said Local Board.
9. Such of the said Powers as are granted by the unrepealed Parts of the said Local Act shall, so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw lawfully made under the said Public Health Act, be transferred to the said Local Board

Board of Health, and the Officers of the said Local Board, and shall be exercised in the same Manner as if such Powers had been granted by the said Public Health Act.

10. The said Local Board shall be the Commissioners for executing the unrepealed Parts of the said Local Acts. And they shall have the like Powers of nominating and electing out of their own Body Persons to be Trustees of the Birkenhead Docks, under the Provisions of an Act of the 11th and 12th Vict. c. 144., intituled "An Act to amend the several Acts relating to the "Birkenhead Commissioners Docks, and to transfer the several Powers of the said Commis- "sioners to a Corporate Body to be entitled the Trustees of the Birkenhead Docks, and for "other Purposes," as are thereby vested in the Commissioners under the said Local Act.

11. The Provisions (except as aforesaid) of the said Public Health Act may, whenever practicable, be applied to anything which shall arise under the unrepealed Parts of the said Local Act, and such unrepealed Parts shall be incorporated with the said Public Health Act.

12. All Property and Estate whatsoever of the Commissioners under the said Local Act shall be transferred to the said Local Board of Health, and shall be held by them upon the same Trusts and for the same Purposes as by such Commissioners.

13. All Debts, Monies, and Securities for Money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such Parts of the said transferred Property and Estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

14. Provided always, that if such Property and Estate be insufficient, the Deficiency shall be charged upon the Rates leviable under the said Public Health Act, in the Parts only which would have been chargeable with such Deficiency if this Order had not been made.

15. Provided also, that if such Property and Estate be more than sufficient, the Surplus shall be applied to the Use of the same Parts and to the same Purposes as it would have been if this Order had not been made.

16. All Expenses which shall be incurred by the said Local Board of Health under the unrepealed Parts of the said Local Act, and not defrayed out of the Monies arising under that Local Act, shall be deemed to be Expenses incurred under the said Public Health Act, and shall be defrayed out of the Rates under that Act (as the Nature of the Case may require); and the Monies necessary to be raised for the Purposes of such Local Act may be raised as under the said Public Health Act.

17. The Sections of the Towns Police Clauses Act, 1847, with respect to—
The Appointment and the Powers, Duties, and Privileges of Constables;
And Obstructions and Nuisances in the Streets, and Fires, and Places of public Resort, and Hackney Carriages;
And with respect to public Bathing;
And the Sections of the Towns Improvement Clauses Act, 1847, with respect to—
Naming the Streets and numbering the Houses, and improving the Line of the Streets and removing Obstructions;
And ruinous or dangerous Buildings;
And Precautions during the Construction and Repair of Sewers, Streets, and Houses;
And the Section with respect to the Prevention of Nuisances, numbered 104;
And the Sections with respect to the Prevention of Smoke;
And the Sections with respect to the Construction of Houses for Prevention of Fire;
And the Sections with respect to supplying Buildings with fresh Air, numbered 110 and 111;
And Clocks;
And so much of the Sections with respect to Things to be done by the Commissioners by Special Order only, as relate to Baths and Wash-houses, except so much of the said last-mentioned Sections as requires any Special Order in respect to the Matters contained therein;
And the Sections of the Markets and Fairs Clauses Act, 1847, with respect to the Construction of the Market or Fair and the Works connected therewith, except so much thereof as relates to Lands taken compulsorily;
And the holding of the Market or Fair, and the Protection thereof;
And Slaughter-houses;
And with respect to weighing Goods and Carts;
And Stallages, Rents, and Tolls;
And Byelaws;
Shall be incorporated with so much of the said Local Act as remains unrepealed by this Order, and with the said Public Health Act, as applied to the said Town by this Order, and any Act of Parliament confirming the same; and the Expression "the Special Act," used in the said Sections, shall be construed to mean the unrepealed Part of the said Local Act, and the said Public Health Act so applied; and the Expression "Limits of the Special Act," used in the same Sections, shall be construed to mean the District constituted by this Order; and the Expression "the Commissioners," used in the said Sections, shall mean the said Local Board.

18. The said Local Board may exercise with regard to Horses, Mules, or Asses let for Hire the same Powers as to the licensing of the Owners, Drivers, or Persons attending upon the same, and as to

to their Regulation, and for imposing Penalties upon such Persons, as they are empowered to exercise in the Case of Hackney Carriages and the Drivers thereof.

19. Provided always, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order, but notwithstanding this Order and the Schedule thereto, all such Things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same Manner in all respects as if they related to that Board instead of such Commissioners.

20. Provided also, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule thereto, shall be without Prejudice to any Penalties incurred under that Act, but all such Penalties may be recovered by the said Local Board of Health, according to the Provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Ninth Day of November, in the Year of our Lord One thousand eight hundred and fifty-two.

(Signed) Shaftesbury.
(L.S.) Edwin Chadwick.
T. Southwood Smith.

Schedule to which this Order refers.

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say,

The Sections numbered respectively in the Copies of the said Act printed by the Queen's Printers, 1 to 5, 7 to 16, all inclusive; 18 to 62, 64 to 68, 70 to 83, 90 to 117, 119 to 141, 143 to 152, 157 to 165, 172 to 181, 183 to 186, 189 to 191, and 199 to 235, all inclusive; so much of 236 and 237 as relates to Drivers of Hackney Carriages; 238, 239, so much of 240, 242, and 243 as relates to Drivers of Hackney Carriages; 241, 244, 245, except so much as provides for the Regulation of Loads, Rates, Fares, and Prices of Errand, Message, or Luggage Porters, and their Behaviour and Conduct, and the Punishment of the same; 247 to 250, 252 to 255, 258 to 277, 281 to 292, 295 to 299, 301 to 323, all inclusive; 325, 326, and 328.

And so much of any unrepealed Part of the said Act as fixes the Amount of any Penalty for any Offence under the said Act, wherever the Penalty for such Offence is fixed by the Public Health Act, or any Act hereby incorporated therewith, or by any Byelaw of the Local Board of Health, at an Amount other than that fixed by the said Local Act.

DUDLEY.

Provisional Order for the Application of the Public Health Act, 1848, to the Parish of Dudley, in the County of Worcester.

General Board of Health.

Whereas it having been ascertained from the last Return for the Time being, made up by the Registrar General of Births, Deaths, and Marriages, that the annual Number of Deaths within the Boundaries of the Parish of Dudley has on the Average of Seven Years exceeded the Proportion of Twenty-three to a Thousand of the Population of such Parish, the General Board of Health directed William Lee, One of their Superintending Inspectors, to visit the said Parish, and to make public Inquiry, and to examine Witnesses, as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Parish for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Parish, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing parochial or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices required by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of the said Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and no such Statements have been received by the said Board.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Parish having relation to the Purposes of the said Public Health Act, that is to say,

An Act passed in the Thirty-first Year of the Reign of King George the Third, intituled "An Act "for paving, cleansing, lighting, watching, and otherwise improving the Town of Dudley, in the "County of Worcester, and for better supplying the said Town with Water."

And whereas from such Report it appears that the official Registers show an excessive Rate of Mortality in the Parish, and that the Health of the Parish would be much improved by proper Supplies of Water for

for domestic and sanitary Purposes; by efficient Drainage of Houses and Courts; by the Abolition of open Cesspools, and the Substitution of Soil-pan Apparatus, with Water for carrying off House Refuse; by better paving and cleansing of Streets, Courts, and Alleys; and that such Improvements may be carried out with great pecuniary Saving to the Inhabitants.

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to the said Parish, and that Provision should be made in respect to the said Local Act of Parliament, and the Repeal, Alteration, Extension, and future Execution thereof; but the same cannot be done without the Authority of Parliament.

Now, therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and official Seal, direct, That from and after the Day appointed for the First Election of the Local Board of Health by any Act of Parliament confirming this Order:—

1. The Public Health Act, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the Parish of Dudley, in the County of Worcester.
2. The Local Board of Health for the said Parish shall consist of Fifteen Persons, all of whom shall be elected for the whole of the said Parish.
3. One Third in Number of the said Local Board shall go out of Office on the Day next after the Expiration of a Year from the Day appointed by Parliament for the First Election of the said Local Board, and so on annually.
4. Every Person shall, when elected, and while he continues a Member of the said Local Board, be resident as in the Public Health Act, 1848, is required, and be possessed of Real or Personal Estate, or both, to the Amount of not less than One thousand Pounds, or shall be so resident and rated to the Relief of the Poor of the said Parish, or of some Township or Place of which some Part is within the said District, upon an annual Value of not less than Thirty Pounds.
5. At the First Election of the said Local Board, the Reverend James Caulfeild Browne, D.C.L., Vicar of Dudley, shall perform the Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said James Caulfeild Browne, from Illness or other sufficient Cause, shall be unable to discharge such Duties, or shall be absent, or shall refuse to act, then Joseph Green Bourne, Esq., Solicitor, Dudley, shall perform such of the said Duties as then remain to be performed.
6. The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said James Caulfeild Browne, at his Residence, the Vicarage, Dudley; or in case he shall refuse or be unable to receive the same, then to the aforesaid Joseph Green Bourne, at his Residence, likewise within the District of Dudley aforesaid.
7. The Parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as relates to any Exemptions from Rates contained therein, and except so far as the same repeal any other Act or Acts of Parliament.
8. All the Powers of the Commissioners under the said Local Act shall cease, and those of their Officers shall cease, from the Time appointed by Order under the Hands and Seal of Office of the said Local Board.
9. Such of the said Powers as are granted by the unrepealed Parts of the said Local Act shall, so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the Officers of the said Local Board, and shall be exercised in the same Manner as if such Powers had been granted by the said Public Health Act.
10. The said Local Board shall be the Commissioners for executing the unrepealed Parts of the said Local Acts.
11. The Provisions (except as aforesaid) of the said Public Health Act may, whenever practicable, be applied to anything which shall arise under the unrepealed Parts of the said Local Act, and such unrepealed Parts shall be incorporated with the said Public Health Act, and shall be extended to the whole of the said Parish.
12. All Property and Estate whatsoever of the Commissioners under the said Local Act shall be transferred to the said Local Board of Health, and shall be held by them upon the same Trusts and for the same Purposes as by such Commissioners.
13. All Debts, Monies, and Securities for Money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such Parts of the said transferred Property and Estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.
14. Provided always, that if such Property and Estate be insufficient, the Deficiency shall be charged upon the Rates leviable under the said Public Health Act, in the Parts only which would have been chargeable with such Deficiency if this Order had not been made.
15. Provided also, that if such Property and Estate be more than sufficient, the Surplus shall be applied to the Use of the same Parts and to the same Purposes as it would have been if this Order had not been made.

16. All Expenses which shall be incurred by the said Local Board of Health under the unrepealed Parts of the said Local Act, and not defrayed out of the Monies arising under that Local Act, shall be deemed to be Expenses incurred under the said Public Health Act, and shall be defrayed out of the Rates under that Act (as the Nature of the Case may require); and the Monies necessary to be raised for the Purposes of such Local Act may be raised as under the said Public Health Act.

17. Provided always, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order, but notwithstanding this Order and the Schedule thereto, all such Things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same Manner in all respects as if they related to that Board instead of such Commissioners.

18. Provided also, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule thereto, shall be without Prejudice to any Penalties incurred under that Act, but all such Penalties may be recovered by the said Local Board of Health, according to the Provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Twenty-second Day of November, in the Year of our Lord One thousand eight hundred and fifty-two.

(L.S.) (Signed) Shaftesbury.
Edwin Chadwick.
T. Southwood Smith.

Schedule to which this Order refers.

The Parts of the Local Act referred to in this Order to be repealed are as follows; that is to say:—

The Sections numbered respectively in the Copies of the said Act printed by the King's Printers, 1 to 12, both inclusive; 14, 15, 31 to 51, both inclusive.

And so much of any unrepealed Part of the said Act as fixes the Amount of any Penalty for any Offence under the said Act, wherever the Penalty for such Offence is fixed by the Public Health Act, or any Act hereby incorporated therewith, or by any Byelaw of the Local Board of Health, at an Amount other than that fixed by the said Local Act.

BARNSLEY.

Provisional Order for the Application of the Public Health Act, 1848, to the District of Barnsley, in the County of York.

General Board of Health.

Whereas in pursuance of the Public Health Act, 1848, the General Board of Health, upon the joint Petition of not less than One Tenth of the Inhabitants rated to the Relief of the Poor of and within the Township of Barnsley, in the County of York, (the Number of the said Petitioners exceeding Thirty in the whole,) directed William Ranger, One of their Superintending Inspectors, to visit the said Township, and to make public Inquiry, and to examine Witnesses, as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Township, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing parochial or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices required by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of the said Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Township having relation to the Purposes of the said Public Health Act, that is to say,

An Act passed in the Third Year of the Reign of King George the Fourth, intituled "An Act for "lighting, paving, cleansing, watching, and improving the Town of Barnsley, in the West "Riding of the County of York."

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to the said Township, and that Provision should be made in respect to the said Local Act

Act of Parliament, and the Repeal, Alteration, Extension, and future Execution thereof; but the same cannot be done without the Authority of Parliament.

Now, therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and official Seal, direct,

That from and after the Day appointed for the First Election of the Local Board of Health by any Act of Parliament confirming this Order:—

1. The Public Health Act, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the said Township.
2. The Local Board of Health shall consist of Eighteen Persons, to be elected for the whole of the said Township.
3. One Third in Number of the said Local Board shall go out of Office on the Day next after the Expiration of a Year from the Day appointed by Parliament for the First Election of the said Local Board, and so on annually.
4. Every Person shall, when elected, and while he continues a Member of the said Local Board, be resident, as in the Public Health Act, 1848, is required, and be possessed of Real or Personal Estate, or both, to the Amount of not less than One thousand Pounds, or shall be so resident and rated to the Relief of the Poor of the said Township, or of some Township or Place of which some Part is within the said District, upon an annual Value of not less than Thirty Pounds.
5. At the First Election of the said Local Board, William Harrison Peacock, of Barnsley, Solicitor, shall perform the Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said William Harrison Peacock, from Illness or other sufficient Cause, shall be unable to discharge such Duties, or shall be absent, or shall refuse to act, then the Clerk for the Time being to the Guardians of the Poor for the Union of Barnsley, in the said County of York, shall perform such of the said Duties as then remain to be performed.
6. The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said William Harrison Peacock, at his Office in Barnsley; or in case he shall refuse or be unable to receive the same, then to the said Clerk to the said Union, at his Office in Barnsley aforesaid.
7. The Parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as the same repeal any other Act or Acts of Parliament.
8. All the Powers of the Commissioners under the said Local Act, and those of their Officers and Servants, shall wholly cease.
9. Such of the said Powers as are granted by the unrepealed Parts of the said Local Act shall, so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the Officers of the said Local Board, and shall be exercised in the same Manner as if such Powers had been granted by the said Public Health Act.
10. The said Local Board shall be the Commissioners for executing the unrepealed Parts of the said Local Act.
11. The Provisions (except as aforesaid) of the said Public Health Act may, whenever practicable, be applied to anything which shall arise under the unrepealed Parts of the said Local Act, and such unrepealed Parts shall be incorporated with the said Public Health Act, and shall extend to the whole of the said Township.
12. All Property and Estate whatsoever of the Commissioners under the said Local Act shall be transferred to the said Local Board of Health, and shall be held by them upon the same Trusts and for the same Purposes as by such Commissioners.
13. All Debts, Monies, and Securities for Money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such Parts of the said transferred Property and Estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.
14. Provided always, that if such Property and Estate be insufficient, the Deficiency shall be charged upon the Rates leviable under the said Public Health Act, in the Parts only which would have been chargeable with such Deficiency if this Order had not been made.
15. Provided also, that if such Property and Estate be more than sufficient, the Surplus shall be applied to the Use of the same Parts and to the same Purposes as it would have been if this Order had not been made.
16. All Expenses which shall be incurred by the said Local Board of Health under the unrepealed Parts of the said Local Act, and not defrayed out of the Monies arising under that Local Act, shall be deemed to be Expenses incurred under the said Public Health Act, and shall be defrayed out of the Rates under that Act (as the Nature of the Case may require); and the Monies necessary to be raised for the Purposes of such Local Act may be raised as under the said Public Health Act.
17. The Sections of the Towns Improvement Clauses Act, 1847, with respect to—
    Naming the Streets, and numbering the Houses;
    Improving the Line of the Streets, and removing Obstructions;
    Ruinous or dangerous Buildings;

Precautions during the Construction and Repair of the Sewers, Streets, and Houses;
The Abatement of Nuisances, numbered 104, 105, and 106;
The Prevention of Smoke;
The Construction of Houses for the Prevention of Fire;
The supplying Buildings with fresh Air;
Public Bathing Places and Drying Grounds, except so much thereof as requires any Special Order for doing anything contained therein;
Clocks:

And also the Sections of Towns Police Clauses Act, 1847, with respect to—
The Appointment, Powers, Duties, and Privileges of Constables;
Obstructions and Nuisances in the Streets;
Fires;
Places of Public Resort;
Hackney Carriages;
Byelaws:

And (in the event of the Purchase by the said Local Board acting as Commissioners in the Execution of the unrepealed Parts of the said Local Act, of Market and Fair Rights, and other Matters and Things pertaining thereto under the 74th Section of the said Local Act) the Sections of the Markets and Fairs Clauses Act, 1847, with respect to the Construction of the Market or Fair and the Works connected therewith, except so much thereof as relates to Lands taken compulsorily; and the holding of the Market or Fair, and the Protection thereof;
And Slaughter-houses,
And weighing Goods and Carts,
And Stallages, Rents, and Tolls,
And Byelaws;

Shall be incorporated with so much of the said Local Act as remains unrepealed by this Order, and with the said Public Health Act, as applied to the said Township by this Order, and any Act of Parliament confirming the same; and the Expression "the Special Act," used in the said Sections, shall be construed to mean the unrepealed Parts of the said Local Act, and the said Public Health Act so applied; and the Expression "Limits of the Special Act," used in the same Sections, shall be construed to mean the District constituted by this Order; and the Expression "the Commissioners," used in the said Sections, shall mean the said Local Board.

18. Provided always, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule to this Order, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order, but notwithstanding this Order and the Schedule thereto, all such Things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same Manner in all respects as if they related to that Board instead of such Commissioners.

19. Provided also, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule hereto annexed, shall be without Prejudice to any Penalties incurred under that Act, but all such Penalties may be recovered by the said Local Board of Health, according to the Provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Ninth Day of November, in the Year of our Lord One thousand eight hundred and fifty-two.

(Signed) Shaftesbury.
(L.S.) Edwin Chadwick.
T. Southwood Smith.

Schedule to which this Order refers.

The Parts of the Local Act referred to in this Order to be repealed are as follows; that is to say:—

The Sections numbered respectively in the Copies of the said Act printed by the Queen's Printers, 1 to 34, 37 to 39, 43 to 60, all inclusive; 61, 62, 65 to 73, 75 to 92, 94 to 96, and 99 to 141, all inclusive.

And so much of any unrepealed Part of the said Act as fixes the Amount of any Penalty for any Offence under the said Act, wherever the Penalty for such Offence is fixed by the Public Health Act, or any Act hereby incorporated therewith, or by any Byelaw of the Local Board of Health, at an Amount other than that fixed by the said Local Act.

DORCHESTER.

Provisional Order for the Application of the Public Health Act to the Borough of Dorchester, in the County of Dorset.

General Board of Health.

Whereas it having been ascertained from the last Return, for the Time being, made up by the Registrar General of Births, Deaths, and Marriages, from the Deaths registered in a Period of not less than Seven Years, to wit, the Period commencing the First Day of September in the Year of our Lord 1838 and ending on the Thirty-first Day of August in the Year of our Lord 1844, that the Number of Deaths annually within the Boundaries of the Four Parishes of All Saints, St. Peter, Holy Trinity, and Fordington,

Fordington, in the County of Dorset, within which is situate the Borough of Dorchester, has on an Average exceeded during that Period the Proportion of Twenty-three to a Thousand of the Population of such Parishes, the General Board of Health have directed Robert Rawlinson, One of their Superintending Inspectors, to visit the said Parishes, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Parishes, for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Parishes, or having relation to the Purposes of the said Act; and also as to the natural Drainage Areas, and the existing municipal, parochial, or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Public Health Act.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was directed to inquire, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of that Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the Public Health Act, and the Time for forwarding such Statements has now elapsed, and no such Statements have been received by the said Board.

And whereas it having appeared to the said General Board that the Boundaries which might be most advantageously adopted for the Purposes of the said Act were not the same as those of the said Town with respect to which the said Inquiry had been made, the said Board caused the said Robert Rawlinson to visit the Parts within the Boundaries proposed to be adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, after having given such Notice as is required by the said Act, did hear all Persons desirous of being heard before him on the Subject of the said Report, and did make further Inquiry and Report according to the Directions of the said Board.

And whereas Copies of such further Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and no such Statements have been received by the said Board.

And whereas it appears upon such Report and further Report, that there is a certain Local Act of Parliament in force within the said Parishes, having relation to the Purposes of the said Public Health Act, (that is to say,)

An Act passed in the Fourth Year of the Reign of King William the Fourth, intituled "An Act "for better paving, cleansing, lighting, watching, watering, and otherwise improving the Streets "and other public Passages and Places within the Borough of Dorchester, in the County of "Dorset, and the Tithing of Colliton Row, in the Town of Dorchester aforesaid."

And whereas the said Parishes wholly include the Municipal Borough of Dorchester, as the Boundaries thereof were fixed for the Purposes of an Act passed in the Sixth Year of the Reign of King William the Fourth, intituled "An Act to provide for the Regulation of Municipal Corporations in England "and Wales."

And whereas, on such Report and further Report, it appears that in the said Borough epidemic, endemic, and contagious Diseases prevail, and the average Mortality is excessive; that the local governing Bodies of the Borough are limited as to the Area of their Jurisdiction, and deficient as to Power; that there is no proper System of Sewers nor Drains; that Streets are unpaved and in a dirty Condition; that lighting in the Suburbs is not so general as it ought to be for Safety and Comfort; that Streets are confined, Yards are without adequate Means of Ventilation, and that many of the Houses and Room Tenements inhabited by the Poor are in a most neglected, wretched, and filthy Condition; that Immorality, Dissipation, Disease, and Pauperism are the Consequences; that there is a high Rate of Mortality; and that the Cost to the Ratepayers consequent upon such a State is excessive; that there are many Middens crowded upon Dwelling Houses, and even under Sleeping Rooms; that the Graveyards are unduly crowded; that better Arrangements for paving, cleansing, and regulating the Streets should be made; that more stringent Regulations for the slaughtering of Cattle and Sheep will be an Advantage; that Power to close objectionable Dwellings and Room Tenements is needed, as also to regulate Common Lodging Houses; that Power to erect Baths, Wash-houses, and Model Lodging Houses may be exercised for the general Benefit of the Ratepayers.

And whereas for all these Reasons it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough; and that Provision should be made with respect to the said Local Act of Parliament, and the partial Repeal, Alteration, Extension, and further Execution thereof; but the same cannot be done without the Authority of Parliament.

Now, therefore, in pursuance of the Power vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and Seal of Office, direct:—

That from the passing of any Act of Parliament confirming this Order,—

1. In

1. In the Construction of this Order, and of the Sections of the several Acts of Parliament incorporated therewith, the same Meanings shall be assigned to certain Expressions which are assigned to them in and by the Section numbered 2 in the Copies of "The Public Health Act, 1848," printed by Her Majesty's Printer, unless such Meanings be repugnant to or inconsistent with the Context or Subject Matter in which such Expressions occur.
2. So much of "The Public Health Act, 1848," as relates to Corporate Districts shall apply to the Area comprised within the Boundaries of the said Borough of Dorchester.
3. The Mayor, Aldermen, and Burgesses of the said Borough shall be, by the Council of the said Borough, the Local Board of Health for the District hereby constituted.
4. The Parts of the said Local Act specified in the Schedule to this Order shall be repealed, except in so far as relates to any Matter or Thing done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.
5. The Powers of the Commissioners for the Time being acting in execution of the said Local Act, and of their Officers, shall cease; and such of them as are granted by the unrepealed Parts of the said Local Act shall, so far as the same are not repugnant to, or inconsistent with, the said Public Health Act, or this Order, or any Byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and such of the Officers of the said Local Board as shall be appointed in that Behalf under the said Public Health Act, and shall be exercised in the same Manner, as nearly as may be, as if such Powers had been granted by the said Public Health Act.
6. The said Local Board shall be the Commissioners for executing the unrepealed Parts of the said Local Act.
7. All Property and Estate whatsoever of the Commissioners acting in the Execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as Circumstances will permit, be held by the said Local Board upon the same Trusts, and for the same Purposes, as by such Commissioners.
8. All Debts, Monies, and Securities for Money, payable by such Commissioners, shall be satisfied by the said Local Board within the same Times as they would have been by such Commissioners, out of such Parts of the said transferred Property and Estate as would have been chargeable in respect of the same if this Order had not been made.
9. Provided always, that if such Property and Estate be insufficient, the Deficiency shall be charged upon the Rates leviable under the said Public Health Act in the Parts only which would have been chargeable with such Deficiency if this Order had not been made.
10. Provided also, that if such Property and Estate be more than sufficient, the Surplus shall be applied to the Parts and Purposes to which the same would have been applied if this Order had not been made.
11. All Expenses which shall be incurred by the said Local Board of Health under the unrepealed Parts of the said Local Act, and not defrayed out of the Monies arising under such Local Act, shall be deemed to be Expenses incurred under the said Public Health Act, and shall be defrayed out of the Rates leviable under that Act (as the Nature of the Case may require); and the Monies necessary to be raised for the Purposes of such Local Act may be raised as under the said Public Health Act; and the unrepealed Parts of the said Local Act shall be incorporated with the said Public Health Act, and shall extend to all Parts comprised within the Boundaries of the said Borough.
12. The Sections of the Towns Improvement Clauses Act, 1847, with respect to naming the Streets and numbering the Houses, and with respect to improving the Line of the Streets and removing Obstructions, and with respect to ruinous or dangerous Buildings, and with respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, and the Sections with respect to the Abatement of Nuisances, numbered 104, 105, and 106 in the Copies of the said Act printed by the Queen's Printers, and the Sections with respect to the Prevention of Smoke, and with respect to the Construction of Houses for the Prevention of Fire, and with respect to supplying Buildings with fresh Air, and with respect to Clocks; and the Sections of the Towns Police Clauses Act, 1847, with respect to Obstructions and Nuisances in the Streets, and with respect to Fires, and with respect to Places of public Resort, shall be incorporated with so much of the said Local Act as remains unrepealed by this Order, and with the said Public Health Act, as applied to the said Borough by this Order, and any Act of Parliament confirming the same; and the Expression "the Special Act," used in the said Sections, shall be construed to mean so much of the said Local Act as remains unrepealed, and the said Public Health Act so applied as aforesaid; and the Expression "Limits of the Special Act," used in the same Sections, shall be construed to mean the District constituted by this Order, and any Act of Parliament confirming the same; and the Expression "the Commissioners," used in the said Sections, shall mean the said Local Board.
13. Provided always, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under the said Local Act before the passing of any Act of Parliament confirming this Order; but all such Things shall be as valid with reference to the said Local Board as if the same had been done with reference to that

Board

Board instead of the Commissioners acting in execution of the said Local Act, and may be dealt with as if that Board, instead of such Commissioners, had been referred to therein.

14. Provided also, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule, shall be without Prejudice to any Penalties incurred under the said Local Act, but all such Penalties may be enforced and recovered by the said Local Board of Health according to the Provisions of this Order.

Given under our Hands, and under the Seal of the General Board of Health, this Ninth Day of November, in the Year of our Lord One thousand eight hundred and fifty-two.

(Signed) Shaftesbury.
Edwin Chadwick.
T. Southwood Smith.

(L.S.)

Schedule to which this Order refers.

The Parts of the said Local Act referred to in this Order to be repealed are as follows:—

The Sections numbered respectively in the Copies of the said Act, printed by the King's Printers, 1 to 26, 31 to 36, 38 to 65, 67 to 74, all inclusive.

And so much of any unrepealed Part of the said Act, or of any Act by this Order incorporated therewith, or with the Public Health Act, 1848, as fixes the Amount of any Penalty for any Offence under any of the said Acts, wherever the Penalty for such Offence shall have been fixed by the Public Health Act, 1848, or by any Byelaw of the Local Board of Health made under the said Public Health Act, at an Amount other than that fixed by any of the said first-mentioned Acts.

WELSHPOOL.

Provisional Order for the Application of the Public Health Act to the District of Welshpool, in the County of Montgomery.

General Board of Health.

Whereas, in pursuance of the Public Health Act, 1848, the General Board of Health, appointed for the Purposes of the said Act have, upon the Petition of not less than One Tenth of the Inhabitants rated to the Relief of the Poor of and within the Boundaries of the Parish of Pool, in the County of Montgomery, (the Number of the said Petitioners greatly exceeding Thirty in the whole,) directed George Thomas Clark, a Superintending Inspector, appointed for the Purposes of the said Act, to visit the said Parish, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within such Parish for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Parish, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing municipal, parochial, or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect to which he deemed it expedient to report for the Purposes of the said Act.

And whereas, it having appeared to the said General Board upon such Report that the Boundaries which might be most advantageously adopted for the Purposes of the said Act were not the same as those of the said Parish, the said General Board, in further pursuance of the said Act, caused the same Superintending Inspector (after having given the Notices required by the said Act in that Behalf) to visit the Parts within the Boundaries proposed to be adopted for the Purposes of the said Act, to hear all Persons desirous of being heard before him upon the Subject of the said Report, and to make further Inquiry and Report to the said Board thereon.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act in this Behalf, proceeded upon the said further Inquiry in the Manner required by the said Act, and hath made a further Report, as directed by the said General Board.

And whereas it appears to the said General Board to be expedient that the said Act, except as herein-after provided, should be applied to such Parts of the Parish of Pool and the adjoining Parish of Guilsfield as are respectively comprised within the dotted Line referred to and described as "proposed Boundary," on the Plan appended to and forming Part of the said further Report of the said Superintending Inspector, the same being entirely included within the Boundaries of the Municipal Borough of Pool or Welshpool, as fixed for the Purposes of an Act passed in the Sixth Year of the Reign of King William the Fourth, intituled "An Act to provide for the Regulation of Municipal "Corporations in England and Wales;" but the same cannot be done without the Authority of Parliament, by reason that the Boundaries to be adopted for the Purposes of the said Act are not the same as those of the Place from whence the said Petition proceeded.

Now, therefore, in pursuance of the Power vested in the said Board by the said Act, We, the General Board of Health appointed for the Purposes of the said Act, do, by this Provisional Order under our Hands and Seal of Office, order and direct:—

1. That

1. That from and after the passing of any Act of Parliament confirming this present Order, the Public Health Act and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire Area, Places, and Parts of Places comprised within the dotted Boundary Line on the aforesaid Plan, and the entire Area, Places, and Parts of Places within so much of the Parishes of Pool and Guilsfield as is contained within the dotted Boundary Line on the aforesaid Plan, shall be and constitute One District for the Purposes of the said Act.
2. That the Mayor, Aldermen, and Burgesses of the said Borough shall, by the Council of the said Borough, be the Local Board of Health for the said District.
3. That forthwith, after the passing of any Act of Parliament confirming this Order, the said Local Board of Health shall, by Order under the Seal of the said Board, and referring or not to a Map or Plan of the said District, ascertain and fix the Part of the said District, within which the Streets, Lanes, Highways, Turnpike and other Roads, Squares, public Passages, and Places, Markets and public Buildings, are to be paved and lighted; and the said Local Board of Health shall and may from Time to Time thereafter, by Orders under the said Seal, and referring or not to a Map or Plan of the said District, vary and alter the Parts of the said District to be so lighted as aforesaid; and the said Parts of the said District so from Time to Time ascertained and fixed as aforesaid, may in all Rates, or legal or other Proceedings or Writings whatsoever, be called "The Welshpool Paved and Lighted District" of the District of Welshpool.
4. That from and after the passing of any Act of Parliament confirming this Order, and when the said lighted District shall be ascertained and fixed as aforesaid, the Costs and Expenses of or relating to the paving and lighting of the said lighted District shall be defrayed out of a Rate in the Nature of a General District Rate, to be from Time to Time made and levied upon the Occupier and Occupiers of all such Kinds of Property, within the said paved and lighted District, exclusively of the rest of the said Borough, as by the Laws in force for the Time being are or may be assessable to any Rate for the Relief of the Poor, and shall be assessed upon the full net annual Value of such Property ascertained by the Rates (if any) for the Relief of the Poor made next before the making of the said Assessment; and the said Rate shall be called "The Welshpool Paving and Lighting Rate," and shall be carried to a separate Account, to be called "The Welshpool Paving and Lighting Fund Account;" and all the Provisions relating to General District Rates in such Part of the said Public Health Act, 1848, as is hereby ordered to be applied to the said District shall, so far as they are not inconsistent with this Order and the several Provisions thereof, apply to the Paving and Lighting Rates to be levied under and in pursuance of the aforesaid Provisions.

Given under our Hands, and under the Seal of the General Board of Health, this Thirtieth Day of January, in the Year of our Lord One thousand eight hundred and fifty-two.

(L.S.) (Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

CAP. XXV.

An Act for raising the Sum of Seventeen millions seven hundred and forty-two thousand five hundred Pounds by Exchequer Bills for the Service of the Year One thousand eight hundred and fifty-three. [13th *May* 1853.]

CAP. XXVI.

An Act to provide for the supplying of Vacancies in Town Councils of Burghs in *Scotland* consequent on null or irregular Elections. [14th *June* 1853.]

'WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland, it is enacted, "that no Irregularity or "Nullity in the Election of any Councillor or Magistrate shall in any Case after the passing of this "Act annul or affect the Election of other Councillors or Magistrates not liable to the same Grounds "of Objection, but those particular Elections only in which such Irregularity or Nullity shall have "occurred:" And whereas a like Enactment is contained in another Act of the same Years of the Reign of His said Majesty King *William* the Fourth, intituled *An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of* Scotland *which now return or contribute to return Members to Parliament, and are not Royal Burghs:* And whereas the Evils intended to have been obviated by the said recited Enactments have not been so obviated, by reason of no Provision having been made in the said Acts for the Election of Councillors or Magistrates in room of those whose Election may have been null or irregular, and it is expedient that this Defect should be supplied:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

3 & 4 W. 4. c. 76.

3 & 4 W. 4. c. 77.

I. In

On Elections of Councillors being found null, Warrant to be granted for new Election.

I. In all Cases in which any Election of a Councillor or Councillors in any of the Royal Burghs, Burghs, or Towns comprehended in the said recited Acts, or either of them, shall have been legally reduced or found to have been null, the Court of Session in *Scotland* in either of its Divisions shall, on the Application by Petition on the Part of any One or more of the registered Electors of such Royal Burgh, Burgh, or Town, grant Warrant for a new Election of a Councillor or Councillors in room of the Councillor or Councillors whose Election shall have been so reduced or found null, to take place on a Day to be fixed by the said Court, not sooner than Ten nor later than Fourteen Days from the Date of such Warrant, and such new Election shall thereupon proceed on the Day so fixed in the Manner provided by the said recited Acts respectively for the annual Election of Councillors in such Royal Burghs, Burghs, or Towns; and the Councillor or Councillors elected on such Day shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if they had been elected at the annual Election at which the Councillor or Councillors whose Election shall have been reduced or found to have been null were elected.

Election thereupon to proceed as at annual Election of Councillors.

II. As soon as such Warrant shall have been granted the Principal Clerk of Session, being Clerk to the Petition on which it was granted, shall forthwith transmit a certified Copy thereof to the Town Clerk of such Royal Burgh, Burgh, or Town, and such Town Clerk shall immediately on receipt of such certified Copy give Intimation of the Election thereby appointed by Notices to be affixed to the Door of the Parish Church or Churches in such Royal Burgh, Burgh, or Town; and the acting Provost or senior Magistrate, or, failing there being at the Time any Provost or Magistrate, One of the Councillors to be nominated by the Sheriff of the County or his Substitute, shall discharge the Duties and execute the Powers directed by the said recited Acts to be performed by the Provost or senior Magistrate at the annual Election of Councillors.

Expenses of Application for Warrant to be a Charge on Burgh Funds.

III. The necessary Expenses incurred by any Elector or Electors in obtaining such Warrant for a new Election as aforesaid as the same shall be taxed by the said Court shall be recoverable by such Elector or Electors from the Treasurer of such Royal Burgh, Burgh, or Town, and when paid shall be chargeable by the Treasurer on the Funds thereof.

On Election of Magistrate being found null, Council to elect a Magistrate.

IV. In all Cases in which the Election of a Councillor to the Office of Provost or Magistrate, or the Election of any Councillor who may have been thereafter appointed Provost or a Magistrate, shall have been legally reduced or found null, the Town Council shall at its First Ordinary Meeting thereafter, the full Number of the Council being always complete, elect a Provost or Magistrate who shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if he had been elected when the Provost or Magistrate whose Election has been reduced or found null or has fallen was elected.

No Challenge of Election to be made after the Lapse of a Month.

V. It shall not be lawful nor competent to institute any Action by way of Reduction, Declarator, Suspension, or otherwise for reducing any Election of a Councillor, Provost, or Magistrate, or for having the same found null, or for interdicting any Party who may have been elected Councillor, Provost, or Magistrate from acting as such, nor to execute any Summons, nor intimate any Suspension concerning the same, after the Lapse of One Month from the Date of his Election, and all such Summonses and Suspensions executed or intimated respectively within such Month shall be deemed summary Processes, and shall have Precedence as such in the Rolls of the said Court of Session.

Acts of Council to be valid, notwithstanding Nullity of any Election.

VI. Be it enacted and declared, That the Acts and Proceedings of any such Town Council prior to the Date when the Election of any of the Councillors thereof shall have been legally set aside or found null shall be valid and effectual, notwithstanding the Nullity or Irregularity of the Election of any One or more of the Councillors, and that the Actings of any Provost or Magistrate whose Election may be set aside or found null prior to its being so set aside or found null shall not be liable to Challenge in respect thereof.

CAP. XXVII.

An Act for empowering the Sheriff and Commissary of *Berwickshire* to hold Courts at *Dunse*, and for other Purposes. [14th *June* 1853.]

Act of Parliament of Scotland, 9th Oct. 1696.

'WHEREAS by an Act passed in the Parliament of *Scotland* held by King *William* at *Edinburgh* the Ninth Day of *October* in the Year One thousand six hundred and ninety-six, intituled *Act declaring the Burgh of* Greenlaw *the Head Burgh of the Shire of* Berwick, His Majesty, with Advice and Consent of the Estates of Parliament, statuted, ordained, and declared the said Town of *Greenlaw* to be the Head Burgh of the Shire of *Berwick*, and that thereafter all public Proclamations, Hornings, Inhibitions, Summonses, and all other legal Diligences whatsoever, which by Law and Custom ought to be proclaimed, used, and executed at the Head Burgh of the Shire of *Berwick*, should be proclaimed, used, and executed at the Market Cross of the said Town of *Greenlaw* as the Head Burgh of the Shire, and declared all Proclamations and legal Diligences published, used, and executed that should be otherways done to be null and void, and ordained the Sheriff Court of the said Shire to sit, be holden, and kept in the said Town of *Greenlaw*: And whereas by an Act of the Fourth Year of the Reign of His Majesty King *George* the Fourth (Public General), Chapter Ninety-seven, it was enacted, that all Sheriffdoms, excepting as therein mentioned, but including the said Sheriffdom of *Berwick*, should constitute Commissariats, and that the Sheriffs should become the Commissaries of their several Shires in room of the inferior Commissaries, whose Offices were thereby abolished: And whereas the Sheriff and Commissary Courts of *Berwickshire* have been and are held at the said Head Burgh of *Greenlaw*, but it would tend greatly to the public Convenience that Courts for the Despatch of Civil and certain Criminal

4 G. 4. c. 97.

'Business should be held at the Town of *Dunse* in the said Shire as well as at the said Head Burgh, 'and that the Office of the Sheriff Clerk of the said Shire of *Berwick* should be situated at *Dunse*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of Terms.

I. In construing this Act the Word "Sheriff" shall include "Sheriff Substitute," the Word "Commissary" shall include "Commissary Depute," the Words "Sheriff Clerk" shall include "Sheriff Clerk Depute," and the Word "Shire" or "Sheriffdom" shall include "Commissariat."

Power to Sheriff and Commissary to hold Courts at Dunse.

II. From and after the passing of this Act it shall be lawful for the Sheriff and Commissary of the said Shire to hold Ordinary Courts at *Dunse*, as well as at the Head Burgh of *Greenlaw*, for the Despatch of Civil and Consistorial Business, and also for trying and disposing of such Criminal Causes as may be tried without a Jury: Provided always, that the Sheriff shall hold an Ordinary Court at least Once in every Week during the Summer and Winter Sessions, either at *Greenlaw* or *Dunse*, which shall be deemed and taken to be sufficient Compliance with the Provision contained in the First Section of the Act of Sederunt of the Lords of Council and Session, dated the Tenth Day of *July* in the Year One thousand eight hundred and thirty-nine, passed under Authority of an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process of Sheriff Courts in* Scotland: Provided also, that all Courts for the Trial of Criminal Causes by Jury shall be held at the Head Burgh of *Greenlaw*.

1 & 2 Vict. c. 119.

Lord Advocate to fix Time and Place of Sitting of Courts.

III. From Time to Time, Her Majesty's Advocate shall fix and appoint the Days on which Courts are to be held at *Greenlaw* and at *Dunse* respectively, and shall, at least Ten Days previous to such Arrangement coming into operation, cause a written or printed Notice thereof to be affixed to the Wall in the Court Houses at *Greenlaw* and *Dunse*, and in the Sheriff Clerk's Office, and to be inserted in a Newspaper of general Circulation in the Shire; and all Citations shall be in the Form prescribed by Act of Sederunt of the Court of Session, or other competent Authority, using the Words "Ordinary Court House at *Greenlaw*," or "Ordinary Court House at *Dunse*," or such other Form of Words as may be necessary, according as the Citation may be to a Court to be held at *Greenlaw* or at *Dunse* as fixed by the said Notice.

Sheriff Clerk's Office to be at Dunse.

IV. The Office of the Sheriff Clerk of the said Shire shall be situated and kept at the said Town of *Dunse*; and all Extracts of Judgments pronounced in Court given forth and subscribed by the said Sheriff Clerk shall severally bear the Place where such Judgments were pronounced: Provided always, that the Record of Deeds shall continue as at present to be kept at *Greenlaw*, under the Charge of a Depute to be appointed by the Sheriff Clerk, and which Depute shall reside in *Greenlaw*.

This Act not to affect Provisions of 7 W. 4. & 1 Vict. c. 41.

V. Nothing in this Act contained shall be held or construed to repeal or affect, as regards the said County of *Berwick*, any of the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs in* Scotland.

Act of 1696 to remain in force, except as varied hereby.

VI. Except in so far as inconsistent with or varied by the Provisions of this Act, the said recited Act of Date the Ninth Day of *October* One thousand six hundred and ninety-six shall remain in full Force, and the said Town of *Greenlaw* shall continue to be the Head Burgh of the Shire of *Berwick*.

CAP. XXVIII.

An Act to amend the Law as to taking the Poll at Elections of Members to serve in Parliament for *Scotland*. [14th *June* 1853.]

'WHEREAS it is expedient to restrict the Continuance of the Polling at any contested Election for 'a County to One Day, and to provide for the Increase or Alteration of Polling Places, and also 'to repeal so much of the Act of the Second and Third Years of the Reign of His late Majesty King 'William the Fourth, Chapter Sixty-five, as enacts that no Poll, whether in Counties or Burghs, shall 'begin on a *Saturday*, and to amend the Regulations for taking the Poll in Counties and Burghs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same,

So much of 2 & 3 W. 4. c. 65. as relates to the Duration of Polls, &c. at Elections repealed.

I. That so much of the Act passed in the Session holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-five, as enacts that no Poll at any Election for a County or a Burgh shall be directed to begin on a *Saturday*, or shall be kept open at any Election for a County for more than Two Days, and limits the Hours of Polling on such Days, and so much of the same Act as enacts "that every Voter shall poll at the Polling Places of the District within which "the Premises or any Part of them in respect of which he claims to vote may be situate, except only "where such Polling Places shall be in an Island distant more than Ten Miles from the Mainland of "any County, in which Case the Voters not resident in such Island may poll at the Polling Place for "the District in which the County Town is included," and also as enacts "that Polling Places shall "in no Case be more in Number than Fifteen for any One County," shall be and the same is hereby repealed.

The Sheriff, with Consent of Lord Advocate,

II. It shall be lawful for each Sheriff, with the Consent of Her Majesty's Advocate for *Scotland* for the Time being, from Time to Time hereafter to increase or otherwise alter the Number, Situation, or Arrangement

Arrangement of the existing Polling Places and Districts, or Parts thereof, in his County, so that not more than Three hundred Electors shall be allowed to poll at any such Election as aforesaid at any One Place: Provided always, that no such Increase or Alteration as aforesaid shall be made until Notice thereof shall have been publicly given by Advertisement for Six Weeks successively in the *North British Advertiser* and the *Edinburgh Gazette*, and in the several Newspapers published within the County in which the said Increase or Alteration is proposed to be made; and in case any of the Inhabitants, not less than Ten in Number, being registered Voters for such County, shall be desirous of opposing such Increase or Alteration as aforesaid, it shall be lawful for them, at any Time not later than One Week from the Publication of the last Advertisement, to lodge with the Sheriff Clerk of the County a written Notice, signed by such Inhabitants as aforesaid, being not less than Ten in Number, stating their Objections to such Increase or Alteration, or any Suggestions they may wish to offer for the Purpose of obtaining a different Arrangement of Polling Places or Districts from that proposed in such Advertisement as aforesaid, and the Sheriff Clerk shall thereupon transmit the same to Her Majesty's Advocate for *Scotland* for the Time being, who shall, within Fifteen Days from the Receipt thereof, notify his Decision thereon to the Sheriff; and thereupon, if the said Decision shall sanction the original or any Increase or other Alteration in the Number, Situation, or Arrangement of the existing Polling Places or Districts, the Sheriff Clerk shall forthwith, or, in the event of no such Notice of Objection as aforesaid being given, shall at the Expiration of One Week from the Date of the last Advertisement as aforesaid, make a distinct List of such new Polling Places and Districts so appointed, and shall cause Copies of the said Lists to be affixed to the Doors of all the Parish Churches in his County.

may alter Polling Places, so that not more than 300 Electors shall poll at One Place.

Notice of Objections by Ten Inhabitant Electors.

III. Provided always, That in case any of the Inhabitants of a County, being registered Voters for the same, shall be at any Time dissatisfied with the then existing Number or Position of Polling Places or Districts, it shall be lawful for any of them to present to the Sheriff a Petition signed by not less than Ten such Inhabitants as aforesaid, representing that the Number of Polling Places or Districts is insufficient or excessive (as the Case may be), or that their Situation and Arrangement is inconvenient, and praying that the Place or Places mentioned in such Petition may be a Polling Place or Places for that County, or that the Alterations or other Changes mentioned in such Petition may be made in the Number, Situation, or Arrangement of the then existing Polling Places or Districts; and on the Receipt of such Petition the Sheriff shall, with the Consent of Her Majesty's Advocate for *Scotland*, proceed therein in the same Way as herein-before provided, and as though the Increase or Alterations in the said Petition mentioned had been originally proposed by the Sheriff.

Inhabitant Electors, being not less than Ten, may petition for Increase or other Alteration of Polling Places.

IV. At any contested Election the Sheriff shall, if required by any of the Candidates, on or before the Day of Nomination, direct Two or more Booths, Compartments, Halls, Rooms, or other Places for Polling, to be provided at each Polling Place: Provided always, that no Poll at any such Election shall be taken at any Inn, Hotel, Tavern, Public House, or other Premises licensed for the Sale of Beer, Wine, or Spirits, or in any Booth, Hall, Room, or other Place directly communicating therewith, unless by Consent of all the Candidates, expressed in Writing.

Sheriff, if required, to provide more Booths.

No Poll to be taken at Inns, &c. except by Consent.

V. That every County Voter (except as herein-after provided) shall poll at the Polling Place of the District within which the Premises, or any Part of them, in respect of which he claims to vote, may be situate; provided that nothing herein contained shall be held to repeal or alter the Ninth Section of the Seventy-eighth Chapter of the Statute passed in the Fifth and Sixth Years of His said Majesty, respecting Freeholders in Counties.

Where Voters shall poll.

VI. Any County Voter, not being a Freeholder, and not resident in the District containing the Premises in respect of which he claims to vote, may make Application, in Person or by Writing, to the Sheriff, at the Registration Court of the County, to be entitled to poll at the Polling Place nearest to his Residence; and the Sheriff, on being satisfied of the Truth of the Statements of such Voter, shall insert in the List against the Name of the Voter making such Application the Name of the Polling Place at which such Person shall be registered to vote; and such Voter shall thereafter be entitled to vote at such Polling Place, and shall not be at liberty to poll at any other Polling Place for the same County.

Voters may claim to vote in another District in certain Cases.

VII. Where the Polling Place for a District containing the Premises in respect of which any Voter claims to vote shall be in an Island distant more than Ten Miles from the Mainland of the County, such Voter, not being resident in the Island, may poll at the Polling Place for the District in which the County Town is included.

Provision for non-resident Voters, with Island Qualifications.

VIII. With respect to Section Thirty-three of the said first-mentioned Statute, be it enacted, That where the Sheriff shall not have received the Poll Books transmitted from any Island within the Time therein limited for the opening thereof, the Sheriff may adjourn the Court for the Declaration of the State and Result of the Poll from Day to Day, omitting *Sunday*, and shall either at the first of such adjourned Courts after the Receipt of such Poll Books, or at the Expiration of Twelve Days from the first Court so adjourned (whichever shall happen first) proceed to declare the Poll, and make Proclamation and a Return in the Manner therein mentioned.

Declaration of the Poll in certain Cases.

IX. No Poll at any Election for any County shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon: Provided always, that at any Time after a Poll has been demanded the Poll at any One Place may be closed, if all the Candidates or their Agents and the Sheriff or his Substitute shall agree in so closing it: Provided also, that when the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, whether such Proceedings shall consist of the Nomination of Candidates, or of the taking the Poll, the Sheriff or his Substitute at the Place where the Riot or open Violence has occurred may adjourn the Nomination

Poll t be kept open only One Day.

Order and Manner of Polling.

or the taking the Poll at the particular Polling Place or Places at which such Riot or open Violence shall have happened to the following Day or some other convenient Time, and if necessary may repeat such Adjournment till such Interruption or Obstruction shall have ceased, he always giving Notice to the Sheriff or his Substitute who is to make the Return of such Adjournment having been made; and the State of the Poll shall not be finally declared, nor the Result of the Election proclaimed, until the Poll so interrupted or obstructed shall be closed, and transmitted to the Sheriff or his Substitute who is to make the Return.

Poll to be kept open Two Days in Orkney and Shetland.

X. That in respect of the remote Situation of certain Parts of the County of *Orkney* and *Shetland*, and the occasional difficult Intercommunication therein, nothing in this Act contained shall alter the Provisions of the said recited Act so far as relates to the keeping open of the Poll for Two consecutive Days as heretofore; but nothing herein contained shall be construed to exclude the said County of *Orkney* and *Shetland* from any of the Benefits or Obligations of the other Portions of this Act.

Meaning of "Burgh."

XI. The Word "Burgh" in this Act shall include every City, Burgh, Town, or District of Cities, Burghs, or Towns, entitled to return or to contribute to return a Member to Parliament.

CAP. XXIX.

An Act for regulating the Weights used in Sales of Bullion. [14th *June* 1853.]

5 G. 4. c. 74.

'WHEREAS by an Act of the Fifth Year of His late Majesty King *George* the Fourth, Chapter Seventy-four, it was amongst other things enacted, "that the Standard Troy Pound thereby "established or ascertained should be the Unit or only Standard Measure of Weight from which all "other Weights should be derived, computed, and ascertained, and that One Twelfth Part of the said "Troy Pound should be an Ounce:" And whereas by another Act passed in the Session held in the

5 & 6 W. 4. c. 63.

Fifth and Sixth Years of His late Majesty King *William* the Fourth, Chapter Sixty-three, further Provisions were made for establishing Uniformity of Weights, and for stamping the Weight thereby authorized to be used: And whereas the Weights now ordinarily used in Sales of Gold and Silver are the Troy Ounce and other Weights, being Multiples or Decimal Parts of such Ounce: And whereas none of the Weights so used have hitherto been stamped, and many of them which are Multiples of the Troy Ounce are not Multiples or Parts of the Troy Pound, and Doubts have arisen whether, under the Provisions of the said recited Acts, or One of them, such Weights are not liable to be seized as illegal, and Contracts and Sales made thereby are not illegal and void: And whereas it is expedient to remove such Doubts, and that Provisions should be made authorizing Contracts and Bargains for and Sale of Gold and Silver, Platina, and precious Stones to be made by the Troy Ounce and Weights being Multiples or Decimal Parts thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Sales of Bullion and precious Stones by the Troy Ounce, &c. to be good and valid.

I. All Contracts and Bargains made or to be made for and Sales of Gold, Silver, Platina, Diamonds and other precious Stones, made and to be made by the Troy Ounce as ascertained and fixed by the first above-recited Act, and by any Weights being Multiples or Decimal Parts of such Ounce, shall be deemed and reputed and are hereby declared to be good and valid in Law, and for the Purposes of such Contracts, Bargains, and Sales such Troy Ounce shall be taken to be the Standard or Unit of Weight.

Models of Multiples and Decimal Parts of the Troy Ounce to be made and verified under Direction of the Treasury.

II. Within Three Months next after the passing of this Act Models of such Multiples and Decimal Parts of the said Troy Ounce as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom for the Time being shall judge expedient, and from Time to Time after the Expiration of the aforesaid Period of Three Months Models of such further Multiples and Decimal Parts of the said Troy Ounce as the Lord High Treasurer or the said Commissioners shall from Time to Time think expedient, shall be carefully made and verified, under the Direction of the said Lord High Treasurer or the said Commissioners, and, when so made and verified, shall be deposited in the Office of the Chamberlain of the Exchequer at *Westminster*, and Copies of the Models so from Time to Time deposited, verified as aforesaid, shall be sent to the Lord Mayor of *London* and the Chief Magistrate of *Edinburgh* and *Dublin*, and to the Chief Magistrate of such other Cities, and to such other Places and Persons in Her Majesty's Dominions or elsewhere as the Lord High Treasurer or the aforesaid Commissioners may from Time to Time direct.

Persons using Weights hereby authorized not liable to Penalties imposed by 5 & 6 W. 4. c. 63.

III. No Person who heretofore or at any Time previous to the Expiration of Fifteen Months next after the passing of this Act shall, in any Contract, Bargain, or Sale for or of any Gold, Silver, Platina, Diamonds or other precious Stones, have used or shall have had in his Possession any Troy Pound, Troy Ounce, or any Weight being a Multiple or a Decimal Part of the Troy Pound or Troy Ounce, shall be liable to be convicted by reason of such Weight not being One of the Weights authorized by the said second above-recited Act, or an aliquot Part, as therein described, of any such Weight, or by reason of such Weight not being stamped as required by the said last-mentioned Act, nor shall any such Weight at any Time previous to the Expiration of Fifteen Months after the passing of this Act be seized by reason of its not being stamped as aforesaid.

The 1st and 2d Sections of this Act incorporated with 5 & 6 W. 4. c. 63.

IV. The First and Second Sections of this Act shall be taken as Part of the second above-recited Act; and such last-mentioned Act shall be construed and applied in all respects as if the said First and Second Sections of this Act had formed Part of the said second above-recited Act, and had been inserted therein immediately after the Tenth Section thereof,

V. The

Contents of Weights to be stamped thereon.

V. The Provisions contained in the Twelfth Section of the second above-recited Act shall not extend or be applied to any Weight made or used under the Provisions of this Act, although the same be of the Weight of One Pound Avoirdupois or more; but every Troy Ounce Weight, and every Weight being a Multiple or Decimal Part of the Troy Ounce, not being less than One Tenth of an Ounce, shall have the Number of such Ounces or Parts of an Ounce therein contained stamped or cast on the Top or Side thereof in legible Figures and Letters; and no Weight, being a Troy Ounce or any Multiple or Part thereof, shall be stamped under the Provisions of the said second above-recited Act unless the Number of Troy Ounces or Parts of an Ounce therein contained shall be so stamped or cast thereon.

CAP. XXX.

An Act for the better Prevention and Punishment of aggravated Assaults upon Women and Children, and for preventing Delay and Expense in the Administration of certain Parts of the Criminal Law. [14th *June* 1853.]

'WHEREAS the present Law has been found insufficient for the Protection of Women and Children from violent Assaults:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extending the Power of punishing, on summary Conviction, Assaults on Females and Male Children under 14 Years of Age, occasioning bodily Harm.

I. When any Person shall be charged before Two Justices of the Peace sitting at a Place where the Petty Sessions are usually held, or before any Magistrate of the Police Courts of the Metropolis sitting at any such Police Court, or before any Stipendiary Magistrate elsewhere, with an Assault upon any Female whatever, or upon any Male Child whose Age shall not in the Opinion of such Justices or Police or Stipendiary Magistrates exceed Fourteen Years, either upon the Complaint of the Party aggrieved or otherwise, it shall be lawful for the said Justices or Police or Stipendiary Magistrate, if the Assault is of such an aggravated Nature that it cannot in their or his Opinion be sufficiently punished under the Provisions of the Statute Ninth *George* the Fourth, Chapter Thirty-one, to proceed to hear and determine in a summary Way, and if they shall find the same to be proved, to convict the Person accused; and every Offender so convicted shall be liable to be imprisoned in the Common Gaol or House of Correction, with or without Hard Labour, for a Period not exceeding Six Calendar Months, or to pay a Fine not exceeding (together with Costs) the Sum of Twenty Pounds, and in default of Payment to be imprisoned as aforesaid, with or without Hard Labour, for a Period not exceeding Six Calendar Months unless such Fine and Costs be sooner paid, and if the Magistrate or Magistrates shall so think fit shall be bound to keep the Peace and be of good Behaviour for any Period not exceeding Six Calendar Months from the Expiration of such Sentence; and such Conviction shall be a Bar to all future Proceedings, civil or criminal, for or in respect of the same Assault; and no Person convicted under this Act shall be entitled to appeal against such Conviction to the General Quarter Sessions of the Peace, anything to the contrary in any Statute notwithstanding.

No Appeal against such Conviction.

Court of General or Quarter Sessions may, upon Proof of Conviction and Notice to Parties, declare a Recognizance to keep the Peace or to be of good Behaviour, to be forfeited.

II. Where any Recognizance to keep the Peace or to be of good Behaviour is entered into by any Person, as Principal or Surety, before the Court of General or Quarter Sessions of the Peace of any County, Riding, Division, City, Borough, or Place, or before any Justice or Justices of the Peace of any County, Riding, Division, City, Borough, or Place, it shall be lawful for any such Court of General or Quarter Sessions of the Peace as aforesaid, upon Applications made to such Court, to declare such Recognizance to be forfeited, upon Proof of a Conviction of the Party bound by such Recognizance of any Offence which is in Law a Breach of the Condition of the same; and upon further Proof that a Notice in Writing, signed by the Person seeking to put such Recognizance in force, has, Seven clear Days before the Commencement of such Sessions, been personally served upon or left at the usual Place of Abode of the Party or each of the Parties (if more than One) who entered into such Recognizances, that an Application will be made to the said General or Quarter Sessions, that the said Recognizance shall be declared forfeited, and if such Recognizance shall be declared forfeited all such Proceedings shall be had thereon as in the Case of a Recognizance forfeited at such Court of General or Quarter Sessions, and all the Provisions of the Act of the Third Year of King *George* the Fourth, Chapter Forty-six, and of the Act of the Fourth Year of the said King, Chapter Thirty-seven, applicable to a Recognizance so forfeited at such Court, shall apply to a Recognizance which shall, upon such Application and Proof as herein-before mentioned, be declared to be forfeited; and upon Notice in Writing of such intended Application to the said General or Quarter Sessions being given to any Justice or Justices, before whom any such Recognizance shall have been taken, Four clear Days before the Commencement of the said Sessions, the said Justice or Justices shall transmit the said Recognizance to the Clerk of the Peace of the County, Riding, Division, City, Borough, or Place within which the said Recognizance shall have been taken, with a Certificate that the said Recognizance is sent to him by reason of such last mentioned Notice having been so given as aforesaid.

Limiting Period of Detention for not entering into Recognizance.

III. No Person committed to Prison under any Warrant or Order of One Justice of the Peace for or on account of not entering into Recognizances or finding Sureties to keep the Peace, or to be of good Behaviour, shall be detained under such Warrant or Order for more than Twelve Calendar Months from the Time of such Commitment.

Indictments for Misdemeanor

IV. 'And whereas, by reason of the Establishment of a Court of Criminal Appeal, the Removal of 'Indictments by Writ of Certiorari is seldom necessary for the Decision of Questions of Law, but is 'nevertheless

not to be removed by Certiorari, except on Affidavit that a fair Trial cannot be had.

'nevertheless sometimes resorted to for Purposes of Expense and Delay:' Be it enacted, That no Indictment, except Indictments against Bodies Corporate not authorized to appear by Attorney in the Court in which the Indictment is preferred, shall be removed into the Court of Queen's Bench, or into the Central Criminal Court, by Writ of Certiorari, either at the Instance of the Prosecutor or of the Defendant (other than the Attorney General acting on behalf of the Crown), unless it be made to appear to the Court from which the Writ is to issue, by the Party applying for the same, that a fair and impartial Trial of the Case cannot be had in the Court below, or that some Question of Law of more than usual Difficulty and Importance is likely to arise upon the Trial, or that a View of the Premises in respect whereof any Indictment is preferred, or a Special Jury, may be required for the satisfactory Trial of the same.

No Certiorari to issue to remove Indictment, unless Recognizance given for Payment of Costs.

V. 'And whereas it is expedient to make further Provision for preventing the vexatious Removal of 'Indictments into the Court of Queen's Bench:' Be it therefore enacted, That whenever any Writ of Certiorari to remove an Indictment into the said Court shall be awarded at the Instance of a Defendant or Defendants, the Recognizance now by Law required to be entered into before the Allowance of such Writ shall contain the further Provision following; that is to say, that the Defendant or Defendants, in case he or they shall be convicted, shall pay to the Prosecutor his Costs incurred subsequent to the Removal of such Indictment; and whenever any such Writ of Certiorari shall be awarded at the Instance of the Prosecutor, the said Prosecutor shall enter into a Recognizance (to be acknowledged in like Manner as is now required in Cases of Writs of Certiorari awarded at the Instance of a Defendant) with the Condition following; that is to say, that the said Prosecutor shall pay to the Defendant or Defendants, in case he or they shall be acquitted, his or their Costs incurred subsequent to such Removal.

How Costs to be taxed and recovered.

VI. The Costs herein-before respectively mentioned shall be taxed according to the Course of the Court of Queen's Bench; and for the Recovery thereof the Persons entitled thereto shall, at the Expiration of Ten Days after Demand made of the Person or Persons at whose Instance the Writ of Certiorari was awarded, and on Oath made of such Demand and Refusal of Payment, have a Writ of Attachment granted against him or them by the Court of Queen's Bench for such Contempt; and the said Court shall and may also order the said Recognizance to be estreated into the Exchequer.

If no Recognizance, Court to try as if no Certiorari awarded.

VII. If the Person or Persons at whose Instance any Writ of Certiorari shall be awarded shall not, before the Allowance thereof, enter into such Recognizance as is herein-before provided, the Court to which such Writ may be directed shall and may proceed to the Trial of the Indictment, as if such Writ of Certiorari had not been awarded.

Not to apply to certain Certioraris.

VIII. This Act shall not extend to any Writ of Certiorari awarded at the Instance of Her Majesty's Attorney General.

Secretary of State may issue his Warrant for bringing up a Prisoner (not in Custody under Civil Process) to give Evidence.

IX. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or any Judge of the Court of Queen's Bench or Common Pleas, or any Baron of the Exchequer, in any Case where he may see fit to do so, upon Application by Affidavit, to issue a Warrant or Order under his Hand for bringing up any Prisoner or Person confined in any Gaol, Prison, or Place, under any Sentence or under Commitment for Trial or otherwise, (except under Process in any Civil Action, Suit, or Proceeding,) before any Court, Judge, Justice, or other Judicature, to be examined as a Witness in any Cause or Matter, civil or criminal, depending or to be inquired of, or determined in or before such Court, Judge, Justice, or Judicature; and the Person required by any such Warrant or Order to be so brought before such Court, Judge, Justice, or other Judicature shall be so brought under the same Care and Custody, and be dealt with in like Manner in all respects, as a Prisoner required by any Writ of Habeas corpus awarded by any of Her Majesty's Superior Courts of Law at *Westminster* to be brought before such Court to be examined as a Witness in any Cause or Matter depending before such Court is now by Law required to be dealt with.

Extent of Act.

X. This Act shall not extend to *Scotland* or *Ireland*.

CAP. XXXI.

An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-three. [14th *June* 1853.]

CAP. XXXII.

An Act to make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error. [28th *June* 1853.]

8 & 9 Vict. c. 68.

'WHEREAS by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled 'An Act to stay Execution of Judgment for Misdemeanors upon giving Bail in Error, it is amongst 'other things provided that no Execution upon any such Judgment shall be stayed unless and until the 'Defendant or Defendants shall become bound by Recognizance to prosecute the Writ of Error with 'Effect, and in case the Judgment shall be affirmed forthwith to render the Defendant or Defendants to 'Prison, according to the said Judgment, where Imprisonment shall have been adjudged: And whereas 'it is expedient to make further Provision for securing the Render of a Defendant to Prison, according 'to the Judgment given against him, when such Judgment shall have been affirmed, or such Writ of 'Error shall have been quashed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and

and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Execution to be stayed or Defendant discharged from Custody till Recognizance given for Defendant's Appearance, except when Writ brought by Attorney General.

I. In every Case in which a Writ of Error shall be brought to reverse any Judgment for Misdemeanor, except when the same shall be brought by Her Majesty's Attorney General, no Execution thereupon shall be stayed, nor shall any Defendant be discharged from Imprisonment as to such Execution, unless and until he shall become bound by Recognizance, to be acknowledged in manner in the said Act mentioned, to prosecute the Writ of Error with Effect, and personally to appear in the Court wherein such Writ may be returnable on the Day whereon Judgment shall be given upon the said Writ of Error, and also, if so ordered by the Court or by a Judge thereof, Four Days Notice being given either to the Defendant or his Attorney or to the Bail personally, or by leaving the same at his or their last known Place of Abode on the Days and Times appointed for any Proceeding upon the said Writ, and so from Day to Day, and not to depart that Court without Leave, and forthwith to render the said Defendant to Prison, according to the said Judgment, in case the said Judgment shall be affirmed.

In default of Appearance of Defendant on the Argument, Recognizance may be estreated, &c.

II. In every Case in which a Defendant shall make Default in prosecuting such Writ of Error with Effect, or in personally appearing in the Court of Error upon any Proceeding to be had upon such Writ of Error as aforesaid, it shall be lawful for the said Court to order the said Recognizance to be estreated into the Court of Exchequer in a summary Way, and without the issuing of any Writ of Scire facias in that Behalf, and also to order the said Writ of Error to be quashed, without any Argument being had thereupon; and in every such Case the Defendant shall forthwith be liable to Execution upon the Judgment.

No Judgment to be given for Defendant for Want of Joinder in Error, except by Order in open Court, &c.

III. Whenever any Writ of Error shall be brought, under the Provisions of the said Act, for reversing any Judgment in Misdemeanor, and Error shall be assigned thereon, no Judgment of Reversal shall be entered, either for Want of a Joinder in Error or otherwise, without the special Order of the Court in which such Writ of Error shall be pending, pronounced in open Court; and upon a Certificate, signed by or on behalf of the Attorney or Solicitor General, that Notice has been given to One of them of such intended Application, and in the event of there being no Joinder in Error, such Court of Error may proceed to examine the Record in Error, and may give such Judgment thereon as the Court from which Error is brought ought to have done, although no Joinder in Error may have been filed.

Where Judgment affirmed, Defendant, if present in Court, may be committed in execution.

IV. In every Case in which a Defendant shall personally appear in Court upon any Proceeding had upon any such Writ of Error, and Judgment thereupon shall be affirmed, or such Writ of Error shall be quashed, it shall be lawful for such Court of Error forthwith to commit the said Defendant to the Keeper of the Queen's Prison, and to order the said Keeper to deliver such Defendant to the Keeper of the Gaol or Prison in which he may have been adjudged to be imprisoned; and the said Keeper of the Queen's Prison shall thereupon deliver such Defendant to the Keeper of such Gaol or Prison, and the Keeper of such last-mentioned Gaol or Prison shall thereupon cause such Defendant to be kept in safe Custody in such Gaol or Prison, in pursuance of and in execuiton of the said Judgment.

Where Recognizance estreated, or Judgment affirmed or Writ of Error quashed, Judge may issue Warrant.

V. And whenever it shall be made appear to any One of the Judges of the Superior Courts of Record at *Westminster*, either by Affidavit or by Certificate of the proper Officer of the Court of Error, that the Recognizance of a Defendant given under the Provisions of this Act hath been ordered to be estreated, or that Judgment upon the said Writ hath been affirmed, or that such Writ of Error hath been quashed, and that Default hath been made by the Space of Four Days in rendering the Defendant to Prison in execution of the Judgment, it shall be lawful for such Judge to issue his Warrant under his Hand and Seal, and thereby to cause such Defendant to be apprehended, and conveyed to the Gaol or Prison in which such Defendant may have been adjudged to be imprisoned, pursuant to and in execution of the Judgment given against such Defendant.

How Time of Imprisonment shall be reckoned when Defendant rendered in execution.

VI. In every Case in which a Defendant shall be committed by any Court of Error in execution of the Judgment given against such Defendant, and in every Case in which a Defendant shall, by virtue of any Warrant or in other Manner, be rendered to Prison in execution of such Judgment, the Imprisonment of such Defendant (if Imprisonment shall not have commenced under such Execution) shall be reckoned to begin from the Day when such Defendant shall be in actual Custody in the Gaol or Prison in which he may have been adjudged to be imprisoned under such Judgment; and if the Defendant shall have been discharged from Imprisonment on giving Bail in Error, as is herein-before mentioned, such Defendant shall be imprisoned for such further Period in the same Prison as, with the Time during which such Defendant may already have been imprisoned under such Execution, shall be equal to the Period for which he was adjudged to be imprisoned as aforesaid.

If Default made in rendering Defendant to Prison, and Warrant be issued against him, he shall pay the Costs of the Render.

VII. Whenever Default shall have been made in rendering a Defendant to Prison in execution of a Judgment for Misdemeanor, and a Warrant shall have been issued against such Defendant to enforce such Render to Prison, according to the Provisions of this Act, such Defendant shall be liable to pay the Costs and Charges of such Render; and if the Prosecutor shall, before the Expiration of the Defendant's Imprisonment, have caused the Amount of such Costs and Charges to be ascertained by One of the Masters or the Assistant Master on the Crown Side of the Court of Queen's Bench, and shall have left with the said Defendant, and with the Keeper of the Prison or his Deputy, a Certificate, under the Hand of such Master or Assistant Master, of the Amount of such Costs so ascertained, then and in every such last-mentioned Case the Defendant shall not be discharged out of Custody until such Costs and Charges have been paid, or until an Order has been made by the Court for the Relief of Insolvent Debtors, or of Bankruptcy for such Discharge.

VIII. 'And

If Default made by Defendant in proceeding to Trial in Queen's Bench, Court may estreat Recognizance without Scire facias.

VIII. 'And whereas in Cases of Default made by Parties in performing the Conditions of Recognizances into which they may have entered to proceed to the Trial of Issues joined upon any Indictment or Information filed in Her Majesty's Court of Queen's Bench it hath been the Usage and Practice to enforce the Forfeiture of such Recognizances by Writ of Scire facias, and the Course of Procedure by Scire facias in such Cases is dilatory, inconvenient, and expensive:' Be it therefore enacted, That in every such Case of Default it shall be lawful for the said Court, or a Judge thereof, to call upon the Parties who have entered into such Recognizance, by Rule or Order to show Cause why such Recognizance should not be estreated into the Exchequer, and thereupon, unless Cause shall be shown to the Satisfaction of the said Court or Judge, in excuse of such Default, such Court or Judge may order such Recognizance to be estreated into the Exchequer.

CAP. XXXIII.

An Act for the better Regulation of Metropolitan Stage and Hackney Carriages, and for prohibiting the Use of advertising Vehicles.* [28th *June* 1853.]

[* *See* Cap. 127. post.]

'WHEREAS it is desirable to improve the Condition of the Metropolitan Stage and Hackney Carriages, and to alter and amend the System of licensing such Carriages:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Persons desiring a Licence for a Hackney Carriage, &c. to apply to Commissioners of Police for a Certificate.

No Licence to be granted by Board of Inland Revenue without such Certificate.

I. From and after the First Day of *October* next every Person desirous of obtaining a Licence to keep, use, and let to hire any Metropolitan Stage or Hackney Carriage within the Limits of this Act must apply in Writing to the Commissioners of Police of the Metropolis, in order that they may cause an Inspection to be made of every Carriage to be kept, used, or let to hire by virtue of such Licence, and upon such Application the said Commissioners shall cause an Inspection to be made of every such Carriage, and if such Carriage or Carriages shall be found by the said Commissioners to be in a fit and proper Condition for public Use they shall grant a Certificate to that Effect, and shall specify in such Certificate the Number of Persons to be carried in and by such Carriage, in the Form given in Schedule (B.) to this Act annexed, and upon Production of such Certificate at the Office of the Board of Inland Revenue, a Licence shall be granted; but it shall not be lawful for the said Board of Inland Revenue to grant or issue any Licence for any Metropolitan Stage or Hackney Carriage, within the Limits of this Act, unless the Person applying for the same shall produce such Certificate as aforesaid.

Commissioners of Police may cause Carriages &c. to be inspected, and if not in fit Condition may suspend Licences, and recall Stamp Office Plate.

Notice to be given to Inland Revenue.

II. It shall be lawful for the said Commissioners of Police to cause an Inspection to be made, as often as they deem it necessary, of all Metropolitan Stage and Hackney Carriages, and of the Horse or Horses used in drawing the same, within the Limits of this Act; and if any such Carriage, or the Horse or Horses used in drawing the same, shall at any Time be in a Condition unfit for public Use, the said Commissioners shall give Notice in Writing accordingly to the Proprietor thereof, which Notice shall be personally served on such Proprietor, or delivered at his usual Place of Residence; and if, after Notice as aforesaid, any Proprietor shall use or let to hire such Carriage as a Metropolitan Stage or Hackney Carriage, or use or let to hire such Horse or Horses whilst in a Condition unfit for public Use, the said Commissioners shall have Power to suspend, for such Time as they may deem proper, the Licence of the Proprietor of such Carriage, and to recall and take away the Stamp Office Plate belonging to the same, and to retain the same during the Suspension of such Licence; and a Notice shall be given to the Board of Inland Revenue, according to the Form in the Schedule (C.) to this Act annexed, in every Case by the said Commissioners of the Suspension of any such Licence, and of the Time for which it is suspended.

Penalty for using Carriage not in fit Condition.

III. Every Proprietor or Driver of a Metropolitan Stage or Hackney Carriage who shall use or let to hire within the Limits of this Act any Carriage as a Metropolitan Stage or Hackney Carriage which has not been certified by the said Commissioners of Police to be in a fit and proper Condition for public Use, or who shall use or let to hire within the Limits of this Act any Carriage as a Metropolitan Stage or Hackney Carriage for which such a Certificate had been granted, after Notice given to him as hereinbefore required by the said Commissioners that such Carriage was no longer in a fit and proper Condition for public Use, shall be liable to a Penalty not exceeding Three Pounds for each Day that he shall so use or let to hire such Carriage, or in default of Payment may be imprisoned for any Time not exceeding One Month.

As to Rates and Fares to be taken for Hackney Carriages.

IV. The Proprietor or Driver of any Hackney Carriage within the Limits of this Act shall be entitled to demand and take for the Hire of such Carriage the Fares set forth in the Schedule (A.) to this Act annexed: Provided always, that when the Proprietor or Driver of any Hackney Carriage to be paid a Fare calculated according to the Distance shall be required by the Hirer thereof to stop such Carriage for Fifteen Minutes, or for any longer Time, it shall be lawful for the Proprietor or Driver to demand and receive from the Hirer so requiring him to stop a further Sum (above the Fare to which he shall be entitled, calculated according to the Distance) of Sixpence for every Fifteen Minutes completed that he shall have been so stopped; and no Proprietor or Driver shall demand or receive over and above the said Fare any Sum, for or by way of Back Fare, for the Return of such Carriage from the Place at which such Carriage shall be discharged.

No Back Fare to be taken or demanded.

Table of Fares to be put up inside and outside of Hackney Carriages.

V. The Proprietor of every Hackney Carriage within the Limits of this Act shall put up, and at all Times keep, distinctly painted or marked, in such a Manner and in such a Position as shall be directed by the said Commissioners of Police, both on the Inside and Outside of such Hackney Carriage, the Amount

of

of Fare according to Distance and Time which may legally be demanded and taken from the Hirer of such Carriage; and the Driver of every Hackney Carriage within the Limits of this Act shall have with him at all Times when plying for Hire a Book or Table, in such Form as shall be directed by the said Commissioners of Police, of the Fares for the Hire of such Carriage, which Book or Table the Driver shall produce when required for the Information of any Person hiring or intending to hire such Carriage.

Driver to produce Book of Fares when required.

VI. In case of Disputes as to the Fare to be calculated according to the Distance, any Table or Book signed by the said Commissioners of Police shall, on Proof of such Signature, be deemed and taken to be conclusive Evidence of all the Distances therein stated to have been measured by the Authority of the said Commissioners of Police; and it shall be lawful for the said Commissioners to cause to be placed or erected at the several Standings for Hackney Carriages or elsewhere within the Metropolitan District, as they may deem convenient, Tables of Distances and Fares, and such other Information as may be useful to Persons hiring such Carriage.

As to Settlement of Disputes as to Distances.

VII. The Driver of every Hackney Carriage which shall ply for Hire at any Place within the Limits of this Act shall (unless such Driver have a reasonable Excuse, to be allowed by the Justice before whom the Matter shall be brought in question,) drive such Hackney Carriage to any Place to which he shall be required by the Hirer thereof to drive the same, not exceeding Six Miles from the Place where the same shall have been hired, or for any Time not exceeding One Hour from the Time when hired: Provided always, that when any Hackney Carriage shall have been hired by Time, the Driver thereof may be required to drive at any Rate not exceeding Four Miles within One Hour, and if the Driver of such Carriage shall be required to drive more than Four Miles within One Hour, then in every such Case the Driver thereof shall be entitled to demand, in addition to the Fare regulated by Time in Schedule (A.) to this Act annexed, for every Mile or any Part thereof exceeding Four Miles, the Fare regulated by Distance as set forth in the same Schedule.

As to Distance Drivers of Hackney Carriages shall be required to drive.

VIII. Every Driver of a Hackney Carriage within the Limits of this Act shall, on each Occasion when such Carriage shall be hired, deliver to the Hirer thereof a Card, on which shall be printed in legible Letters and Figures, the Words "Hackney Carriage," and the Number of the Stamp Office Plate fixed on such Hackney Carriage, or such other Words or Figures as the said Commissioners of Police may direct.

Driver to deliver a Ticket to Hirer of Carriage.

IX. The Proprietor of every Hackney Carriage within the Limits of this Act shall put up and at all Times keep distinctly painted or marked on such Carriage, in such a Manner and in such a Position as shall be directed by the said Commissioners of Police, the Number of Persons to be carried thereby as specified in the Certificate granted by the said Commissioners for such Hackney Carriage, and the Driver of any such Hackney Carriage shall, if required by the Hirer thereof, carry in and by such Carriage the Number of Persons painted or marked thereon, or any less Number of Persons.

Number of Persons to be carried to be painted on Hackney Carriage.

X. The Driver of every Hackney Carriage within the Limits of this Act shall carry in or upon such Carriage a reasonable Quantity of Luggage for every Person hiring such Carriage without any additional Charge, except as provided in Schedule (A.) to this Act annexed.

Quantity of Luggage to be carried without Charge.

XI. The Driver of every Hackney Carriage within the Limits of this Act wherein any Property shall be left by any Person shall within Twenty-four Hours carry such Property, if not sooner claimed by the Owner thereof, in the State in which he shall find the same, to the nearest Police Station, and shall there deposit and leave the same with the Inspector or other Officer on Duty, upon pain that every such Driver making any Default herein shall be liable to a Penalty not more than Ten Pounds, or at the Discretion of the Magistrate may be imprisoned for any Time not exceeding One Month; and the said Officer with whom any such Property shall be deposited shall forthwith enter in a Book to be kept for that Purpose the Description of such Property, and the Name and Address of the Driver who shall bring the same, and the Day on which it shall be brought; and the Property so entered shall be returned to the Person who shall prove, to the Satisfaction of the Commissioners of Police, that the same belonged to him, such Person previously paying all Expenses incurred, together with such reasonable Sum to the Driver who brought the same as the said Commissioners shall award: Provided always, that if such Property shall not be claimed by and proved to belong to some Person within One Year after the same shall have been deposited, the said Commissioners shall cause such Property to be sold or otherwise disposed of, and the Proceeds thereof to be paid over to the Receiver-General of Inland Revenue, to be carried to the Public Account, all Expenses incurred about such Property, together with such reasonable Sum to the Driver who brought the same as the said Commissioners shall award, being first paid thereout; and all Property left by any Passenger in any Metropolitan Stage Carriage shall be given up to the Conductor of such Carriage, or, if there be no Conductor, to the Driver, upon pain of a Penalty of Ten Pounds, to be paid by any Person refusing or neglecting to give up any such Property belonging to another Person; and the Conductor or Driver of every such Carriage to whom any such Property shall be given up, or who shall himself find it in the Carriage, shall within Twenty-four Hours carry the Property, if not sooner claimed by the Owner thereof, in the State in which he shall find the same, to the nearest Police Station, and shall there deposit and leave the same with the Inspector or other Officer on Duty, upon pain that every such Driver or Conductor making Default herein shall be liable to a Penalty not more than Ten Pounds, or at the Discretion of the Magistrate may be imprisoned for any Time not exceeding One Month; and the Property so deposited by any Conductor or Driver shall be dealt with in the same Manner as Property left in Hackney Carriages and deposited by the Drivers of such Carriages.

Property left in Carriages to be deposited at the Police Office.

Penalty for Default.

Property not claimed to be disposed of.

Penalty on refusing or neglecting to give up Property left in Stage Carriages.

Commissioners of Police to appoint Persons to enforce good Order at Hackney Carriage Stands, &c.

XII. It shall be lawful for the said Commissioners of Police from Time to Time to appoint a sufficient Number of fit Men to enforce good Order at the Standings for Hackney Carriages, and at the Places at which Metropolitan Stage Carriages or Hackney Carriages shall call or ply for Passengers, and at such Places of public Resort within the Metropolitan Police District as they may deem necessary; and the said Commissioners may from Time to Time make such Orders and Regulations as they shall deem expedient, subject to the Approval of One of Her Majesty's Principal Secretaries of State given in Writing relative to the Duties to be performed by such Persons and the Places at which each shall act; provided that the said Commissioners shall not have Authority to appoint any such Person to act within or upon the Premises belonging to any Railway Company unless with the Consent of the Directors of the Company.

Commissioners, with Consent of Treasury, to pay Wages to such Persons, and direct Water Rates to be paid.

XIII. The said Commissioners of Police, subject to the Approbation of the Commissioners of Her Majesty's Treasury, shall appoint Wages to be paid to the said Persons appointed by them to keep good Order at the Standings for Hackney Carriages and at the Places at which Metropolitan Stage Carriages or Hackney Carriages shall call or ply for Passengers, and at such Places of public Resort as they may deem necessary; and the said Commissioners shall also, in such Cases as they think fit, direct the Water Rates and the Expenses of the necessary Apparatus for laying on the Water at the Standings for Hackney Carriages and at Places where Metropolitan Stage Carriages usually call or ply for Hire to be paid.

Lamps to be placed inside Metropolitan StageCarriages.

XIV. The Proprietor of every Metropolitan Stage Carriage shall cause to be placed inside such Carriage a Lamp, in such a Position and Manner as shall be directed by the said Commissioners of Police; and the Conductor, or if there be no Conductor the Driver, of such Carriage shall keep the said Lamp properly lighted whenever such Carriage shall be used to ply for Hire or carry Passengers at any Time after Sunset and before Sunrise.

Printed Bills, &c. not to be placed on Carriages, so as to obstruct Light, &c.

XV. It shall not be lawful for the Proprietor of any Metropolitan Stage or Hackney Carriage to suffer any Notice, Advertisement, or printed Bill, or any Names, Letters, or Numbers, to appear upon the Outside of any such Carriage in such a Manner as to obstruct the Light or Ventilation of such Carriage, or on the Inside of any such Carriage in such Position that any such Notice, Advertisement, or printed Bill shall obstruct the Light or Ventilation of such Carriage or cause Annoyance to any Passenger therein.

Advertising Vehicles, &c. prohibited.

XVI. It shall not be lawful for any Person to carry about on any Carriage or on Horseback or on Foot, in any Thoroughfare or public Place within the Limits of this Act, to the Obstruction or Annoyance of the Inhabitants or Passengers, any Picture, Placard, Notice, or Advertisement, whether written, printed, or painted upon or posted or attached to any Part of such Carriage, or on any Board, or otherwise.

Drivers and Conductors of Metropolitan StageCarriages, and of Hackney Carriages, liable to Penalties for Offences herein named.

XVII. The Driver or Conductor of any Metropolitan Stage Carriage, or the Driver of any Hackney Carriage, who shall respectively commit any of the following Offences within the Limits of this Act, shall be liable to a Penalty not exceeding Forty Shillings for each Offence, or in default of Payment to Imprisonment for any Time not exceeding One Calendar Month:

1. Every Driver of a Hackney Carriage who shall demand or take more than the proper Fare as set forth in Schedule (A.) to this Act annexed, or who shall refuse to admit and carry in his Carriage the Number of Persons painted or marked on such Carriage or specified in the Certificate granted by the said Commissioners of Police in respect of such Carriage, or who shall refuse to carry by his Carriage a reasonable Quantity of Luggage for any Person hiring or intending to hire such Carriage:
2. Every Driver of a Hackney Carriage who shall refuse to drive such Carriage to any Place within the Limits of this Act, not exceeding Six Miles, to which he shall be required to drive any Person hiring or intending to hire such Carriage, or who shall refuse to drive any such Carriage for any Time not exceeding One Hour, if so required by any Person hiring or intending to hire such Carriage, or who shall not drive the same at a reasonable and proper Speed, not less than Six Miles an Hour, except in Cases of unavoidable Delay, or when required by the Hirer thereof to drive at any slower Pace:
3. Every Driver of a Hackney Carriage who shall ply for Hire with any Carriage or Horse which shall be at the Time unfit for public Use, or who shall refuse or neglect to deliver to the Hirer of his Carriage a Ticket with the Number of the Stamp Office Plate on such Carriage printed thereon.

Police Magistrates or Justices of Peace may hear and determine Offences.

XVIII. It shall be lawful for any One of the Police Magistrates at any of the Metropolitan Police Courts to hear and determine all Offences against the Provisions of this Act, and also all Disputes or Causes of Complaint that may arise out of the same; or if the Offence, Dispute, or Cause of Complaint shall be committed or occur in any Place not comprised within the Limits of a Police Court District, the same may be heard and determined by Two Justices of the Peace for the County; or if the Offence, Dispute, or Cause of Complaint shall be committed or occur within the City of *London*, the same shall be heard and determined by One Justice of the Peace for the said City, or by a Metropolitan Police Magistrate sitting at the Police Court in *Bow Street;* and in case of any Dispute between the Hirer and Driver of any Hackney Carriage, the Hirer may require the Driver forthwith to drive to the nearest Metropolitan Police Court or Justice Room, where Complaint may be made to the Magistrate then sitting, who shall hear and determine the same, without requiring any Summons to be issued for

In case of Disputes the Hirer may require the Driver to drive to Police Court, or Station.

that

that Purpose; and if such Dispute should arise at a Time when the Police Court or Justice Room shall not be open, the Hirer may require the Driver to drive to the nearest Police Station or Justice Room, where the Complaint shall be entered, and Notice given to both Parties that the Matter in Dispute shall be heard by the Magistrate at his next Sitting.

Penalty for Offences.

XIX. For every Offence against the Provisions of this Act for which no special Penalty is hereinbefore appointed, the Offender shall be liable to a Penalty not exceeding Forty Shillings, or in default of Payment be imprisoned for any Time not exceeding One Month in any Gaol or House of Correction within the Jurisdiction of the Magistrate before whom the Conviction shall take place.

Meaning of certain Words used in this Act.

XX. All Things herein authorized to be done by the said Commissioners of Police of the Metropolis shall be done by such One of the said Commissioners as One of Her Majesty's Principal Secretaries of State shall from Time to Time be pleased to appoint; and the Words "the Limits of this Act" shall include every Part of the Metropolitan Police District and City of *London*.

This Act to be construed with 6 & 7 Vict. c. 86. and 13 & 14 Vict. c. 7.

XXI. This Act shall be construed as One Act with the Act passed in the Seventh Year of the Reign of Her Majesty Queen *Victoria*, Chapter Eighty-six, and the Act passed in the Thirteenth Year of the Reign of Her Majesty, Chapter Seven; and all the Provisions of the said Acts, except so far as is herein otherwise provided, shall extend to this Act, and to all Things done in execution of this Act.

Commencement of Act.

XXII. This Act shall commence and take effect from and after the Tenth Day of *July* One thousand eight hundred and fifty-three, except as herein otherwise specially provided.

SCHEDULES referred to in the foregoing Act.

RATES and FARES to be paid for any HACKNEY CARRIAGE hired at any Place within the Limits of this Act.

SCHEDULE (A).

DESCRIPTION OF CARRIAGE.	FARE BY DISTANCE.		FARE BY TIME.	
	For any Distance within and not exceeding One Mile.	For any Distance exceeding One Mile.	For any Time within and not exceeding One Hour.	
With Four or Two Wheels, drawn by One Horse.	6*d.*	After the Rate of Sixpence for every Mile, and for any Part of a Mile over and above any Number of Miles completed.	2*s.*	And for every Hackney Carriage drawn by Two Horses, One Third above the Rates and Fares herein-before mentioned.

The above Fares to be paid according to Distance or Time, at the Option of the Hirer, to be expressed at the Commencement of the Hiring; if not otherwise expressed, the Fare to be paid according to Distance.

Provided, that no Driver shall be compellable to hire his Carriage for a Fare to be paid according to Time at any Time after Eight o'Clock in the Evening and before Six o'Clock in the Morning.

When more than Two Persons shall be carried inside any Hackney Carriage, one Sum of 6*d.* is to be paid for the whole Hiring in addition to the above Fares. Two Children under Ten Years of Age to be counted as One adult Person.

When more than Two Persons shall be carried inside any Hackney Carriage with more Luggage than can be carried inside the Carriage, a further Sum of Twopence for every Package carried outside the said Carriage is to be paid by the Hirer in addition to the above Fares.

SCHEDULE (B.)

CERTIFICATE.

I, do hereby certify, that on the Application of , now living at , I have caused the Carriage known by the following Marks or Description [*here state Marks or Description by which the Carriage may be identified*], to be inspected, which the said desires to use and let to hire as a [Metropolitan Stage Carriage, *or* as a Hackney Carriage]; and I certify that the said Carriage is in a fit and proper Condition for public Use, and that Persons are to be carried thereby [*if the Carriage be a Metropolitan Stage Carriage, the Number of Passengers to be carried Inside and Outside thereof respectively is to be specified, exclusive of the Driver and Conductor*].

(Signed)

Commissioner of the Police of the Metropolis.

SCHEDULE (C.)

CERTIFICATE.

I, do hereby certify, that I have caused the Carriage now used and let to hire as a [*state whether a Metropolitan Stage or Hackney Carriage*], and known by the following Marks or Description [*here state Marks or Description by which the Carriage may be identified*], to be inspected, and find the said Carriage not to be in a fit and proper Condition for public Use; and I do hereby suspend the Licence granted to to keep and use the said Carriage as a [*state whether a Metropolitan Stage or Hackney Carriage*] for the Period of from this Date.

(Signed)

Commissioner of the Police of the Metropolis.

CAP. XXXIV.

An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices. [28th *June* 1853.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned, and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From 5th April 1853 certain Duties herein mentioned to be charged on Property, &c.

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-three there shall be charged, raised, levied, collected, and paid yearly unto and for the Use of Her Majesty, Her Heirs and Successors, during the respective Terms herein-after limited, the several Rates and Duties herein-after mentioned; (that is to say,)

For and in respect of the Property in any Lands, Tenements, or Hereditaments in the United Kingdom, and for and in respect of every Annuity, Pension, or Stipend payable by Her Majesty, or out of the public Revenue of the United Kingdom, and for and in respect of all Interest of Money, Annuities, Dividends, and Shares of Annuities, payable to any Person or Persons, Bodies Politic or Corporate, Companies or Societies, whether corporate or not corporate, and for and in respect of the annual Profits or Gains arising or accruing to any Person or Persons whatever resident in the United Kingdom, from any Kind of Property whatever, whether situate in the United Kingdom or elsewhere, or from any Annuities, Allowances, or Stipends, or from any Profession, Trade, or Vocation, whether the same shall be respectively exercised in the United Kingdom or elsewhere, and for and in respect of the annual Profits or Gains arising or accruing to any Person or Persons not resident within the United Kingdom from any Property whatever in the United Kingdom, or from any Trade, Profession, or Vocation exercised in the United Kingdom, for every Twenty Shillings of the annual Value or Amount thereof,—

	£	s.	d.
During the Term of Two Years from the Fifth Day of *April* One thousand eight hundred and fifty-three, the yearly Duty of - - - -	0	0	7
And during the further Term of Two Years from the Fifth Day of *April* One thousand eight hundred and fifty-five, the yearly Duty of - - - -	0	0	6
And during the further Term of Three Years from the Fifth Day of *April* One thousand eight hundred and fifty-seven, the yearly Duty of - - - -	0	0	5

And for and in respect of the Occupation of such Lands, Tenements, or Hereditaments (other than a Dwelling House occupied by a Tenant distinct from a Farm of Lands), for every Twenty Shillings of the annual Value thereof,—

	In England. £	s.	d.	In Scotland and Ireland. £	s.	d.
During the said first-mentioned Term of Two Years, the yearly Duty of - - - - - -	0	0	$3\frac{1}{2}$	0	0	$2\frac{1}{2}$
And during the said further Term of Two Years, the yearly Duty of	0	0	3	0	0	$2\frac{1}{4}$
And during the said further Term of Three Years, the yearly Duty of	0	0	$2\frac{1}{2}$	0	0	$1\frac{3}{4}$

Duties payable in respect of Subjects described in Schedules.

II. For the Purpose of classifying and distinguishing the several Properties, Profits, and Gains for and in respect of which the said Duties are by this Act granted, and for the Purposes of the Provisions for assessing, raising, levying, and collecting such Duties respectively, the said Duties shall be deemed to be granted and made payable yearly for and in respect of the several Properties, Profits, and Gains respectively described or comprised in the several Schedules contained in this Act, and marked respectively (A.), (B.), (C.), (D.), and (E.), and to be charged under such respective Schedules; (that is to say,)

SCHEDULE (A.)

For and in respect of the Property in all Lands, Tenements, Hereditaments, and Heritages in the United Kingdom, and to be charged for every Twenty Shillings of the annual Value thereof:

SCHE-

SCHEDULE (B.)

For and in respect of the Occupation of all such Lands, Tenements, Hereditaments, and Heritages as aforesaid, and to be charged for every Twenty Shillings of the annual Value thereof:

SCHEDULE (C.)

For and in respect of all Profits arising from Interest, Annuities, Dividends, and Shares of Annuities payable to any Person, Body Politic or Corporate, Company or Society, whether corporate or not corporate, out of any Public Revenue, and to be charged for every Twenty Shillings of the annual Amount thereof:

SCHEDULE (D.)

For and in respect of the annual Profits or Gains arising or accruing to any Person residing in the United Kingdom from any kind of Property whatever, whether situate in the United Kingdom or elsewhere, and for and in respect of the annual Profits or Gains arising or accruing to any Person residing in the United Kingdom from any Profession, Trade, Employment, or Vocation, whether the same shall be respectively carried on in the United Kingdom or elsewhere, and to be charged for every Twenty Shillings of the annual Amount of such Profits and Gains:

And for and in respect of the annual Profits or Gains arising or accruing to any Person whatever, whether a Subject of Her Majesty or not, although not resident within the United Kingdom, from any Property whatever in the United Kingdom, or any Profession, Trade, Employment, or Vocation exercised within the United Kingdom, and to be charged for every Twenty Shillings of the annual Amount of such Profits and Gains:

And for and in respect of all Interest of Money, Annuities, and other annual Profits and Gains not charged by virtue of any of the other Schedules contained in this Act, and to be charged for every Twenty Shillings of the annual Amount thereof.

SCHEDULE (E.)

For and in respect of every Public Office or Employment of Profit, and upon every Annuity, Pension, or Stipend payable by Her Majesty or out of the Public Revenue of the United Kingdom, except Annuities charged to the Duties under the said Schedule (C.), and to be charged for every Twenty Shillings of the annual Amount thereof.

Duties on fractional Parts.

III. Upon every fractional Part of Twenty Shillings of the annual Value or Amount of the Property, Profits, and Gains aforesaid, the like Proportion of Duty at the respective Rates aforesaid shall be charged; provided that no Duty shall be charged of a lower Denomination than One Penny.

Duties to be under the Management of Commissioners of Inland Revenue.

IV. The Duties by this Act granted shall be under the Direction and Management of the Commissioners of Inland Revenue for the Time being, who are hereby empowered to employ all such Officers or other Persons, and to do all such other Acts and Things as may be deemed necessary or expedient for the raising, collecting, receiving, and accounting for the said Duties, and for putting this Act into execution in and throughout the United Kingdom, in the like and in as full and ample a Manner as they are authorized to do with relation to any other Duties under their Care and Management.

Duties to be assessed and raised under the Provisions of recited Acts.

V. The said Duties hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the Act passed in the Session of Parliament held in the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and of the several Acts therein mentioned or referred to, and also of any Act or Acts subsequently passed explaining, altering, amending, or continuing the said first-mentioned Act; and for this Purpose all the said several Acts shall be revived, and shall be deemed to have been and to be continued in force from the Fifth Day of *April* One thousand eight hundred and fifty-three; and all such of the said Regulations and Provisions as have been enacted by the said Acts, or any of them, with reference to *Great Britain* or *England*, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) be and the same are hereby extended to *Ireland;* and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts before recited or referred to, or any of them, shall, notwithstanding that the same may have expired, severally and respectively be and become in full Force and Effect with respect to the Duties hereby granted, and shall in all Cases not expressly provided for by this Act, and so far as the same are not superseded by and are consistent with the express Provisions of this Act, severally and respectively be duly observed, applied, practised, and put in execution throughout the respective Parts of the United Kingdom, for raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and for auditing the Accounts thereof, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted, and respectively applied to the several Parts of the United Kingdom as aforesaid; and wherever in the said Acts, or any of them, the Term "*England*" is used or mentioned, the same, in relation to the Duties granted by this Act, shall be deemed to extend to and to mean also *Ireland;* and in like Manner the Term "*Great Britain*" shall be read as and deemed and construed to mean the United Kingdom; and where in the Provisions of the said Acts Her Majesty's Court of Exchequer at *Westminster*, or any of Her Majesty's Courts of Record at *Westminster*, is or are mentioned or referred to, such Provisions shall, with reference to the Duties under this Act to be assessed in *Ireland*, be construed and take effect as if Her Majesty's Court of Exchequer

Exchequer at *Dublin*, or Her Majesty's Superior Courts of Record at *Dublin*, were mentioned or referred to instead of the said respective Courts at *Westminster*, and the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and the Acts explaining, altering, amending, and continuing the same, and this Act, shall be construed and read together as One Act.

5 & 6 Vict. c. 35. not to exempt Persons receiving Profits from Possessions, &c. in Ireland, &c. or in Foreign Parts.

VI. Provided always, That nothing in the said first-mentioned Act contained shall be deemed or construed to extend to exempt any Person, although not resident in any Part of the United Kingdom, from the Duties granted by this Act in respect of the Profits or Gains received from or out of any Possessions or Securities in *Ireland*, or to exempt any Person resident in any Part of the United Kingdom from the said Duties in respect of the Profits or Gains received from or out of any Possessions or Securities in any other of Her Majesty's Dominions, or any Foreign Possessions or Securities.

Duties in respect of Possessions, &c. in Ireland to be charged in the same Manner as similar Securities in Great Britain.

VII. Provided also, That the Duties in respect of Interest arising from Securities in *Ireland*, and in respect of Possessions in *Ireland*, which by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, are directed to be charged and assessed respectively according to certain Rules prescribed for charging the Duties under the Head respectively of "Fourth Case" and "Fifth Case" of Schedule (D.), and in Section One hundred and six of the said Act, shall under this Act be charged and assessed in *Ireland* in the same Manner and under the same Schedules, Rules, and Regulations respectively as the Duties on Securities and Possessions of the like Nature in *Great Britain* are directed to be charged, except so far as such Schedules, Rules, and Regulations are altered or modified in regard to the assessing or charging of Duties in *Ireland* by the express Provisions of this Act.

Persons holding Offices in Ireland, and Members of Parliament in Ireland, chargeable, notwithstanding 5 & 6 Vict. c. 35.

VIII. Provided also, That notwithstanding anything in the said Act of the Fifth and Sixth Years of Her Majesty contained, Persons holding Offices in *Ireland* and residing in *Great Britain*, and Persons usually residing in *Ireland* and serving in Parliament, shall be chargeable to the Duties by this Act granted, without regard to any Exemption from the Duties of Assessed Taxes; and that this Act shall extend to charge Persons resident in *Ireland* with the Duties under Schedule (E.) in respect of Public Offices or Employments, although the Duties thereof are necessarily and permanently performed in *Ireland*.

Commissioners under former Acts to be Commissioners under this Act.

IX. The several Persons chosen or appointed under the Provisions of the said first-mentioned Act to be respectively Commissioners for the General Purposes of the said Act, and to be respectively Additional or other Commissioners, being respectively duly qualified in that Behalf, and also the several Persons appointed to be and who on the Fifth Day of *April* One thousand eight hundred and fifty-three were Commissioners for the Special Purposes of the said Act, shall, without any further or other Election, Nomination, or Appointment respectively, be such Commissioners as aforesaid for the like Purposes under this Act; and wherever in the said Act, or in any Act relating to the Duties thereby granted, Mention is made of the Commissioners of Stamps and Taxes, the same in relation to the Duties granted by this Act shall be construed and deemed to designate the Commissioners of Inland Revenue: Provided that no Persons shall be Commissioners to supply Vacancies amongst the said Commissioners for General Purposes except such Persons as shall after the passing of this Act be chosen for that Purpose in the Manner provided by the said first-mentioned Act.

Persons intrusted with the Payment in the United Kingdom of Interest or Dividends from Foreign Companies to do all Acts necessary in order to Assessments being made thereon in manner directed by 5 & 6 Vict. c. 80.

X. The Provision made by the Act passed in the said Session of the Fifth and Sixth Years of Her Majesty, Chapter Eighty, Section Two, for the assessing and charging the Duties on Dividends and Shares of Annuities payable out of the Revenue of any Foreign State, shall be and the same is hereby extended to the assessing and charging of the Duties granted by this Act, as well on such Dividends and Shares of Annuities as aforesaid as on all Interest, Dividends, or other annual Payments payable out of or in respect of the Stocks, Funds, or Shares of any Foreign Company, Society, Adventure, or Concern, or in respect of any Securities given by or on account of any such Company, Society, Adventure, or Concern, and which said Interest, Dividends, or annual Payments have been or shall be intrusted to any Person in the United Kingdom for Payment to any Persons, Corporations, Companies, or Societies in the United Kingdom, and all Persons intrusted with the Payment of any such Interest, Dividends, or other annual Payments as aforesaid in the United Kingdom, or acting therein as Agents or in any other Character, shall and they are hereby required to do and perform all such Acts, Matters, and Things, in order to the assessing and charging and paying of the said Duties on all such Interest, Dividends, or other annual Payments as aforesaid, and under and subject to the like Penalty or other Liability for any Neglect, Refusal, or Default in that Behalf, as by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Eighty, Persons intrusted with the Payment of Annuities or any Dividends or Shares of Annuities are required to do and perform, or are subject or liable to for any similar Neglect, Refusal, or Default; and the Assessments of the Duties on all such Interest, Dividends, and other annual Payments as aforesaid shall be made by the Commissioners for Special Purposes under Schedule (D.) of this Act, and the said Commissioners shall do and perform all such Acts, Matters, and Things in relation to such Assessments as by the said Act, Chapter Eighty, they are required to do or perform in relation to any Assessment under the said last-mentioned Act.

Governor, &c. of Bank of Ireland to be Commissioners for assessing Duties on Dividends, Salaries, &c. payable by the Bank, &c.

XI. The Governor and Directors of the Company of the Bank of *Ireland* shall be Commissioners for executing this Act, for the Purpose of assessing and charging the Duties hereby granted in respect of all Annuities, Dividends, and Shares of Annuities payable by the Governor and Company of the Bank of *Ireland* out of the Public Revenue of the United Kingdom to any Persons, Corporations, or Companies whatever, and in respect of all Profits and Gains of the said Company chargeable under Schedule (D.) of this Act, and in respect of all other Dividends, Interests, Annuities, Pensions, and Salaries payable by the said Company, and also in respect of all other Profits chargeable with Duty under this Act and arising within any Office or Department under the Management or Control of the said Governor and Company;

Company; and the said last-mentioned Commissioners shall have, use, and exercise all the Powers and Authorities of Commissioners for the General Purposes of this Act, so far as the same relate to the said Duties to be assessed and charged by the said Governor and Directors, and shall make their Assessments of the said Duties, under and subject to the Rules, Regulations, and Exemptions contained in the said first-mentioned Act in relation to the said Duties respectively: Provided always, that the Duties by this Act granted shall extend to and be payable upon all Annuities, Dividends, and Share of Annuities payable in *Ireland* out of the Revenue of the United Kingdom to or for the Use or Benefit of any Person, whether resident in *Ireland* or elsewhere.

Clerks of Boards of Guardians in Ireland to transmit to Commissioners of Inland Revenue annually Copies of the Poor Rates.

XII. In order to the assessing of the Duties chargeable under the respective Schedules (A.) and (B.) of this Act in *Ireland*, the Clerk of the Board of Guardians of every Poor Law Union in *Ireland*, or the Person acting as such Clerk, shall, within One Month after the passing of this Act, and between the Fifth Day of *April* and the First Day of *June* in every succeeding Year, transmit to the Commissioners of Inland Revenue, at their Head Office in *Dublin*, true Copies of the last Rates made by such Guardians for the Relief of the Poor in such Union, and in every Electoral Division thereof, and the Collector General of Rates in the City of *Dublin* shall, in like Manner and within the same Period in each Year, transmit to the said Commissioners true Copies of the last Rates made for the Relief of the destitute Poor in the several Electoral Divisions or Parts thereof in which he is by Law authorized to make and declare such Rates; and the Commissioners of Inland Revenue shall pay to the said Clerk and Collector respectively the Cost and Expense of making all such Copies, not exceeding the Rate of Two Shillings and Sixpence for every One hundred Ratings; and if any such Clerk or any Person acting as such Clerk or such Collector shall in any Year neglect to transmit such Copies in compliance with this Enactment he shall for every such Neglect forfeit the Sum of Fifty Pounds.

Duties under Schedules (A.) and (B.) in Ireland to be assessed according to the Valuations under the Poor Relief Acts.

On whom Assessments to be made.

XIII. The Duties chargeable in *Ireland* under the respective Schedules (A.) and (B.) of this Act shall be charged and assessed by a Poundage Rate upon the annual Value of all Tenements and rateable Hereditaments, according to the respective Surveys and Valuations made or to be made and from Time to Time in force for the Purposes of the Rates for the Relief of the Poor in *Ireland;* and the Assessment of the said Duties in *Ireland* chargeable under the said Schedule (A.) shall be made upon the Landlord or immediate Lessor of such Tenements or rateable Hereditaments, or if it shall appear to the Commissioners for Special Purposes to be necessary or proper, the said Assessment shall be made upon such Person as the Rate for the Relief of the Poor shall be made upon in respect of any such Property under the Provisions of the Acts in that Behalf; and the Assessment of the said Duties chargeable under the said Schedule (B.) shall be made upon the Occupier of such Property: Provided always, that if upon the Appeal, as herein-after mentioned, of any Person deeming himself aggrieved by any such Assessment, it shall be proved to the Satisfaction of the Commissioners, Assistant Barrister, Chairman, or Recorder, by whom such Appeal shall be heard or re-heard, as the Case may be, that such Assessment is made upon an Amount or Value exceeding the annual Rent at which the Property in respect whereof such Assessment is made is worth to be let from Year to Year, the Person hearing or re-hearing such Appeal shall give Relief by reducing and abating such Assessment, and charging the Duties on the Amount of such annual Value as aforesaid, notwithstanding that the same may be less than the annual Value of the Premises according to any such Survey or Valuation as aforesaid; and if such annual Value at which such Property is worth to be let as aforesaid shall exceed the actual Rent payable yearly by the Tenant or Occupier of such Premises, the Landlord or immediate Lessor shall be assessed under Schedule (A.) upon the Amount of such actual Rent only, and the Tenant or Occupier shall be assessed under the said Schedule (A.) on the Difference between that Amount and the Amount of such last-mentioned annual Value, subject nevertheless to any Claim for Exemption which the Parties respectively may be entitled to: Provided also, that where any Person receiving Rent in respect of any Hereditament in *Ireland* exempt from being rated to the Relief of the Poor is liable to be rated in respect of such Rent to the Extent of One Half the Poundage of any Poor Rate, the said Duties in *Ireland* chargeable under the said Schedule (A.) shall be charged and assessed upon such Person by a Poundage Rate upon the full Amount of such Rent.

Assessment of Persons receiving Rent out of Hereditaments in Ireland exempt from Poor Rates.

Commissioners of Inland Revenue may direct Re-valuations where existing Valuations are incorrect.

XIV. Provided also, That if in any Case it appear to the Commissioners of Inland Revenue that any such Valuation as aforesaid for the Time being in force is not correct (having reference to the Principles according to which the same ought by Law to have been made,) with respect to all or any of the Tenements or rateable Hereditaments included therein, it shall be lawful for such Commissioners to direct the Commissioner of Valuation to make or cause to be made a Re-valuation of the Tenements or Hereditaments with respect to which the said Valuation is incorrect, and such Commissioner of Valuation shall forthwith, with all convenient Speed, make or cause to be made such Re-valuation accordingly, and sign the same and transmit it to the Commissioners of Inland Revenue; and such Re-valuation shall be made according to the Principles or Rules according to which such incorrect Valuation ought by Law to have been made, and the Duties chargeable under the said Schedules (A.) and (B.) shall, after such Re-valuation, be charged and assessed according thereto; provided that if any Person assessed to the last-mentioned Duties according to such Re-valuation deem himself aggrieved thereby, it shall be lawful for him to appeal against such Assessment on the ground of the Incorrectness of such Re-valuation, and upon such Appeal it shall be lawful for the Commissioners, Assistant Barrister, Chairman, or Recorder hearing or re-hearing such Appeal to alter as well such Re-valuation as the Assessment thereon, and make such Order in relation thereto as they or he may think fit.

XV. In

Allowance for Poor Rates chargeable on the Landlord's Rent in Ireland.

XV. In assessing in *Ireland* the Duties chargeable under Schedule (A.) of this Act on the Landlord or immediate Lessor, in every Case where the Amount or annual Value on which the Assessment is made on him is not less than the annual Rent reserved or payable to him for the Premises in respect of which the Assessment is made, an Allowance or Abatement of a proportionate Part of the Duty shall be made in respect of the Amount of the Poor Rates which such Landlord or Lessor shall have paid or borne for the same Premises in the Year preceding; and if the Amount or annual Value on which such Assessment as aforesaid is made shall be less than the said Rent, then such Allowance or Abatement as aforesaid shall be made only in respect of so much as the Amount of the said Poor Rate added to the Sum on which the Assessment is made shall exceed the actual Rent.

By whom Assessments under Schedules (A.) and (B.) in Ireland are to be made and collected.

XVI. All Assessments of the said Duties under the said Schedules (A.) and (B.), in *Ireland*, shall be made by Surveyors of Taxes or other Officers of Inland Revenue acting in that Behalf under the Directions of the Commissioners of Inland Revenue; and every such Assessment shall be made for and comprise the respective Premises situate within a Union, or an Electoral Division, or such other District as the said last-mentioned Commissioners shall direct; and the same shall be signed by Two of the Commissioners for Special Purposes, who shall cause Duplicates thereof, together with their Warrants for the collecting and levying of the Sums thereby assessed, to be delivered to such Person or Persons as they shall appoint to be Collectors of such Assessments.

How Assessments in Ireland under Schedules (A.) and (B.) are to be collected and recovered.

XVII. Every such Assessment in *Ireland* of the Duties under the said Schedules (A.) and (B.) of this Act may be collected, levied, and recovered by Distress by the Person appointed in manner aforesaid to be the Collector thereof from the Person assessed, or from the Occupier of the Property assessed, or may be levied upon the particular Premises in respect of which the Assessment is made; and all Goods and Chattels, to whomsoever the same shall belong, found on such Premises in respect of which any Assessment is made of the said Duties under this Act, shall be liable to be distrained and sold for the Recovery of the said Duties; or such Duties as aforesaid, or any Arrears thereof, may be levied and recovered in the same Manner as other Duties assessed in *Ireland* under this Act may be levied and recovered: Provided always, that the Duty assessed under the said Schedule (A.) upon or in respect of any Tenement or Hereditament may be collected, recovered, and levied by the said Collector from the Landlord or immediate Lessor of the Premises assessed, whether he be named in the Assessment or not; and to that end such Collector is hereby authorized and empowered to use, exercise, and put in force against such Landlord or immediate Lessor all or any of the Remedies, Ways, and Means provided by an Act of the First and Second Years of Her Majesty, Chapter Fifty-six, and an Act of the Sixth and Seventh Years of Her Majesty, Chapter Ninety-two, or either of the said Acts, by which any Rate made for the Relief of the destitute Poor in *Ireland* may be collected, recovered, or levied from any immediate Lessor primarily liable to the Payment of Rates for Premises the Occupier of which is exempted from such Payment: Provided also, that where any Proceeding for the Recovery of any such Rate is by Law required to be had or taken in the Name of the Guardians of a Poor Law Union, or by the Direction or with the Consent of such Guardians of the Poor Law Commissioners, or by or with any other Direction or Consent, the like Proceeding for the Recovery of the said Duties under this Act may be had and taken by and in the Name of such Collector as aforesaid, and without any such Direction or Consent; provided that where any Assessment under the said Schedule (A.) shall have been made upon the Tenant or Occupier of the Premises assessed, the Landlord or immediate Lessor shall be liable to be proceeded against in manner aforesaid only in default of Payment of such Assessment by the said Tenant or Occupier, and for the Recovery of so much only of the Duty assessed as shall be chargeable in respect of the Rent payable yearly to such Landlord or immediate Lessor for the Premises assessed.

Landlords in Ireland entitled to claim Return of Duty paid by them in respect of Rent lost by Bankruptcy or absconding of Tenant.

XVIII. When any Landlord or immediate Lessor of any Tenement or Hereditament in *Ireland* assessed to the Duty chargeable under Schedule (A.) of this Act shall have paid such Duty, and shall afterwards prove to the Satisfaction of the Commissioners for Special Purposes that the Rent due or payable to him in respect of such Tenement or Hereditament for the Period for which the said Duty was assessed, or any Portion of such Rent, has been wholly and irrecoverably lost by reason of the Bankruptcy, Insolvency, or absconding of the Tenant or Occupier by whom such Rent was payable, or by the fraudulent Assignment or Removal of his Goods, or by reason of such Tenement or Hereditament being left waste and unoccupied, then and in such Case the said Landlord or Lessor shall be entitled to be repaid such Proportion of the said Duty as he shall have paid in respect of the Rent so lost; and the said Commissioners shall order and direct the Repayment of such Proportion of Duty in like Manner as by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, they are authorized to order and direct the Repayment of Duty in other Cases, provided that such Landlord or Lessor shall make his Claim for such Repayment to the said Commissioners within the Period of Six Calendar Months after the Expiration of the Year for which the said Duty was assessed.

Persons having Custody of Valuations under Poor Relief Acts in Ireland to produce same to Officers under this Act, and permit Copies to be taken.

XIX. Every Person having in his Custody or Possession any Survey or Valuation on which the Rates for any Union or Electoral Division shall be assessed or made, or any Rate or Assessment made under the Provisions of the Acts for the Relief of the Poor in *Ireland*, or any of them, shall, at the Request of any Inspector, Surveyor, or other Officer acting in the Execution of this Act in *Ireland*, produce and show every such Survey, Valuation, Rate, and Assessment to such Inspector, Surveyor, or other Officer, and permit him to inspect the same, and to take Copies thereof or Extracts therefrom without paying anything for the same; and in case the Person having the Custody or Possession of any such Survey, Valuation, Rate, or Assessment shall, on any such Request as aforesaid, refuse to produce the

same

same to such Inspector, Surveyor, or other Officer, or to permit him to inspect the same, or to take Copies thereof or such Extracts as he may think fit to take therefrom, such Person shall, for every such Refusal, forfeit the Sum of Fifty Pounds.

By whom Assessments under Schedules (D.) and (E.) to be made in Ireland.

XX. The Assessments of the Duties chargeable in *Ireland* under the several Schedules (D.) and (E.) of this Act shall be made by such Surveyors of Taxes, or other Officers of Inland Revenue as the Commissioners of Inland Revenue shall appoint in that Behalf; and such Assessments shall be allowed and signed by the Commissioners for Special Purposes, who shall also appoint the Times and Places for hearing Appeals against the same as herein-after mentioned, and shall also cause due Notice of every such Assessment, and of the Amount thereof, and of the Time and Place appointed for hearing any Appeal against the same, to be given by some Officer of Inland Revenue to every Person so assessed.

Appeals in Ireland to be heard by Commissioners for Special Purposes.

XXI. All Appeals against Assessments under this Act in *Ireland* shall be heard and determined by the said Commissioners for Special Purposes, or any Two of them, whose Determination on any such Appeal shall be final and conclusive, unless the Person charged by the Assessment shall think himself aggrieved by such Determination, and shall require that such Appeal shall be re-heard as herein-after provided; and where any Person charged by any such Assessment as aforesaid, and to whom Notice thereof and of the Time and Place appointed for hearing any Appeal against the same shall be given as herein-before directed, shall neglect to appeal accordingly, such Assessment shall also be conclusive, and such Person shall be precluded from afterwards disputing or questioning the same.

Persons assessed aggrieved by Determination of Commissioners may require Appeal to be re-heard by an Assistant Barrister, &c.

XXII. If any Person charged by an Assessment in *Ireland* shall think himself aggrieved by the Determination of the said Commissioners for Special Purposes in any such Appeal as aforesaid, it shall be lawful for him, on giving Notice in Writing to the Inspector or Surveyor within Ten Days after such Determination, to require that such Appeal shall be re-heard by the Assistant Barrister for the County or Riding where such Person shall have been assessed, or in case he shall have been assessed in the County of *Dublin*, by the Chairman of the Sessions of the Peace of such County, or in case such Person shall have been assessed in the City of *Dublin*, by the Recorder of such City, or in case such Person shall have been assessed in the Borough of *Cork*, by the Recorder of such Borough; and where any such Appeal shall be so required to be re-heard, any Statement or Schedule in the Possession of the said Commissioners for Special Purposes, returned to them for the Purpose of such Appeal, shall be transmitted by them to the Assistant Barrister, Chairman, or Recorder (as the Case may require); and such Assistant Barrister, Chairman, or Recorder shall with all convenient Speed re-hear and determine such Appeal, and shall take the Oath or Affirmation required to be taken by a Commissioner for Special Purposes, and shall and may have and exercise the same Powers and Authorities in relation to the Assessment appealed against, and the Determination of the Matter thereof and in relation to all Matters consequent thereon, as any Two or more Commissioners for Special Purposes might have and exercise, and his Determination thereon shall be final and conclusive.

After hearing Appeals in Ireland, Duplicates of Assessments to be delivered to Collectors, with Warrants to collect same.

XXIII. After the respective Times for hearing Appeals against such Assessments as aforesaid in *Ireland*, then as to all Assessments against which Appeals shall have been heard and determined, leaving any Sum assessed or charged by any such Assessment, and as to all Assessments against which no Appeal shall have been made, the Commissioners for Special Purposes shall cause Duplicates thereof, together with Warrants under the Hands and Seals of Two of the said last-mentioned Commissioners, to be delivered to such Officers of Inland Revenue or other Persons as shall be named in such Warrants respectively, appointing such Persons to be Collectors of the Duties and Sums of Money assessed and charged in such Duplicates respectively, and requiring and empowering such Collectors respectively to collect, demand, levy, and recover all such Duties and Sums of Money.

Commissioners for Special Purposes, Inspectors and Surveyors of Taxes, &c., in executing this Act in Ireland, to exercise same Powers as similar Officers in England.

XXIV. The Commissioners for Special Purposes acting in the Execution of this Act in *Ireland* in relation to the allowing or signing of any such Assessment as aforesaid, and to the hearing and determining of any Appeal against the same, and to the making and signing of any Duplicate thereof and any Warrant for collecting and levying the Duties and Sums of Money charged or assessed thereby, and also all Inspectors and Surveyors of Taxes, and other Officers of Inland Revenue acting in *Ireland* in relation to the making of any such Assessment or to the assessing or charging of any Person therein or thereby, and also all Persons named or appointed by the said Commissioners to be respectively Collectors of the said Duties and Sums of Money in relation to the collecting, levying, distraining for, or otherwise recovering of the same, shall respectively be, and are hereby invested with, and shall have, use, and exercise all such and the like Powers and Authorities as any Commissioners, either for General or Special Purposes, or any additional Commissioners, and as any Inspectors, Surveyors, Collectors, or other Officers respectively have or are invested with, or can or may use or exercise in *England* in relation to the making or allowing of any Assessment of Duties under this Act, or to the assessing or charging of any Person to such Duties, or to the hearing or determining of any Appeal against any such Assessment, or to the collecting, levying, distraining for, or otherwise recovering of any such Duties, so far as such Powers and Authorities or any of them are applicable or may be adapted to the Performance of similar Acts, Matters, and Things in *Ireland*.

Unions, &c. in Ireland not to be responsible for Collectors.

XXV. Nothing herein contained shall be construed to make any Union, Electoral Division, or Place in *Ireland* in which any Assessment of any Duties granted under this Act shall be made, answerable for the Amount of Duties charged in such Place, nor for any Neglect or Default of the Collector in demanding or collecting same, nor shall any Re-assessment be made in *Ireland* upon any such Place for any Arrears or Loss occasioned by any such Neglect or Default.

Who to be Commissioners where there are not sufficient Officers in any Court or Department.

XXVI. Where in any Court or Department of Office there shall not be a sufficient Number of Officers proper to be appointed Commissioners for executing this Act in relation to the Duties on Offices and Employments of Profit in such Court or Department of Office, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct that the Commissioners for any other Department shall execute this Act in relation to the Offices and Employments of Profit in any such Court or Department as aforesaid; and in default of a sufficient Number of Commissioners being appointed in any such Court or Department, and of such Direction as aforesaid, the Commissioners for General Purposes in their respective Districts in *England* and *Scotland* respectively, and the Commissioners for Special Purposes in *Ireland*, shall respectively put this Act in execution in relation to the Duties on Offices and Employments in any such Court or Department as aforesaid; and wherever in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, any Power or Direction is given to the Commissioners for executing the said Act in relation to the Duties on Lands and Tenements to execute the same in their several Districts in relation to the Duties on Offices and Employments of Profit, every such Power and Direction shall, in relation to the Duties on Offices and Employments of Profit in *Ireland* under this Act, be executed and carried out by the Commissioners for Special Purposes.

Powers of Commissioners for General Purposes as to Duties on Offices to be executed in Ireland by Commissioners for Special Purposes.

Persons assessed under Schedule (D.) may compound.

XXVII. It shall be lawful for any Person who shall be duly assessed by the Commissioners for Special Purposes for the Duties on the Profits and Gains described in Schedule (D.) of this Act, for the First Year for which the said Duties are by this Act granted, to compound for the charging of the Rate of Duty which shall from Time to Time be payable under this Act for each and every Year up to the Fifth Day of *April* One thousand eight hundred and fifty-seven, on the same Amount of such Profits and Gains in which he shall have been so assessed; and it shall also be lawful for any Person who shall be duly assessed as aforesaid for the Year commencing from the said last-mentioned Day in like Manner to compound for the charging of the Rate of Duty which shall then be payable for each and every remaining Year of the Period for which the said Duties are by this Act granted, on the same Amount of such Profits and Gains in which he shall have been so assessed as last aforesaid; and the Consideration for every such Composition shall be the Payment, in each and every Year of the said Composition, of an Addition to the said Duties at and after the Rate of One Shilling for every Twenty Shillings of the said Duties; and every such Composition shall be entered into and made with the Commissioners for Special Purposes, under and subject to the Conditions, Rules, and Regulations (*mutatis mutandis*) contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to Compositions under the said last-mentioned Act, and the Contract for the same shall be in such Form as the Commissioners of Inland Revenue shall provide in that Behalf.

Exemption of Persons whose Income is under 100*l.*, and Abatement to those whose Income is under 150*l.* a Year respectively.

XXVIII. The Exemption granted by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, to Persons whose respective Incomes are less than One hundred and fifty Pounds a Year shall be limited and restricted under this Act to Persons whose whole Incomes from every Source are less than One hundred Pounds a Year respectively: Provided always, that any Person who shall be assessed or charged to any of the Duties granted by this Act, or shall have paid the same either by Deduction or otherwise, and who shall claim and prove, in the Manner prescribed by the said Act, that his total Income from every Source, although amounting to One hundred Pounds or upwards, is less than One hundred and fifty Pounds a Year for the Year of the Assessment of his Profits or Gains, shall be entitled to be relieved from so much of the said Duties assessed upon or paid by him as shall exceed the Rate of Fivepence for every Twenty Shillings of his Profits or Gains, and such Relief shall be given either by Reduction or Abatement of the Assessment upon such Person, or by the Repayment to him of so much of the said Excess as he shall have paid, or by both of those Means, as the Case may require; and in *Ireland* the Income arising from the Occupation of Lands, Tenements, or Hereditaments, by any Person claiming such Exemption or Relief as aforesaid, shall be deemed to be One Third of the annual Value on which the same shall be chargeable under Schedule (B.) of this Act; and all the Provisions, Rules, and Regulations contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to the Exemption of Persons whose Incomes are less than One hundred and fifty Pounds a Year, and to the Reduction or Abatement of any Assessment upon such Persons, or to the Repayment to them of any Duties or Sums of Money, shall be observed and applied, so far as the same are applicable (*mutatis mutandis*), to the Exemption of Persons whose Incomes are less than One hundred Pounds a Year, and to the Claims for Relief in the Manner aforesaid to Persons whose Incomes are less than One hundred and fifty Pounds a Year.

In computing Income from Rent in Ireland Poor Rates to be deducted.

XXIX. Provided always, That in computing the Income of any Person for the Purposes of this Act, such Computation, so far as regards any Rent derived from Tenements or Hereditaments in *Ireland* chargeable under Schedule (A.), shall be made after allowing for the Amount of Poor Rates chargeable on such Rent by way of Deduction or otherwise.

Relief to Persons claiming Abatement of Assessment on proving their Incomes to be under 100*l.* a Year.

XXX. Where, on any Application for Relief or Abatement of Assessment in pursuance of the Provisions contained respectively in Section One hundred and thirty-three and Section One hundred and thirty-four of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, and in the Third Section of an Act of the Fourteenth Year of Her Majesty's Reign, Chapter Twelve, it shall be proved to the Satisfaction of the Commissioners to whom such Application shall be made that the total Amount of the Income from every Source of the Person claiming such Relief or Abatement for the Year for which such Assessment was made was under One hundred Pounds, such Person shall be entitled to the same Relief and Repayment respectively as by this Act and the said first-mentioned Act is provided

in the Case of Persons claiming Relief on the Ground of their respective annual Incomes being less than One hundred Pounds a Year.

Claims of Exemption or for Relief in Ireland to be made to Commissioners for Special Purposes.

XXXI. In *Ireland* all Claims of Exemption by reason of the Income of any Person being under One hundred Pounds a Year, and all Claims for Relief or Reduction of Assessment on the Ground of such Income being under One hundred and fifty Pounds a Year, and all Claims for Return or Repayment of any Duties on either of the Grounds aforesaid, or under any other of the Provisions of this Act or of the Acts herein mentioned or referred to, shall be made in such Manner and Form as the Commissioners of Inland Revenue shall direct and provide in that Behalf; and all such Claims shall be made to and shall be adjudicated and finally determined by the Commissioners for Special Purposes, or any Two of them; provided that there shall be a like Appeal as regards Claims for Exemptions in *Ireland* to the Assistant Barrister, Chairman, or Recorder (as the Case may require) as is herein-before contained in reference to Persons charged by an Assessment and feeling aggrieved thereby.

Duties in respect of Tithe Commutation Rentcharges may be assessed on the Owners.

XXXII. In assessing and charging the Duties under Schedule (A.) of this Act in respect of Lands, Tenements, or Hereditaments subject to any Rentcharge under the Act for the Commutation of Tithes in *England*, or any other Rentcharge in lieu of Tithe, it shall be lawful for the Commissioners acting in the Execution of this Act, if they shall think fit, on a due Return of such Rentcharge being made by the Owner thereof in order to an Assessment upon him, to charge and assess such Owner in the Assessment for the said Parish with the Duty under Schedule (A.) of this Act in respect of such Rentcharge, deducting therefrom the Amount of the Parochial Rates, Taxes, and Assessments charged upon or in respect of such Rentcharge in the preceding Year; and in the Case of such Assessment being made upon the Owner of the said Rentcharge, the Amount of such Rentcharge shall be allowed as a Deduction in the Assessment of the Lands, Tenements, and Hereditaments on which the same is charged under the said Act for the Commutation of Tithes.

Allowances to be made in respect of certain Burdens on Tithe Rentcharges in Ireland.

XXXIII. 'And whereas Tithe Rentcharge belonging to or held by Ecclesiastical Persons or Bodies 'in *Ireland* is liable, in many Cases, to heavy Charges in respect of the Tax payable to the Ecclesiastical 'Commissioners for *Ireland*, Poor Rates, the Repayment of Instalments for the building or repairing of 'Glebe Houses, or other Charges: And whereas the Deductions in respect of Income Tax under the 'Provisions of this Act or the before-recited Act of the Fifth and Sixth Years of Her Majesty's Reign, 'Chapter Thirty-five, made by any Person paying Tithe Rentcharge to any Ecclesiastical Person or 'Body entitled to receive the same, would, under the Provisions of this and the said Act, be the Income 'Tax upon the gross Amount of such Rentcharge; and it is expedient and just that such Ecclesiastical 'Persons or Bodies should have the Benefit of the Allowances herein-after mentioned out of such gross 'Income, and of a proportionate Remission of Income Tax:' It shall be lawful for any Ecclesiastical Person or Body to make Application to the Commissioners for Special Purposes, setting forth the Deductions or Charges to which his Income has been subjected during the preceding Year in respect of the Ecclesiastical Tax aforesaid, Poor Rates, and the other Charges and Matters of the like Nature and Description as those in respect of which the Ecclesiastical Commissioners are directed to make Allowances or Deductions in estimating the Value of a Benefice or other Ecclesiastical Property, with a view to its Taxation, under the Provisions of an Act passed in the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven; and such Person or Body, on Proof to the Satisfaction of the Commissioners for Special Purposes that the Income of such Ecclesiastical Person or Body has been actually subjected to such Charges or Deductions, shall be entitled to have repaid to him by the Commissioners of Inland Revenue the Difference between the Amount of Income Tax calculated on the gross Income of such Ecclesiastical Person or Body and the Amount to which such Person or Body would have been liable supposing the Income Tax to have been assessed upon his Income after deducting such Charges as aforesaid.

As to Deductions for the Repairs of Collegiate Churches and Chapels, Chancels, &c.

XXXIV. Provided also, That the Deduction allowed under Schedule (A.), No. V., of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, for the Repairs of Collegiate Churches and Chapels and Chancels of Churches, or of any College or Hall in any of the Universities, by any Ecclesiastical or Collegiate Body, Rector, Vicar, or other Person bound to repair the same, shall, in respect of the Duties under Schedule (A.) of this Act, be the Amount of the Sum so expended in the Year preceding that in which the Assessment is made, instead of an Average of Twenty-one Years, as in the said Schedule (A.), No. V., is mentioned.

Tenants of Lands who are called upon to pay Arrears due from former Occupiers may deduct the Amount from their Rent.

XXXV. Where any Occupier for the Time being of any Lands, Tenements, or Hereditaments, being Tenant thereof, shall be called upon and required to pay, and shall have paid, any Sum or Sums assessed upon or in respect of such Lands, Tenements, or Hereditaments under the said Schedule (A.) of this Act, and which said Sum or Sums, or any Portion thereof, ought, under the Rules for charging the Duties under the said Schedule, to have been paid or to be paid by any former Tenant or Occupier of the same Lands, Tenements, or Hereditaments, or his Executors or Administrators, it shall be lawful for the said Occupier for the Time being to deduct and retain, from and out of any subsequent Payment of Rent to his Landlord, the said Sum or Sums of Money, or any Portion thereof, which ought to have been or to be paid by such former Tenant or Occupier, or his Executors or Administrators as aforesaid: Provided that nothing in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, or in this Act contained shall extend to authorize the levying upon any such Occupier for the Time being any Arrear of Duty assessed under Schedule (A.) or Schedule (B.) of this Act which ought to have been levied upon and ultimately paid and borne by any former Occupier of the same Lands, Tenements, or Hereditaments; and provided also, that nothing herein contained shall be deemed or construed to alter,

prejudice, or affect any Remedy given by the said Rules for the recovering and levying of any such Sum or Sums, or any Portion thereof, from or upon such former Tenant or Occupier, or his Executors or Administrators.

Houses let in several Tenements to be charged on Landlords.

XXXVI. Any House or Building let in different Apartments or Tenements, and occupied by Two or more Persons severally, shall nevertheless be charged to the Duty under this Act as One entire House or Tenement, and the Assessment thereof shall be made on the Landlord; but in default of Payment by him the Duty so charged and assessed may be levied on the Occupier or Occupiers respectively, and being paid by them or One of them shall be deducted and allowed out of the next or any subsequent Payment on account of Rent.

Deduction to be allowed under Schedule (A.) for Expenses of making Sea Walls, &c.

XXXVII. In charging the Duty under Schedule (A.) of this Act in respect of Lands, an Allowance and Deduction shall be made for the Amount expended by the Landlord or Owner thereof on an Average of the Twenty-one preceding Years in the making or repairing of Sea Walls or other Embankments necessary for the Preservation or Protection of such Lands against the Encroachment or overflowing of the Sea or any Tidal River, although the Sums expended may not have been charged on such Lands by any public Rate or Assessment.

Duties on Tolls called Customs levied in Burghs in Scotland and expended for public Purposes to be repaid.

XXXVIII. Where in any Burgh in *Scotland* Tolls commonly known by the Name of Customs are levied under the Authority of any Act of Parliament or Charter, and are applied and expended in such Burgh in or towards defraying the Expenses of paving, lighting, or cleansing the same, or of the Police thereof, or in or towards discharging any other similar public Burdens, the Duty which may have been assessed and paid under this Act upon or in respect of such Tolls shall, so far as regards so much of the said Tolls as shall have been so expended as aforesaid, on due Proof of all the necessary Facts to the Satisfaction of the Commissioners for Special Purposes, be allowed and repaid under an Order of the said Commissioners, in like Manner as in other Cases where Duties are allowed and repaid under the Provisions in that Behalf contained in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five.

Hop Grounds to be charged under Schedule (B.) as other Lands.

XXXIX. Provided also, That notwithstanding anything in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, contained, all Lands occupied for the Growth of Hops shall be charged to the Duties under Schedule (B.) of this Act according to the General Rules contained in Schedule (B.) of the said first-mentioned Act, and not by estimating the Profits of such Lands according to the Rules contained in Schedule (D.) of the said Act.

Deductions of Duty on Payment of Rent, Interest, &c.

XL. Every Person who shall be liable to the Payment of any Rent, or any yearly Interest of Money, or any Annuity or other annual Payment, either as a Charge on any Property or as a personal Debt or Obligation by virtue of any Contract, whether the same shall be received or payable half-yearly or at any shorter or more distant Periods, shall be entitled and is hereby authorized, on making such Payment, to deduct and retain thereout the Amount of the Rate of Duty which at the Time when such Payment becomes due shall be payable under this Act, that is to say, Sevenpence, Sixpence, or Fivepence, as the Case may be, for every Twenty Shillings of such Payment; and the Person liable to such Payment shall be acquitted and discharged of so much Money as such Deduction shall amount unto, as if the Amount thereof had actually been paid unto the Person to whom such Payment shall have been due and payable; and the Person to whom such Payment as aforesaid is to be made shall allow such Deduction, upon the Receipt of the Residue of such Money, under pain of forfeiting the Sum of Fifty Pounds for any Refusal so to do: Provided always, that no Tenant or Occupier of any Property chargeable under Schedule (A.) of this Act shall be entitled to deduct or retain out of the Rent thereof any greater Sum than the Amount of the Duty which shall have been assessed and charged upon or in respect of such Property, and actually paid by such Tenant or Occupier.

Deductions to be made from net Payment after allowing for Poor Rate in Ireland.

XLI. Provided always, That whenever any Person liable to the said Duties chargeable in *Ireland* under the said Schedule (A.) shall be entitled to retain a proportionate Amount of such Duties from any annual Payment from which he is now by Law entitled to deduct any Sum on account of Poor Rates, he shall be entitled to retain such proportionate Amount only upon the net Sum payable by him after the Allowance for Poor Rates.

Deduction of Duty to be allowed on Payment of Rentcharges under the Drainage Advances Acts.

XLII. 'And whereas under certain Acts of Parliament Advances of Public Money to promote the 'Improvement of Lands have been made by way of Loan, and in *Ireland* under an Act passed in the 'Tenth Year of Her Majesty, Chapter Ten, and any Acts amending the same, and under an Act passed 'in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-nine, for River Drainage, and any Acts 'amending the same, and the Repayment thereof has been secured by a Rentcharge upon such Lands to 'be paid for a Term limited by the said Acts respectively, and by which the Principal Sums advanced 'will eventually be repaid with Interest thereon, and it is just that Provision should be made for 'deducting and allowing the Duty charged by this Act in proportion to such Interest on the Payment 'of such Rentcharge:' It shall be lawful for any Person paying any such Rentcharge from Time to Time to deduct and retain thereout in respect of the Duty chargeable under this Act One Third Part of the Sum which the Rate of such Duty computed on such Rentcharge will amount to and no more, and the Collectors and Receivers of such Rentcharges are hereby required to allow such Deduction upon Receipt of the Residue of such Rentcharge then due.

No Action of Ejectment in Ireland to be defeated on Ground of Deductions reducing the Amount due under a Year's Rent.

XLIII. No Action of Ejectment for Nonpayment of Rent in *Ireland* shall be defeated on the Ground that the Person liable to pay such Rent is entitled, under the Provisions of this Act or any Act incorporated therewith, to a Deduction which would reduce the Amount due by him under a Year's Rent.

XLIV. The

Occupiers of Lands, &c. having made true Returns of their annual Value not required to make further Returns until 1857.

XLIV. The Occupiers of Lands, Tenements, and Hereditaments who shall make true and correct Statements and Returns, as required by the said Acts, of the annual Value of all such Lands, Tenements, and Hereditaments in their respective Occupations, in order to an Assessment of the Duties chargeable thereon, under the respective Schedules (A.) and (B.) of this Act, for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-three, shall not (unless they shall appeal against the Continuance of the same Assessment for any subsequent Year) be required to make any further Statements or Returns of such annual Value in respect of the same Premises until the Year One thousand eight hundred and fifty-seven; and in like Manner such Occupiers as aforesaid who shall make true and correct Statements and Returns in order to an Assessment of the said Duties for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-seven shall not (unless they shall appeal against the Continuance of such last-mentioned Assessment) be required to make any further Statements or Returns in respect of the same Premises for any subsequent Year of the Period for which the said Duties are by this Act granted.

Assessments under Schedules (A.) and (B.) to continue in force for subsequent Years.

XLV. The Assessments to be made for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-three of the Duties chargeable under the respective Schedules (A.) and (B.) of this Act shall be and remain in force, and the several Sums charged and assessed therein shall be collected and levied also, for the Second Year for which the same Duties are by this Act granted, without altering the Names of the Parties charged, notwithstanding any Change in the Occupation of the Premises in respect of which any such Assessment may be made; and the same Assessments reduced and abated in proportion to the reduced Duties which will then be chargeable under this Act shall in like Manner be collected and levied for the Third and Fourth Years respectively; and in like Manner also the Assessments to be made of the said Duties for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-seven shall be and remain in force, and the several Sums charged and assessed therein for the said last-mentioned Year shall also be collected and levied, for each and every remaining Year of the Period for which the said Duties are by this Act granted: Provided always, that the Continuance of any such Assessment for the Second or any subsequent Year shall be subject to the Conditions, Rules, and Regulations in that Behalf contained in Section Eighty-seven of the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in relation to the Continuance of Assessments made under that Act.

Extending to Tenant Farmers the Relief granted by 13 & 14 Vict. c. 12. s. 3.

XLVI. The Relief granted by the Third Section of the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Twelve, to Persons occupying Lands for the Purposes of Husbandry only, and obtaining their Livelihood principally from Husbandry, shall be extended and granted to every Person occupying Lands as Tenant thereof for the Purposes of Husbandry only, although he may not obtain his Livelihood principally from Husbandry, as well as to every Person occupying Lands for the Purposes aforesaid, being the Owner thereof, and obtaining his Livelihood principally as aforesaid.

Appellants may require Commissioners to appoint a Valuer to value Lands.

XLVII. 'Whereas by the Eighty-first Section of the said Act of the Fifth and Sixth Years of Her 'Majesty, Chapter Thirty-five, if upon Appeal any Dispute shall arise touching the annual Value of any 'Lands, Tenements, or Hereditaments, the Commissioners are authorized, if they deem it necessary, to 'direct that a Valuation thereof shall be taken and made by a Person of Skill to be named by the said 'Commissioners:' It shall be lawful for the Appellant, as well as the said Commissioners, upon any such Appeal, to require that such Valuation as aforesaid shall be made, and the said Commissioners, on being required so to do by the Appellant, as well as in Cases where they may deem it necessary, shall name a Person of Skill to make such Valuation; and upon such Valuation being verified on the Oath of the Person making the same, the Assessment shall be made according thereto.

Duty on Professions to be charged on an Average of Profits of Three Years.

XLVIII. The Duty to be charged under Schedule (D.) in respect of Professions, Employments, or Vocations not contained in any other Schedule of this Act shall be computed on a Sum not less than the full Amount of the Balance of the Profits, Gains, and Emoluments of such Professions, Employments, or Vocations upon a fair and just Average of Three Years, instead of the Amount of such Profits, Gains, and Emoluments within the preceding Year, as directed by the Rules of Schedule (D.) in the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, but subject in all other respects to the said last-mentioned Rules.

Friendly Societies legally established entitled to Exemption under Schedules (C.) and (D.)

XLIX. Any Friendly Society legally established under any Act of Parliament relating to Friendly Societies, and which does not assure or grant to any Individual any Sum or Annuity to an Amount which would debar such Society from the Benefit of the Exemption granted to Friendly Societies by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, in respect of their Stocks, Dividends, and Interest chargeable under Schedule (C.) of the said Act, shall be entitled to Exemption under this Act, as well in respect of all their Interest and other Profits and Gains chargeable under Schedule (D.) as in respect of their Stocks, Dividends, and Interest chargeable under Schedule (C.) of this Act.

In estimating Profits under Schedule (D.) doubtful Debts to be valued.

L. In ascertaining, estimating, or assessing the Profits of any Person chargeable under Schedule (D.) of this Act, either upon Appeal or otherwise, it shall be lawful to estimate the Value of all doubtful Debts due or owing to such Person; and in the Case of the Bankruptcy or Insolvency of the Debtor, the Amount of the Dividend which may reasonably be expected to be received on any such Debt shall be deemed to be the Value thereof, and the Duty chargeable under the said Schedule shall be assessed and charged upon the estimated Value of all such doubtful Debts accordingly.

Expenses necessarily incurred in re-

LI. In assessing the Duty chargeable under Schedule (E.) of this Act in respect of any public Office or Employment where the Person exercising the same is necessarily obliged to incur and defray out of the

spect of a public Office to be deducted from the Amount to be assessed.

the Salary, Fees, or Emoluments of such Office or Employment the Expenses of travelling in the Performance of the Duties thereof, or of keeping and maintaining a Horse to enable him to perform the same, or otherwise to lay out and expend Money wholly, exclusively, and necessarily in the Performance of the Duties of his Office or Employment, it shall be lawful to deduct from the Amount of the said Salary, Fees, and Emoluments to be assessed under this Act the Amount of all such Expenses and Disbursements necessarily incurred and defrayed in manner aforesaid.

Abatement to Clergymen for Expenses incurred in the Performance of their Duties.

LII. In assessing the Duty chargeable under any Schedule of this Act upon any Clergyman or Minister of any Religious Denomination in respect of any Profits, Fees, or Emoluments of his Profession or Vocation, it shall be lawful to deduct from such Profits, Fees, or Emoluments any Sum or Sums of Money paid or Expenses incurred by him wholly, exclusively, and necessarily in the Performance of his Duty or Function as such Clergyman or Minister; and if such Sum or Sums or Expenses shall not have been deducted as aforesaid, then a proportionate Part of the Duty charged and paid by such Clergyman or Minister shall, on due Proof to the Commissioners of such Sum or Sums having been expended as aforesaid, be repaid to such Clergyman or Minister.

Public Officers becoming entitled to increased Salaries, &c. to be charged by supplemental Assessment.

LIII. Where any Person who shall hold or exercise any public Office or Employment of Profit shall at any Time or Times during or for or in respect of any Year of Assessment become entitled to any additional Salary, Fees, or Emoluments beyond the Amount for which any Assessment may have been made upon him, or beyond the Amount for which at the Commencement of such Year he may have been liable to be assessed, an additional or supplemental Assessment shall from Time to Time, as often as the Case shall require, be made upon such Person for such additional Salary, Fees, or Emoluments, so that he shall be assessed and charged for the full Amount of the whole of the Salary, Fees, and Emoluments which he shall receive or become entitled to at any Time, and from Time to Time during or for or in respect of the said Year of Assessment.

Persons who have made Insurance or contracted for a Deferred Annuity on the Lives of themselves or Wives to be allowed an Abatement of Duty in respect of the annual Premiums made.

LIV. Any Person who shall have made Insurance on his Life or on the Life of his Wife, or shall have contracted for any Deferred Annuity on his own Life or on the Life of his Wife, in or with any Insurance Company which shall become registered under any Act to be passed in the present Session of Parliament for that Purpose, and which shall comply with the Requirements of such Act, and any Person who shall under any Act of Parliament be liable to the Payment of an annual Sum, or to have an annual Sum deducted from his Salary or Stipend, in order to secure a Deferred Annuity to his Widow or a Provision to his Children after his Death, shall be entitled to deduct the Amount of the annual Premium paid by him for such Insurance or Contract, or the annual Sum paid by him or deducted from his Salary or Stipend as aforesaid, from any Profits or Gains in respect of which he shall be liable to be assessed under either of the Schedules (D.) or (E.) of this Act, or to have any Assessment which may be made upon him under either of the said Schedules reduced or abated by the Deduction of the Amount of the said annual Premium from the Amount of the Profits or Gains on which such Assessment has been made; or if such Person shall be assessed to Duties under any of the Schedules contained in this Act, and shall have paid such Assessment, or shall have paid or been charged with any of the said Duties by Deduction or otherwise, such Person, on Claim made to the Commissioners for Special Purposes, and on Production to them of the Receipt for such annual Payment, and on Proof of the Facts to the Satisfaction of the said Commissioners, shall be entitled to have repaid to him such Proportion of the said Duties paid by such Person as the Amount of the said annual Premium bears to the whole Amount of his Profits and Gains on which he shall be chargeable under all or any of the Schedules of this Act: Provided always, that no such Abatement, Allowance, or Repayment as aforesaid shall be made in respect of any such annual Premium beyond One Sixth Part of the whole Amount of the Profits and Gains of such Person so chargeable as aforesaid, nor shall any such Deduction or Abatement entitle any such Person to claim total Exemption or any Relief from Duty on the Ground of his Profits and Gains being thereby reduced below One hundred or One hundred and fifty Pounds, as the Case may be.

Persons who have removed before appealing may be allowed Appeal in the District to which they have removed.

LV. Where any Person assessed or charged to any of the Duties under this Act shall have removed from the District within which the Assessment or Charge upon him was made without having appealed against such Assessment or Charge in such District, it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, on the Application of such Person, to authorize and empower the Commissioners of the District to which such Person shall have removed as aforesaid to hear and determine his Appeal against such Assessment or Charge, and in every such Case the said last-mentioned Commissioners shall have full Power and Authority and they are hereby required to hear and determine such Appeal accordingly, and any Sum or Sums from which such Person may not be relieved on such Appeal shall be recovered and levied in the same Manner as if such Appeal had been heard and determined by the Commissioners of the District in which such Assessment or Charge was made.

Penalty for inducing Persons to make false Returns.

LVI. If any Person shall knowingly and wilfully aid, abet, or assist, or incite or induce, any other Person to make or deliver any false or fraudulent Account, Statement, or Declaration of or concerning any Profits or Gains chargeable under this Act, or of the yearly Rent or Value of any Lands, Tenements, or Hereditaments, or of any Matters or Things affecting such Rent or Value, such Person so offending shall for every such Offence forfeit the Sum of Fifty Pounds.

Allowances to Clerks to Commissioners.

LVII. In lieu of the Allowances by the said Act of the Fifth and Sixth Years of Her present Majesty directed to be granted to the Clerk of the respective Commissioners for the due Performance of the Duties of his Office, there shall be granted the following Allowances respectively; (that is to say,) the Clerk of the respective Commissioners who shall duly perform the Duties of his Office within the respective Times limited by Law in that Behalf, and shall have borne and sustained the incidental Expenses mentioned

mentioned in the said Act, shall, by Warrant under the Hands of the said Commissioners, have and receive from the respective Officers for Receipt Twopence in the Pound on the net Amount of the Sums assessed and charged in the Duplicates of Assessment, after all Appeals heard and determined, and all just Reductions, Abatements, and Discharges made from such Assessments and Duplicates respectively; and the Clerk who shall not have borne and sustained such incidental Expenses shall by like Warrant have and receive One Penny in the Pound of such net Amount of the Sums assessed and charged as aforesaid, after all such Reductions, Abatements, and Discharges as aforesaid, provided he shall have duly performed the Duties of his Office in the Manner mentioned in the said Act, and not otherwise: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury to cause such further Allowance to be made to such Clerk as aforesaid who shall have faithfully performed his Duty under this Act, and shall have borne and sustained such incidental Expenses as aforesaid, of any Sum not exceeding One Penny in the Pound on the Amount of such Part of the gross Assessment as shall have been discharged on Occasion of Claims for Exemption or Abatement made or allowed under this Act on the Ground of Income being below One hundred and fifty Pounds and One hundred Pounds a Year respectively, as the said last-mentioned Commissioners shall, on Consideration of the Extent and Population of the District and the Number of such Claims, think proper to direct; and the Certificate of the Commissioners of Inland Revenue shall be an Authority to the Officers for Receipt respectively to pay such further Allowance.

Remuneration to Collectors in Ireland.

LVIII. The several Collectors of the Duties granted by this Act in *Ireland* shall have and receive such Rate of Poundage on the Money of the said Duties which they shall respectively collect and pay to the proper Officer for Receipt, or such other reasonable Remuneration for their Services, Pains, and Labour respectively in executing this Act, as the Commissioners of Her Majesty's Treasury shall by any Warrant from Time to Time order and direct in that Behalf.

Commencement and Continuance of Act.

LIX. This Act shall commence and take effect from and after the Fifth Day of *April* One thousand eight hundred and fifty-three, and together with the Duties therein contained shall continue in force until the Sixth Day of *April* One thousand eight hundred and sixty, and no longer: Provided always, that this Act and the said Duties shall not then cease with respect to any Assessment which ought to have been made before the said last-mentioned Day, but which shall not then have been made and completed, nor with respect to any of the said Duties which shall have been assessed and shall then remain unpaid, nor with respect to any Penalty before then incurred, nor with respect to any Deduction of the said Duties or any Portion thereof authorized by Law to be made out of any Rent, Interest, or other annual Payment which shall become due or payable before the said last-mentioned Day, nor with respect to any Penalty for refusing to allow any such Deduction, although such Refusal may be after the said last-mentioned Day, nor shall the said Duties cease in any Case where the Assessments for the preceding Year shall not have been completed before the said Sixth Day of *April* One thousand eight hundred and sixty, but all the Powers and Provisions of this Act shall continue in force for making and completing all such Assessments as aforesaid, and for levying and recovering the Duties so assessed or to be assessed, and all Arrears of such Duties, and also for re-assessing the same in default of Payment in the Manner herein directed, and for making and allowing such Deduction as aforesaid, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred.

CAP. XXXV.

An Act to make Provision concerning the future Regulation of certain Appointments connected with Cathedral and Collegiate Churches, and concerning certain of the Estates of the Deans and Chapters of *York* and *Carlisle*. [8th *July* 1853.]

'WHEREAS Her Majesty was pleased to issue, on the Tenth Day of *November* One thousand eight hundred and fifty-two, Her Commission to certain Persons therein named to inquire into the State and Condition of the several Cathedral and Collegiate Churches in *England* and *Wales*, and into the Duties of the Members and Ministers thereof, and other Matters connected therewith, with a view to the Suggestion of such Measures as (regard being had to the Purposes for which such Cathedral and Collegiate Churches were originally founded) may render the same more efficient and useful in promoting and extending the Means of Public Worship and Religious Education, and in enforcing Ecclesiastical Discipline, in the several Dioceses in which they are situate, and also (where Occasion may seem to require) with a view to the Suggestion of such Measures as may make the said Cathedral and Collegiate Churches, and the Revenues thereof, available in aid of the Erection of new Sees, or of other Arrangements for the Discharge of Episcopal Duties: And whereas it is expedient that the Suggestion and Adoption of the Measures contemplated by the said Commission should not be interfered with by reason of Interests becoming vested under such Appointments as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointments to Preferments in Cathedral Churches, &c. upon Vacan-

I. Every Person who may be appointed to any Preferment or Office in or connected with any Cathedral or Collegiate Church in *England* or *Wales* upon any Vacancy which has happened since the Third Day of *March* One thousand eight hundred and fifty-three, or which may happen before the First Day of *January* One thousand eight hundred and fifty-five, shall be deemed to have taken and shall hold

cies between 3d March 1853 and 1st. Jan. 1855 not to give Title to Compensation in case of Abolition, &c.

hold such Preferment or Office subject to such Regulations affecting the same as may hereafter be made by Authority of Parliament, or by any lawful Authority by which in case such Vacancy had continued such Preferment or Office might have been regulated; and no such Person shall by reason of such Appointment be deemed to have acquired any Title or Claim to Compensation in case such Preferment or Office be hereafter regulated or altered.

To what Dignities, &c. this Act to extend.

II. This Act shall extend to every Nomination, Collation, Presentation, Election, Donation, and other Appointment whatsoever made or to be made (upon any such Vacancy as aforesaid) to any Deanery, or to any Canonry or other Dignity or Office in or connected with the Chapter of any Cathedral or Collegiate Church in *England* or *Wales*, or to any Office, Preferment, or Employment in any minor Corporation in any such Cathedral or Collegiate Church, or to any other Office or Employment in any such Cathedral or Collegiate Church, or to any Benefice (with or without Cure of Souls) in the Patronage or Gift of any such Dean, Chapter, or minor Corporation, or of any Member of any such Chapter or minor Corporation, to which any Dean, Canon, or other Officer in any Cathedral or Collegiate Church may be presented, or to any Office or Employment in the Patronage or Gift of any such Dean, Chapter, or minor Corporation, or of any Member of any such Chapter or minor Corporation, or to any Mastership, Wardenship, or other Office or Employment in or connected with any School, Hospital, or eleemosinary Foundation in the Gift of any such Dean, Chapter, or minor Corporation, or of any Member of any such Chapter or minor Corporation; and this Act shall also extend to any Appropriation made or to be made upon or in consequence of any Vacancy after the said Third Day of *March* One thousand eight hundred and fifty-three of any Residentiary House to any Canon or other Person.

Saving Rights of the present Regius Professor of Ecclesiastical History in Oxford in the Canonry annexed to his Professorship and others.

III. Provided always, That nothing in the Act shall affect the Rights of the Reverend *Robert Hussey*, Bachelor of Divinity, Regius Professor of Ecclesiastical History in the University of *Oxford*, to and in respect of the Canonry in the Cathedral Church of *Christ* in *Oxford* annexed to his Professorship by the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and thirteen, and to which, under such Act and the Mandamus of Her Majesty in pursuance thereof, he is entitled to succeed on the next Vacancy of such Canonry, or the Rights of any other Person to or in respect of any Preferment or Office to which, on or before the Third Day of *March* One thousand eight hundred and fifty-three, he was by Law entitled to succeed on the then next Vacancy thereof: Provided also, that nothing herein contained shall affect the Rights of the Reverend *William Hepworth Thompson*, Fellow of *Trinity College, Cambridge*, Regius Professor of Greek elect in the University of *Cambridge*, to or in respect of the Canonry in the Cathedral Church of *Ely* annexed to his Professorship by the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and thirteen.

Transfers of Estates, &c. of the Chapters of York and Carlisle, appointed by Orders in Council dated 18th August 1852 and 10th Nov. 1852, not to take effect till 1st January 1855.

IV. 'And whereas by an Order in Council approving a Scheme of the Ecclesiastical Commissioners, 'and bearing Date the Eighteenth Day of *August* One thousand eight hundred and fifty-two, the Real 'Estates of the Dean and Chapter of *York* in the Schedule to the said Order described, and certain 'Personal Estate in the said Order described or referred to, were transferred to the said Ecclesiastical 'Commissioners in consideration of a fixed permanent Annuity of Four thousand four hundred and ten 'Pounds, to be paid by the said Commissioners to the said Dean and Chapter and their Successors; 'and it was by the said Scheme and Order provided, that none of the Monies or Estates to be received 'or acquired under the Provisions of the said Scheme should be applicable to the Purposes of the 'Common Fund of the said Commissioners, except only so far as it might be necessary to reimburse 'such Fund any Advances made thereout under the Provisions of the said Scheme, until or unless, by 'and under the like Authority, the said Dean and Chapter should have been put into possession 'in Fee Simple of Real Estates sufficient to secure to them the above-mentioned Income, clear of all 'Charges and Outgoings, as therein mentioned: And whereas by an Order in Council approving a 'Scheme of the said Ecclesiastical Commissioners, and bearing Date the Tenth Day of *November* One 'thousand eight hundred and fifty-two, divers Manors, Lands, Tithes, Tenements, and Hereditaments, 'and also certain Sums of Stock or Cash belonging to the Dean and Chapter of *Carlisle*, in the said 'Scheme and Order referred to, and more particularly described in certain Schedules thereto annexed, 'were transferred to the said Ecclesiastical Commissioners in consideration, amongst other Considera- 'tions, of a permanent Annuity of Five thousand nine hundred Pounds, to be paid by the said Com- 'missioners to the said Dean and Chapter and their Successors; and it was by the said last-mentioned 'Scheme and Order provided that none of the Monies or Estates to be received or acquired under 'the Provisions thereof should be applicable to the Purposes of the said Common Fund, except only 'so far as it might be necessary to reimburse such Fund any Advances made thereout under the 'Provisions of the said Scheme, until or unless by and under the like Authority the said Dean and 'Chapter should have been put into possession in Fee Simple of Real Estates within the Counties 'of *Cumberland, Westmoreland*, or *Northumberland*, any or either of them, sufficient to secure to 'the said Dean and Chapter a clear annual Income (after deducting Rates, Taxes, and other Out- 'goings, including Costs of Management,) of Five thousand nine hundred Pounds, or such other Sum 'as at the Date of such Transfer should, by the Decision of Arbitrators to be appointed in the usual 'Way, be equivalent to the Sum of Five thousand nine hundred Pounds at the then present Time, 'subject however as well to the Charges and Outgoings mentioned in the Schedule to the said Order 'marked C. as to all other Capitular Liabilities; And whereas it is expedient that none of the said 'Monies or Estates transferred by the said respective Orders or either of them, except as aforesaid, 'should be applicable to the Purposes of the said Common Fund until the said Commissioners acting

'under

'under the said Commission of the Tenth Day of *November* One thousand eight hundred and fifty-two 'should have had sufficient Time to report their Opinion on the Matters referred to them:' Be it therefore enacted, That, notwithstanding anything in the said Orders in Council contained, none of the said Monies or Estates so transferred as aforesaid, nor any Monies or Estates accruing from similar Commutations with any other Chapters, shall, except as in the said Orders and herein-before is respectively excepted, be applied to the Purposes of the said Common Fund by the said Ecclesiastical Commissioners previous to the First Day of *January* which will be in the Year of our Lord One thousand eight hundred and fifty-five.

CAP. XXXVI.

An Act for disafforesting the Forest of *Whichwood*. [8th *July* 1853.]

'WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her 'Heirs and Successors, of and in *Whichwood Forest* in the County of *Oxford*, and of and in the 'Soil thereof, and the Timber and other Trees, Bushes, and Underwood standing and growing thereon: 'And whereas the said Forest, together with certain detached Lands appendant or appurtenant thereto 'and herein-after more particularly mentioned, is computed to contain in the whole Three thousand seven 'hundred and thirty-five Acres or thereabouts, of which One thousand eight hundred and forty-one 'Acres or thereabouts are used as Coppice Land, and planted with Coppices, and One thousand seven 'hundred and forty-one Acres or thereabouts consist of open Ridings, Plains, Woods, and Waste Lands, 'One hundred and twenty-seven Acres Two Roods and Ten Perches or thereabouts consist of Two principal Lodges called the *Ranger's Lodge* and *South Lawn Lodge*, and Three inferior Lodges for Keepers, 'with the Lawns and other Lands inclosed therewith, and the remaining Part of the said Forest consists 'of certain detached Lands situate at *Shipton Ascot* and *Shorthampton*, containing in the whole Twenty-'five Acres Two Roods and Thirty-seven Perches or thereabouts: And whereas there are adjacent or near 'to the said Forest several Coppices and other Lands known as Purlieus thereof; And whereas Her 'Majesty claims to be entitled to the Forestal Right of Herbage and Feed for Her Deer, as well over 'the said Purlieus as over the said Forest; but the Owners of the said Purlieus allege the same to be 'free under the Provisions of various Acts of Parliament, and especially of an Act passed in the 'Sixteenth Year of King *Charles* the First, Chapter Sixteen: And whereas the said Owners claim to be 'entitled to Allowances of Venison in return for the Deer Feed over the said Purlieus or some of them; 'And whereas the said Purlieus as well as the said Forest are subject to divers Rights of Common, 'Sheepwalks, and other Rights and Interests: And whereas with respect to the said Coppices, as well 'within the said Purlieus as within the said Forest, the Custom has been to cut them at stated Periods, 'and after each Cutting to inclose them for Eight Years, and then to throw them open for the Deer and 'commonable Cattle until the next Cutting: And whereas the Right Honourable Lord *Churchill* is or 'claims to be entitled to the Offices of Ranger, Launder, and Four Bailiffs, under and by virtue of a Grant 'thereof made by His late Majesty King *Charles* the Second, in the Thirteenth Year of His Reign, and 'all Rights, Emoluments, and Privileges conveyed or intended to be conveyed by the said Grant: And 'whereas the said Lord *Churchill* and his Predecessors in the said Offices, and the Keepers of the said 'Forest for the Time being, have enjoyed the Use of the said several Lodges herein-before mentioned, 'with the said Lawns and other Lands herein-before mentioned inclosed therewith, and the said detached 'Lands at *Shipton Ascot* and *Shorthampton* held therewith, and the said Lord *Churchill* and his Predecessors in the said Offices have also received as the Emoluments of the said Offices certain annual 'Payments from Her Majesty's Treasury, or out of the Rents payable to Her Majesty on Leases of the 'said several Coppices within the said Forest, and have also been accustomed to appoint not exceeding 'Five Keepers for the said Forest, whose Salaries are paid by the said Ranger for the Time being: And 'whereas the said Forest might be made much more valuable and productive if it were disafforested, and 'the Deer removed therefrom: And whereas the Continuance of the said Forest in its present State is 'injurious to the Neighbourhood thereof, and the Disafforestation thereof would be conducive to the 'Well-being of the said Neighbourhood: And whereas Her Majesty has been graciously pleased to 'signify Her Assent that the said Forest of *Whichwood* should be disafforested, and the Royal Deer 'therein removed or destroyed, with all convenient Speed, and that the Officers of Her Majesty of and 'for the said Forest should be discharged, and that such Allotment should be made to Her Majesty, in 'respect of Her Forestal and other Estate, Rights, and Interests, except Rights of Common (if any) as a 'Proprietor of Lands entitled to such Rights of Common, in and over and in respect of the said Forest 'of *Whichwood*, and in respect of all Her Rights (if any) over the said Purlieus thereof, as is herein-'after provided, and that such Allotment and Compensation should be made to the said Lord *Churchill* 'and the other Officers of the said Forest, and that such Allotment or Allotments out of the said Forest 'should be made for the exclusive Common and Pasturage of the several Persons, Parishes, and Hamlets 'entitled to Rights of Common or Sheepwalks over the said Forest or Part thereof, and that such Allot-'ment or Compensation should be made for any other Rights to which any Person or Persons are or 'may be entitled in, over, or in respect of the said Forest, as is herein-after provided:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Commissioners to be appointed for the Purposes of the Act: One by the Treasury, One by the Inclosure Commissioners, and the Third by the Chief Justice of the Court of Queen's Bench.

I. The Provisions of this Act (subject to the Provision herein-after contained with respect to the said Lord *Churchill*) shall be carried into execution by Three Commissioners, of whom One shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and so often as any Vacancy shall occur by Death, Resignation, or Incapacity, a new Commissioner shall be appointed in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners so appointed shall for the Time being be the Commissioners for carrying this Act into execution, herein-after designated as "the Commissioners of this Act;" and all Acts and Powers to be performed by or given to the Commissioners of this Act, under the Provisions herein contained, may be performed or exercised by any Two of such Commissioners.

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

II. Every Commissioner shall, before he enter upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I do solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the Powers and Duties of a Commissioner under an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

Commissioners may appoint a Clerk, and employ Land Surveyors, &c.

III. It shall be lawful for the Commissioners of this Act from Time to Time to appoint a Clerk, and, if they shall think fit, to remove such Clerk, and on any Vacancy to appoint another Clerk, and also to employ from Time to Time One or more Land Surveyors and Valuers, in such Manner as they shall think necessary.

Land Surveyor to make and subscribe Declaration before entering upon Execution of Office.

IV. And every Land Surveyor and Valuer so to be appointed shall, before entering upon the Duties of his Office, make and subscribe before the Commissioners of this Act, or before One of such Commissioners (who are hereby severally authorized to administer or receive the same), the Declaration following:

'I *A. B.* do solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

Commissioners of Woods, out of the Land Revenues, to pay the Commissioners and their Clerk, and their Expenses incurred in the Performance of their Duties.

V. The Commissioners of Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, subject to Repayment as herein-after mentioned, pay and allow to the Commissioners of this Act such Sum not exceeding the Sum of One thousand Pounds as shall be thought sufficient, and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be finally determined by the Commissioners of Her Majesty's Treasury), and to the Clerk of the Commissioners of this Act for the Time being such Salary not exceeding Two hundred Pounds a Year as shall be considered sufficient, and also shall allow to the Commissioners of this Act, and Clerk, all Costs and Expenses of employing such One or more Land Surveyors and Valuers as aforesaid, and all other reasonable Expenses incurred by them in the Performance of their Duties under this Act.

Commissioners to ascertain the Boundaries of the Forest.

VI. The Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest and Purlieus, and to determine all Claims relating thereto, and for the Purpose of determining the said Boundaries shall or may make use of any existing Maps, Plans, or Surveys, at their Discretion; and the Boundaries, as ascertained by the Commissioners of this Act, shall be held to be the true Boundaries of the said Forest and Purlieus for all the Purposes of this Act.

Commissioners to set out and award Common Fields for Common of Pasture and Sheepwalks.

VII. The Commissioners of this Act, so soon as they shall have ascertained the aforesaid Boundaries, shall proceed to ascertain how much of the said Forest ought to be set apart for the exclusive Pasturage of the commonable Cattle and Sheep of all Persons having Rights of Common of Pasture and Sheepwalks respectively over the said Forest, and shall by their Award allot and set out, as and for Common Fields, so much of the Lands of the said Forest as they shall find sufficient to afford an adequate Compensation for such Rights of Common and Sheepwalks as aforesaid, and out of the said Common Fields, when the same have been so ascertained and allotted as aforesaid, shall set out and appropriate such Portion or Portions thereof as they shall think fit as and for Sheepwalks, and shall allot distinct Sheepwalks and Commons for different Parishes, Districts, or Places now having such Rights of Common or Sheepwalk as aforesaid, and, subject to such Rights of Common and Sheepwalks, the said Common Fields shall be allotted to and vested in the said Lord *Churchill* as his Soil and Freehold, and as Part of the Allotment and Compensation herein-after directed to be made to him, and when such distinct Sheepwalks and Commons shall be so allotted as aforesaid all Right of Intercommonage over the same shall cease.

On the making of the Award the Forest to be disafforested.

VIII. On the making of such Award as herein directed the said Forest shall be for ever disafforested, and the Right of Her Majesty to Herbage and Feed for Deer, and all other the Forestal Rights of Her Majesty in or over the Parts of the said Forest so to be allotted for such Common Fields and Sheepwalks aforesaid,

aforesaid, shall absolutely cease, except as to Her Rights (if any) as Owner of Lands entitled to Rights of Common over the said Forest.

Commissioners, within Two Years from passing of Act, to remove Deer;

IX. The Commissioners of Woods, or other the proper Officer or Officers of Her Majesty of or for the said Forest, shall with all convenient Speed, and within Two Years from the passing of this Act, under the Direction of Her Majesty, Her Heirs or Successors, remove or destroy, or cause to be removed or destroyed, all the Deer within the said Forest, and apply and dispose of the same as Her Majesty, Her Heirs or Successors, shall direct.

and within Two Years from making of the Award, to cut down and sell Timber, &c. from Common Fields.

X. It shall be lawful for the Commissioners of Woods, on behalf of Her Majesty, with all convenient Speed, and within Two Years from the making of such Award, to cut down, sell, and remove, or cause to be cut down, sold, and removed, from the said Common Fields, and from such Portion of the said Forest as may be sold by the Commissioners of this Act for the Purposes herein-after mentioned, all such Timber and other Trees, Bushes, and Underwood growing thereon as they shall think fit: Provided always, that it shall be lawful for the Commissioners of Woods to agree with the said Lord *Churchill*, upon such Terms as they shall think fit, for allowing any of such Timber and other Trees to remain on the said Common Fields for Ornament and Shelter.

In allotting Common Fields, Advantages derived from Extinction of Forestal Rights to be considered.

XI. The Commissioners of this Act, in ascertaining the Extent proper to be allotted as such Common Fields as aforesaid, shall take into consideration the Advantage which will be derived by the Commoners aforesaid from the Extinction of Her Majesty's Forestal Rights, and the Rights of the Officers of the said Forest, and from the Removal of the said Deer.

In ascertaining Extent of Common Fields, Her Majesty to be considered as representing Rights of Ranger and Forest Officers.

XII. For the Purpose of such Allotment as aforesaid as between Her Majesty and the Commoners, Her Majesty shall be considered as having and representing all the Rights and Privileges of the said Lord *Churchill* and of all other the Officers of the said Forest, and of all Persons entitled to Rights and Privileges (other than Rights of Common) over the said Forest by this Act directed to be extinguished and destroyed, which Rights and Privileges shall be taken into consideration by the Commissioners of this Act, in the same Manner as if the same had been vested in possession in and in the actual Enjoyment of Her Majesty, and all such Rights and Privileges, as well as all other the Rights and Privileges of Her Majesty, shall be taken into consideration by the said Commissioners in ascertaining the Extent of such Common Fields, and so that the Residue of such Forest to be allotted to Her Majesty shall be a just and fair Compensation and Equivalent for and for the Extinguishment of such Rights and Privileges.

Her Majesty, and all Owners of existing Rights of Sheepwalk, &c. to have same Rights over the Part allotted as Common Fields, and for Sheepwalks.

XIII. And with respect to the Parts so to be allotted as and for Common Fields and Sheepwalks, Her Majesty, Her Heirs and Successors, and all other Persons the Owners of Lands in respect of which Rights of Sheepwalk now exist in and over the existing Sheepwalks, their Tenants and Occupiers, shall respectively have the like Rights in and over the Sheepwalks so to be set out as aforesaid in respect of such Lands respectively, and Her Majesty, Her Heirs and Successors, and all other Persons the Owners of Lands in respect of which Rights of Common of Pasture other than Deer Feed now exist in and over the said Forest, their Tenants and Occupiers, shall respectively have the like Right of Common of Pasture over the said Common Fields set out in respect of such Lands respectively, and the said Common Fields and Sheepwalks so to be allotted as aforesaid shall be freed and discharged from all Rights of Herbage and Feed for Deer, and from all other the Forestal Rights of Her Majesty, and from all Rights of the Officers of the said Forest.

After Disafforestation the Forest to be a Parish.

XIV. The said Forest, after the Disafforestation thereof, shall be a Parish, and called and known by the Name of *Whichwood* Parish, and shall have Parish Officers, and maintain its Poor and Roads, and do and provide all such other Things as by the Laws of *England* Parishes are bound to do and provide.

Allotment for a Site for a Church, &c.

XV. The Commissioners of this Act shall allot such Land, Part of the said Forest, as they shall think fit, not exceeding Ten Acres, for a Site for a Church, and Burial Ground to be annexed thereto, and for a Parsonage House and Garden for the Incumbent thereof, and also for a School and Playground.

Parish to be a Perpetual Curacy.

XVI. The said Parish shall be a Perpetual Curacy in the Gift of the Bishop of *Oxford*, and shall for Ecclesiastical Purposes be within the See of *Oxford*, and in all respects subject to the same Ecclesiastical Jurisdiction as other Parishes within the same See are or shall or may be subject, and the Church thereof, when erected, shall be to all Intents a Parish Church.

Commissioners to set out and allot Roads.

XVII. The Commissioners of this Act shall set out and allot such Roads and Ways through and over the said Forest and the Purlieus thereof, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as they shall think fit, and they shall, if they shall think fit, agree to make Compensation to such Owners or Owner for making any such Roads or Ways, Road or Way, over such adjoining Lands; and such Roads and Ways shall be public Highways, and kept and maintained as such, and after setting out the same all other existing Roads or Ways over the Forest or Purlieus shall be shut up and discontinued.

New Roads to be made, and Expense to be defrayed by Sale of Land.

XVIII. The Commissioners of this Act shall cause the said new Roads to be made and fenced, and shall, for the Purpose of defraying the Expense thereof, and also for the Purpose of making such Compensation (if any) as they shall agree to give to any such Owners or Owner of the adjoining inclosed Lands as aforesaid, sell so much of the said Forest as they shall find necessary for those Purposes, for which Purposes their Conveyance shall vest an indefeasible Estate of Inheritance in the Purchaser or Purchasers, and their Receipt shall be a sufficient Discharge for the Purchase Monies.

Allotments out of Residue to Ranger in

XIX. And with respect to the Residue of the said Forest, and the said detached Lands at *Shipton Ascot* and *Shorthampton*, the Commissioners of this Act shall by their Award allot thereout to the said Lord

respect of his Rights.

Lord *Churchill* the Lodge called the *Ranger's Lodge*, with the Lawns and cultivated Lands inclosed therewith, and the Appurtenances and the said detached Lands, together with so much of the Land of the said Forest adjoining or near thereto, or to *Cornbury Park*, as shall in their Judgment be, together with the Soil and Freehold of the said Common Fields, a sufficient Compensation for the Emoluments and Privileges of his said Offices, and for all the Rights and Interests which he acquired under or by virtue of the said Grant of His late Majesty *Charles* the Second, which said Lodge, with the Appurtenances, and the said Lawns and cultivated Lands, and the said last-mentioned Allotments, shall thereupon become and be the absolute and exclusive Property of the said Lord *Churchill* and his Heirs, and shall be held and enjoyed freed and for ever discharged from all Rights and Claims of Her Majesty, Her Heirs and Successors, and of all other Persons whomsoever, in or over the same; and in ascertaining the Extent of the Allotment so to be made to the said Lord *Churchill*, the Commissioners of this Act shall take into consideration the Value of the Timber and other Trees, Bushes, and Underwood left thereon, and on the said Lodge, Lawns, and cultivated Lands, as well as the Extinction of Her Majesty's Forestal and other Rights in and over the same; and the said Allotment of the said Lodge, with the said Lawns and cultivated Lands, and the said detached Lands, together with such Portion of the said Forest as aforesaid, and the said Soil and Freehold of the said Common Fields as aforesaid, shall be taken and be in full Discharge and Compensation of and for all Rights of the said Lord *Churchill* in or in respect of the said Forest or any Forestal Office whatsoever: Provided always, that nothing herein-before contained shall preclude the said Lord *Churchill* from claiming Compensation for the Loss of his Wall Acre within the said Forest, or for the Loss of Composition Venison in respect of his Purlieu Coppices; but the Commissioners of this Act shall determine upon the said last-mentioned Claims, and shall make such further Allotment (if any) to the said Lord *Churchill* in respect thereof as they shall think fit: Provided also, that nothing herein-before contained shall affect the Rights of the said Lord *Churchill* or his Heirs to Common of Pasture and Sheepwalks upon or over the said Common Fields when so allotted and set out as herein-before directed.

Lord Churchill or any other Proprietor may charge Allotments towards Expense of fencing, &c.

XX. It shall be lawful for the said Lord *Churchill*, or for any other Person who may be or become a Proprietor of any Allotment or Allotments to be made by virtue of this Act, being Tenant for Life or in Tail or for any other Estate of Freehold or Inheritance (with the Consent of the Commissioners of this Act testified in Writing under their Hands and Seals), from Time to Time to charge as well such Allotment or Allotments as also any other Lands now being Parcel of the said Forest to which the said Lord *Churchill* or any such other Person as aforesaid may become entitled by Purchase or Exchange for any such Estate as aforesaid with any Money not exceeding Five Pounds *per* Acre, towards the Expenses of fencing and sub-dividing such Allotment or Allotments and other Lands, and for securing the Repayment of such Money, with Interest, to mortgage or demise the said Allotment or Allotments and other Lands unto or in trust for any Person who shall advance such Money for any Term of Years, but so that every such Mortgage or Demise be made with a Condition to cease and be void, or with an express Trust to be surrendered or re-assigned, when the Money thereby to be secured, with all Interest thereon, shall have been fully paid and satisfied, and so that in every such Mortgage or Demise which shall be made by any Person entitled for Life there be contained a Covenant to pay and keep down the Interest of the Money to be secured during his Life, in such Manner that no Person afterwards becoming possessed of such Lands shall be subject or liable to pay any larger Arrears of Interest than for Six Months previous to the Time when the Title of such Person shall accrue or commence; and every such Mortgage or Demise shall be valid in the Law for the Purposes thereby intended; and every such Mortgagee and his Assigns shall have the like Remedies in case of Non-payment of the Monies thereby secured as in the Case of other Mortgages of the like Nature.

As to Lord Churchill's Purlieu Coppices.

XXI. The Commissioners of this Act shall set out and allot so much and such Part of the several Purlieu Coppices of the said Lord *Churchill*, or of any of them, as they shall think fit, as permanent Common, in lieu of the existing Right of Common upon the whole of such Coppices, during a certain Part of Ten out of every Eighteen Years, and the Residue of such Purlieu Coppices shall be thereupon freed and for ever discharged from all Rights of Common whatsoever, and shall thenceforth be enjoyed by the said Lord *Churchill* as and for his own exclusive Property: Provided always, that the Soil and Freehold of the Parts of the said Purlieu Coppices to be set out and allotted as aforesaid, together with the Timber and other Trees and Underwood growing thereon, shall remain vested in the said Lord *Churchill*.

Power to Lord Churchill, for the Purpose of his Allotment, to appoint a Commissioner.

XXII. For the Purpose of making such Allotment to the said Lord *Churchill*, it shall be lawful for him, if he shall think fit, under his Hand, to appoint a Commissioner in place of the Commissioner so to be appointed by the said Inclosure Commissioners as aforesaid, and in case of Vacancy in the Office of Commissioner so appointed by him to appoint another Commissioner to supply such Vacancy, and so from Time to Time as there shall be Occasion; and the Commissioner so to be appointed shall act in the Execution of this Act, so far as relates to such Allotment to the said Lord *Churchill*, in all respects with the same Powers, and be entitled to the like Emoluments, as if he had been appointed by the said Inclosure Commissioners.

In case of Lord Churchill's Death before Allotment, Act

XXIII. In case the said Lord *Churchill* shall die before the Completion of the said last-mentioned Allotment or Allotments, all the Provisions herein contained relating to the said Lord *Churchill* shall extend and be applied in all respects to any and every Person who, after his Decease, shall for the Time being

being be the Ranger or Rangers of the said Forest, or who but for this Act would be such Ranger or Rangers. to bind his Heirs.

XXIV. That when and so soon as the Commissioners of this Act shall have made their Award as herein-after provided, all Right of Intercommoning (if any) upon the Purlieus situated in different Parishes or Places shall cease and determine; and thenceforth neither the Purlieu Wastes nor the Portions of Purlieu Coppices of the said Lord *Churchill* to be so set out and allotted for permanent Common as herein-before directed, nor the Purlieu Coppices of other Persons, shall afterwards be commonable for any other Cattle or Sheep than those of Persons having a Right of Common in respect of Lands situated in the Parish or Place of which such respective Purlieus form Part. After Award all Right of Intercommoning in Purlieus to cease, &c.

XXV. From and after the making of the said Allotment or Allotments to the said Lord *Churchill* the said Offices of Ranger, Launder, and Four Bailiffs, and all Letters Patent, Grants, and Appointments thereto, and all other Offices in and for the said Forest, and all Rights, Privileges, and Emoluments incident or annexed thereto, shall absolutely cease and determine. On Allotment to Lord Churchill, his Rights and Privileges to cease.

XXVI. Such pecuniary Compensation shall be made by the Commissioners of Woods, out of the Land Revenues of the Crown, to all Persons holding any such Offices as aforesaid, except the said Lord *Churchill* or other the Ranger for the Time being, as the Commissioners of Her Majesty's Treasury shall think fit and reasonable. Pecuniary Compensation to other Officers out of Land Revenues.

XXVII. If it shall appear to the Commissioners of this Act that there are or is any other Person or Persons whose Rights will be injuriously affected by the Operation of this Act, the Commissioners of this Act shall ascertain the Nature of their or his Rights, and of the Injury done thereto, and shall determine whether such Injury can be more conveniently and adequately compensated by an Allotment of Land out of the said Forest, or by a pecuniary Compensation, and such Determination shall be final; and in case they shall determine in favour of a Compensation by way of Allotment to any such Person, they shall forthwith allot so much of that Portion of the said Forest which, under the Provisions of this Act, shall not have been otherwise allotted, as to the Commissioners of this Act shall appear a reasonable and sufficient Compensation; and if the Commissioners of this Act shall determine in favour of a pecuniary Compensation, then they shall ascertain the proper Amount thereof, and the Person or Persons to whom the same shall be paid, and shall certify the same to the Commissioners of Woods, who shall pay the same out of the Land Revenues of the Crown; and in such Case the Commissioners of this Act shall take the same into consideration in making the Allotment hereby directed. Compensation in Land or Money to be made to all other Persons (if any) injuriously affected by the Act.

XXVIII. All Allotments and Compensation shall enure and be held to the same Uses and upon the same Trusts as the Estates in respect of which the same shall be so allotted and given. Allotments how to be held.

XXIX. After the Allotments aforesaid the Residue of the said Forest shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne as of Fee, freed, exonerated, and for ever discharged from all Rights of Common, and all Rights, of what Nature and Kind soever, either of the said Lord *Churchill* or of any other Persons or Person whomsoever; and it shall be lawful for the said Commissioners of Woods to exercise all the same Powers over and in respect of the Lands to be allotted to Her Majesty in and by the said Award, as herein provided, as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases. After the Allotments aforesaid the Residue of the Forest to become absolutely vested in Her Majesty.

XXX. The Commissioners of this Act shall make their Award or Awards in Writing within Three Years from the passing of this Act, and every such Award shall be executed in Duplicate, and One Part of such Award shall be deposited in the Office of Land Revenue Records and Enrolments, and the other Part thereof with the Clerk of the Peace for the said County of *Oxford*, there to remain and be examined by all Persons at all reasonable Times on Payment of a Fee of One Shilling for each Examination. Commissioners to make their Award within Three Years. Deposit of Award.

XXXI. The Commissioners of Woods shall pay all the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by them in and about the Execution of this Act, in the first place, out of the Produce of the Timber and other Trees, Bushes, and Underwood to be cut down and sold or otherwise disposed of under or by virtue of this Act, and so far as that shall not be sufficient the same shall be paid as Part of the Costs of Management of the Land Revenues of Her Majesty. Provision as to Costs in and about the Execution of this Act.

XXXII. The Commissioners of this Act may examine upon Declaration all such Persons as they may think fit, who attend before them for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form: Commissioners may examine Witnesses upon Declaration.

'I *A.B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in question shall be the Truth, the whole Truth, and nothing but the Truth.'

XXXIII. If any Person under the Provisions of this Act shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor. Persons giving false Evidence guilty of Misdemeanor.

XXXIV. It shall be sufficient for all Purposes to cite this Act as the "*Whichwood* Disafforesting Act, 1853." Short Title.

CAP.

CAP. XXXVII.

An Act to impose additional Duties on Spirits in *Scotland* and *Ireland*; and to alter the Countervailing Duties on Spirits the Manufacture of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, imported into *Scotland* or *Ireland*, and the Countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between *Scotland*, *Ireland*, and *England* respectively; and to amend the Laws relating to the collecting and securing the Duties of Excise upon Spirits.

[8th *July* 1853.]

'WHEREAS it is expedient to impose additional Duties of Excise on Spirits in *Scotland* and *Ireland* respectively, and to increase the Countervailing Duties now chargeable on Spirits the Manufacture of the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, imported into *Scotland* or *Ireland*, and also to alter the Countervailing Duties and Drawbacks of Excise now payable upon the several Mixtures, Compounds, Preparations, and Commodities mentioned and described in the respective Schedules (A.) and (B.) to this Act annexed on the Removal of the same between *Scotland*, *Ireland*, and *England* respectively; and it is also expedient to amend the Laws relating to collecting and securing the Duties of Excise upon Spirits:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of additional Duties of Excise on Spirits in Scotland and Ireland.

I. In addition to the Duties of Excise now payable under any Act or Acts in force on Spirits in *Scotland* and *Ireland* respectively, there shall be charged, raised, levied, collected, and paid, upon every Gallon of Spirits of the Strength of Hydrometer Proof which shall on or after the Twenty-first Day of *April* One thousand eight hundred and fifty-three be distilled in *Scotland* and *Ireland* respectively, or be in the Stock, Custody, or Possession of any Distiller in *Scotland* or *Ireland*, or which, having been distilled in *England*, *Scotland*, or *Ireland*, shall, on or after the said Day, be in Warehouse in *Scotland* or *Ireland*, and be taken out of Warehouse for Consumption in *Scotland* or *Ireland*, or which, having been taken out of Warehouse in *England* for Removal to *Scotland* or *Ireland*, shall, on or after the said Day, be brought into *Scotland* or *Ireland*, the additional Duty following; that is to say, in *Scotland* the additional Duty of One Shilling, and in *Ireland* the additional Duty of Eightpence, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity.

New Countervailing Duties on Spirits the Manufacture of the Channel Islands, imported into Scotland and Ireland.

II. On and after the said Twenty-first Day of *April* One thousand eight hundred and fifty-three, in lieu of the Countervailing Duties now chargeable under any Act or Acts in force on Spirits of the Nature or Quality of plain *British* Spirits manufactured or distilled in the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, and imported from any of the said Islands into *Scotland* or *Ireland*, there shall be charged and paid the following Countervailing Duties; that is to say,

For and upon every Gallon of such last-mentioned Spirits of the Strength of Hydrometer Proof imported into *Scotland*, the Sum of Five Shillings and Tenpence;

And for and upon every Gallon of such last-mentioned Spirits of the like Strength imported into *Ireland*, the Sum of Four Shillings and Sixpence;

and so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits imported into *Scotland* and *Ireland* respectively.

New Countervailing Duties and Drawbacks on Removal of Spirit Mixtures and Compounds between Scotland, Ireland, and England.

III. In lieu of the respective Duties and Drawbacks of Excise now payable under any Act or Acts in force upon the several Mixtures, Compounds, Preparations, and Commodities mentioned and described in the respective Schedules (A.) and (B.) to this Act, on the Removal of the same respectively, as hereinafter mentioned, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon the said several Mixtures, Compounds, Preparations, and Commodities which on or after the said Twenty-first Day of *April* One thousand eight hundred and fifty-three shall be removed from *Scotland* or *Ireland* to *England*, or from *Ireland* to *Scotland*, the several Sums of Money and Duties of Excise as they are respectively inserted, described, and set forth in the Schedule (A.) to this Act annexed; and there shall be allowed and paid, in respect of all such Mixtures, Compounds, Preparations, and Commodities, which on or after the said last-mentioned Day shall be removed from *England* to *Scotland* or *Ireland*, or from *Scotland* to *Ireland*, the several Drawbacks of Excise inserted, described, and set forth in the Schedule (B.) to this Act annexed.

Additional Duties and Drawbacks to be under Management of the Commissioners of Inland Revenue, and be raised and allowed under same Provisions as former Duties, &c.

IV. The said several Duties and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, applied, and allowed respectively in such and the like Manner, and by the same Means, Ways, or Methods, by which other Duties and Drawbacks of Excise on and in respect of Spirits, and Spirit Mixtures, Compounds, and Preparations, are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied, and all Acts relating to the Duties and Drawbacks of Excise respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall respectively be applied, practised, and put in execution for and in respect of the said Duties and Drawbacks hereby granted, imposed, and allowed respectively, in as full and ample a Manner, to all Intents and Purposes, as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act with

with reference to the said Duties and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

Spirit Receivers to be filled to the Depth of 15 Inches.

V. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three, no Spirit Receiver shall be used in any Distillery which shall not be made, placed, and fixed to the Satisfaction of the Commissioners of Inland Revenue, and be of a Depth sufficient to admit of the Gauge of the Spirits in such Receiver being taken of the Depth of Fifteen Inches at the least in the Centre of such Receiver, and every such Receiver shall be so filled with Spirits that at the Time of gauging the same for the Purpose of charging the Duty thereon the Depth of Spirits therein shall not be less than Fifteen Inches; and if any Spirit Receiver shall be made use of in any Distillery which shall not be so made, placed, and fixed as aforesaid, or which shall not be of a Depth sufficient to admit of the Gauge of the Spirits therein being taken of the Depth aforesaid, or if any Distiller shall neglect or refuse to cause any Spirit Receiver used in his Distillery to be so filled with Spirits that at the Time of gauging the same as aforesaid the Depth of Spirits therein shall not be less than as aforesaid, unless from any unavoidable Cause or Circumstance he shall be unable so to do, he shall forfeit for every such Offence the Sum of Fifty Pounds.

Commissioners may allow Spirit Receivers already erected of a less Depth than 15 Inches to be used.

Mode of charging Spirits in such Case.

VI. Provided always, That it shall be lawful for the Commissioners of Inland Revenue to allow the Use of any Receiver which before the passing of this Act shall have been erected and in use in any Distillery, although the same may be of so large an Area that the Spirits distilled from the Wash contained in the respective Wash Backs of such Distillery may be insufficient to fill such Receiver to the Depth aforesaid, and in such Case, as well as in any other Case in which the Depth of Spirits in any Spirit Receiver shall be less than Fifteen Inches, the Charge of Spirits in any such Receiver shall be made on the next Tenth Part of an Inch marked on the graduated Scale on the Dipping-rod above the Point which the Dip of such Spirits in such Receiver shall indicate thereon, and the said next Tenth on such graduated Scale shall be deemed to be the actual Dip of such Spirits, and the proper Officer shall enter the same in his Survey Book, and charge the Duty accordingly, making an Allowance to the Distiller of One Half of a Gallon in every One hundred Gallons of the Quantity so charged, computed at the Strength of Hydrometer Proof.

Commissioners may order more than One Dipping-place to be made in Spirit Receivers.

VII. It shall be lawful for the Commissioners of Inland Revenue, in any Case in which they shall see fit, to order and direct that there shall be Two or more Dipping-holes of the Form and Dimensions prescribed by Law in that Behalf in the Cover of any Spirit Receiver, and in the Cover of any Store Cask or Vat, used in any Distillery, and such Dipping-holes shall be made in such Places in the Cover of such Receiver, Store Cask, and Vat respectively, as the said Commissioners shall direct in that Behalf, and in One of such Dipping-holes in the Spirit Receiver there shall be placed such Dipping-rod as shall be provided by the proper Officer, who shall secure the same in such Manner as to him shall seem expedient to prevent the Removal thereof out of any such Vessel as aforesaid, and each of the other Dipping-holes in the Spirit Receiver, and also the Dipping-holes in the Store Cask or Vat shall be secured in such Manner as the Supervisor of Excise shall think proper; and if any Distiller shall refuse or neglect to cause such Dipping-holes or any additional Dipping-hole to be made pursuant to any Order or Direction of the said Commissioners in any Spirit Receiver, or in any Spirit Store Cask or Vat, used in his Distillery, or if any Distiller shall remove any such Dipping-rod out of any such Receiver, or remove any Fastening from any such Dipping-hole, or otherwise gain Access to the Spirits in any such Vessel as aforesaid by means of any such Dipping-hole, such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds.

Spirits to be removed from Receiver into entered Store Vat or Cask.

VIII. All Spirits distilled in any Distillery shall, after the proper Officer shall have taken an Account of the Quantity and Strength thereof, be forthwith removed and conveyed through a close Metal Pipe from the Spirit Receiver into an entered Store Cask or Vat in the entered Spirit Store of such Distillery, and every such Store Cask and Vat respectively shall be a close covered Vessel, and shall be secured with proper and sufficient Fastenings for securing the Spirits therein to the Satisfaction of the proper Supervisor or other superior Officer, which said Fastenings shall be provided and kept in proper Repair by and at the Expense of the Distiller; and if any Distiller shall refuse or neglect to cause all such Spirits to be removed and conveyed in manner aforesaid into such entered Store Cask or Vat as aforesaid, or shall refuse or neglect to provide and fix and maintain such Fastenings as aforesaid for securing such Store Cask or Vat, and the Spirits therein, in manner aforesaid, he shall forfeit the Sum of Two hundred Pounds.

A proper Spirit Store to be provided in every Distillery.

IX. There shall be a proper Spirit Store in every Distillery for keeping and securing the Spirits distilled thereat, and every such Spirit Store shall be a secure Room or Place approved by the Commissioners of Inland Revenue, and provided with proper Fastenings for the Purpose of locking up and securing the same to the Satisfaction of the proper Supervisor or other superior Officer, all which Fastenings shall be provided and fixed and from Time to Time maintained by and at the Expense of the Distiller; and every such Spirit Store shall be kept locked up by the proper Officer in charge of such Store, at all Times, except when such Officer shall be in attendance; and it shall be lawful for the Commissioners of Inland Revenue to refuse to grant and to prohibit the granting of any Licence to keep a Still for the distilling of Spirits to any Person until he shall have provided and made in his Distillery a proper Store approved as aforesaid, and it shall also be lawful for the said Commissioners to suspend or revoke any such Licence which may at any Time have been granted to any Distiller, unless and until he shall have provided and made such Store, and until he shall have provided and fixed such Fastenings for securing the same in manner aforesaid.

X. If

Duty on Spirits lost or destroyed by Fire or other Accident to be remitted.

X. If any Spirits shall be lost or destroyed by Fire or other unavoidable Accident while such Spirits are deposited in the Spirit Store of any Distillery or whilst such Spirits are being received into or delivered out from such Store, or if any Spirits or any Wash or other exciseable Materials for making Spirits in any Distillery shall be lost or destroyed in manner aforesaid, it shall be lawful for the Commissioners of Inland Revenue, on Proof of such Loss or Destruction being given to their Satisfaction, to remit the Duty payable or paid in respect of such Spirits, Wash, or other Materials so lost or destroyed, as well as the Duty on any Malt which may have been used in the making of any such Spirits or Wash.

Officer in charge of Spirit Store to attend daily.

XI. The Officer in charge of every such Spirit Store shall attend thereat daily (*Sundays* excepted) from the Hour of Five o'Clock in the Morning until Eight o'Clock in the Evening, and all Spirits in any such Spirit Store shall be filled into the Casks in the Presence of such Officer, in such Manner and under such Regulations as the Commissioners of Inland Revenue shall in that Behalf direct, and such Officer shall take an Account of the Weight or Measure and Strength of all such Spirits.

The true Content to be marked on moveable Casks.

XII. Every Distiller shall cause to be legibly cut, branded, or painted on the Outside of both of the Heads or Ends of every rolling or moveable Cask used in his Distillery for keeping or delivering out Spirits, and shall at all Times keep thereon so cut, branded, or painted, the full and true Number of Gallons, and also any Quarter or Quarters of a Gallon over and above any Number of entire Gallons, which any such Cask shall be capable of containing; provided that where the Contents of any Cask shall exceed Eighty Gallons, then in lieu of such Quarter or Quarters of a Gallon any fractional Part amounting to Three Fourths or more of a Gallon which any such Cask shall be capable of containing over and above any Number of entire Gallons shall be reckoned as a whole Gallon, and included in the Number of Gallons to be so cut, branded, or painted as aforesaid on such Cask; and if any such Cask which shall be used for the Purpose aforesaid shall not have so cut, branded, or painted thereon in manner aforesaid the full and true Number of Gallons as aforesaid, and in the Case of a Cask not exceeding Eighty Gallons the Quarter or Quarters of a Gallon, according to the Directions of this Act, such Cask, together with any Spirits contained therein, shall be forfeited, and may be seized by any Officer of Excise.

Officer not to grant Permit for Removal of Spirits from the Distillery until Collector's Receipt for the Duty be produced.

XIII. It shall not be lawful for any Officer of Excise to grant any Permit for the Removal of any Spirits from the Stock of any Distiller, except for such Spirits as shall be sent or delivered into Warehouse, pursuant to the Provisions of the Acts in that Behalf, unless such Distiller shall produce to such Officer the Receipt of the Collector of Excise for the Duty on such Spirits, nor unless such Distiller shall suffer such Officer to endorse on such Receipt the Quantity of Spirits for which such Permit is required, and the Date of such Permit; and every such Officer is hereby required to make such Endorsement accordingly.

Spirits distilled during distilling Period to be removed from entered Spirit Store within Six Days after Termination of such Period.

XIV. All the Spirits which shall be distilled at any Distillery during One distilling Period shall be removed from the entered Spirit Store, and the Duty thereon paid for Consumption, or shall be conveyed to and deposited in a Warehouse, under the Provisions of the Acts in that Behalf, within Six Days after the Termination of such distilling Period, and before any Spirits of a succeeding distilling Period are brought into such Store; and if any Spirits of One distilling Period (other than a Quantity not exceeding One hundred and fifty Gallons, and in One Ullage Cask,) shall be and remain in any such Store at any Time after Six Days from the Termination of such distilling Period, or if within the said Term of Six Days any Quantity of the Spirits of One distilling Period (other than such Quantity and in such Cask as aforesaid) shall be and remain in any such Store at any Time after any Spirits of any succeeding distilling Period are brought into the same Store or into any other such Store at the same Distillery, the Distiller shall forfeit for every Gallon of Spirits of such former Period so remaining in such Store in either of the Cases aforesaid the Sum of Twenty Shillings.

Balance to be struck in Stock Account, and Allowance made for Deficiency occasioned by natural Waste.

XV. When all the Spirits distilled at any Distillery in any One distilling Period shall have been removed from the Spirit Store, as herein-before required, or at the Expiration of Six Days after the Termination of such distilling Period, a Balance shall be struck by the proper Officer in the Stock Account kept by him for such Distillery, and in the Return to be made by such Officer of the Quantity of Spirits for which the Distiller shall have become chargeable during the preceding distilling Period an Allowance shall be made to such Distiller of any Deficiency in Stock occasioned by natural Waste, not exceeding the Proportion of One Gallon for every One hundred Gallons at Hydrometer Proof of the Spirits removed from the Spirit Receiver to the Spirit Store; and if the Deficiency shall exceed such Proportion, then an Allowance shall be made in respect thereof to the Extent of the Rate and Proportion aforesaid; provided that if the Deficiency shall exceed the Proportion of Three *per Cent.* on such Spirits so removed as aforesaid, no Allowance whatever shall be made in respect thereof.

No Spirits but from the Receiver to be placed in Spirit Store.

XVI. No Spirits shall be placed in the entered Spirit Store of any Distillery other than such Spirits as shall be conveyed directly from the Spirit Receiver of such Distillery into such Store, nor shall any Spirits which have been removed from any such Store be again brought into the same from any Place whatever.

Distiller's Stock Account of Proof Spirits to be kept by Officer.

XVII. The proper Officer of Excise shall, as often and at such Time and Times as he shall think fit, take and keep an Account by way of Debtor and Creditor of the Stock of Spirits in the Distillery and Store of every Distiller, and shall in such Account debit such Stock with the full Quantity of Spirits computed at Hydrometer Proof which shall be from Time to Time duly conveyed, pursuant to this Act, into such Stock from the Spirit Receiver in such Distillery, and shall credit such Stock with the full Quantity of Spirits computed at Hydrometer Proof which shall be from Time to Time sent out of such Stock under legal Permit; and if at any Time the Quantity of such Spirits which shall be found

found in the Stock or Possession of any such Distiller shall be greater than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, all such excess Quantity of Spirits shall be forfeited, and may be seized by any Officer of Excise, and every such Distiller shall forfeit the Sum of Twenty Shillings for each and every Gallon of such excess Quantity of Spirits; and if at any Time the Quantity of Spirits in the Stock or Possession of any Distiller shall be less than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, every such Distiller, whenever such Deficiency shall appear, shall forfeit the Sum of Twenty Shillings for every Gallon of Spirits which shall be so deficient; which said respective Penalties of Twenty Shillings for every Gallon of Spirits in excess or deficiency in the Quantity of Spirits which ought to be in the Stock or Possession of such Distiller shall not be mitigated or reduced to any less Sum by the Court before which the Complaint or Information for Recovery thereof shall be heard and determined, anything in any Act or Acts of Parliament to the contrary notwithstanding: Provided always, that no Distiller shall be liable to such Penalty or Forfeiture in any Case where such Excess shall not exceed One Half *per Centum*, or where such Decrease or Deficiency shall not exceed Three *per Centum*, on the Quantity of Spirits formed by the Balance left on the last stocking, and the Quantity of Spirits since duly brought into Stock from the Spirit Receiver, nor in any Case where such Distiller shall prove to the Satisfaction of the Commissioners of Inland Revenue that such Decrease did not result from any Fraud practised or intended; but in any Case of Excess where no Penalty or Forfeiture shall be incurred and prosecuted for, the Duty on such Excess shall be charged against the Distiller.

Spirits may be warehoused in Casks of not less than Nine Gallons.

XVIII. It shall be lawful for any Distiller to warehouse any Spirits distilled in his Distillery in Casks containing not less than Nine Gallons each, subject to and under in all other respects the Provisions, Rules, and Regulations, Penalties and Forfeitures, in force relating to the distilling, warehousing, and Removal of such Spirits.

Spirits may be sent out from Distillery in Casks containing not less than Ten Gallons, and of the Strength specified.

XIX. Notwithstanding anything contained in the Act passed in the Fourth Year of King *George* the Fourth, Chapter Ninety-four, and the Act passed in the Sixth Year of the said King, Chapter Eighty, and in the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred and twenty-two, or any of the said Acts respectively, it shall be lawful to send out or remove from any Distillery, either for Consumption or into any Warehouse, Spirits in any Quantity not less than Ten Gallons in any One Cask, provided such Spirits be of the respective Strengths, or One of them, specified in the said Acts respectively, or within Six Tenths of One *per Centum* over or under the said Strengths specified in the said Acts respectively of the Fourth and Sixth Years of the said King, or within the like Degree under the Strength specified in the said Act of the Eleventh and Twelfth Years of Her Majesty, and provided that the true and exact Quantity and Strength of all such Spirits be expressed in the Permit accompanying the same; and no Spirits shall be sent out or removed from any Distillery in any Cask containing a less Quantity than as aforesaid, or in any other Manner than as prescribed by the said respective Acts (save as herein provided), under the Penalties and Forfeitures contained in the said Acts in that Behalf.

Spirits may be sent out in Casks either full or on Ullage.

XX. Notwithstanding anything contained in any Act in force to the contrary, it shall be lawful to send out Spirits from any Spirit Store for Consumption or to be warehoused in Casks either full or on Ullage; provided always, that the Commissioners of Inland Revenue shall have Power to make such Orders for regulating such Ullage as may appear to them to be necessary.

Spirits in Warehouse may be racked off into other Casks.

XXI. On Payment of the Duty on the full Quantity of Spirits contained in any One or more Casks in any Warehouse, it shall be lawful for the Distiller or Proprietor of such Spirits, under such Rules and Regulations as the Commissioners of Inland Revenue shall make in that Behalf, from Time to Time to rack or draw off such Spirits into any other Cask or Casks, provided that no less Quantity than Ten Gallons shall be racked into any One of such last-mentioned Casks: Provided always, that after the Duty shall have been paid on any such Spirits, and any Portion thereof shall have been racked or drawn off from any Cask, no further Abatement or Allowance for Deficiency shall be made in respect of such Spirits for any further Period the same may remain in such Warehouse.

Warehoused Casks to be numbered progressively.

XXII. Upon the Outside of both of the Heads or Ends of every Cask of Spirits which shall be warehoused by any Distiller under the Provisions of this Act or of any other Act in force in that Behalf there shall be legibly cut, branded, or painted the progressive Number of such Cask, according to the Number of Casks warehoused by such Distiller, and the Year when the same was warehoused, such progressive Numbers for every Distiller to begin with No. 1. on the First Day of *January* in each Year; and no Two or more Casks warehoused in the same Year by the same Distiller shall be marked with the same Number; and it shall be lawful for the proper Officer in charge of any Warehouse to refuse to receive therein any Cask of Spirits not having cut, branded, or painted thereon all the several Particulars by this Act required to be cut, branded, or painted thereon, and in the Manner required by this Act.

Distiller's Warehouse to be on Distillery Premises.

XXIII. No Distiller shall have or use any Warehouse for the warehousing of Spirits without Payment of Duty situated at any other Place than his own entered Distillery Premises, nor until such Warehouse has been approved of by the Commissioners of Inland Revenue; provided that any Distiller may warehouse Spirits in any general Warehouse appointed by the Commissioners of Inland Revenue, and for which Security by Bond shall have been given as directed by the Acts in force in that Behalf.

Commissioners of Inland Revenue empowered to revoke Approval of Warehouses.

XXIV. It shall be lawful for the Commissioners of Inland Revenue and they are hereby empowered to revoke the Approval at any Time heretofore given by the Commissioners of Excise or the Commissioners of Inland Revenue, or which may at any Time hereafter be given by the said last-mentioned Commissioners, of any Warehouse for the warehousing of *British* Spirits under the Provisions of the Laws in force in that Behalf; and after such Revocation no Abatement of Duty or Allowance shall be made in respect of the Spirits which may be contained in such Warehouse at the Time of such Revocation for any Deficiency of the Quantity or Strength of such Spirits which shall be occasioned or which shall occur after Notice of such Revocation shall have been given to the Proprietor of such Warehouse.

Approval of Warehouses, and Revocation thereof, to be published in Gazette.

XXV. Every Order made by the Commissioners of Inland Revenue appointing or approving of any general Warehouse or Warehouses for the warehousing of *British* Spirits, and every Order revoking any such Approval, shall be published in the *London Gazette* for such Warehouses as shall be situated in *England* and *Wales*, in the *Edinburgh Gazette* for such Warehouses as shall be situated in *Scotland*, and in the *Dublin Gazette* for such Warehouses as shall be situated in *Ireland*.

Rectified Spirits may be deposited in Customs Warehouse, although sweetened or coloured.

XXVI. It shall be lawful for any licensed Rectifier of Spirits in *England*, *Scotland*, or *Ireland* to warehouse, for Exportation or for Ships Stores, any Spirits by him rectified from Spirits on which the Duties of Excise shall have been charged and paid in any Customs Warehouse of special Security, or in any Warehouse approved for that Purpose by the Commissioners of Her Majesty's Customs, such Customs Warehouse or other Warehouse being situate within that Part of the United Kingdom in which such Spirits were rectified, although such Spirits may be sweetened or may be Spirits to which any colouring Matter has been added; and the Strength of such sweetened or coloured Spirits as denoted by *Sykes*'s Hydrometer shall be deemed and taken to be the true Strength thereof, anything in the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twenty-two, to the contrary notwithstanding; provided always, that the Strength of such Spirits before being sweetened or coloured shall not exceed Twenty-five *per Centum* over Proof as denoted by *Sykes*'s Hydrometer; and such sweetened or coloured Spirits shall be subject to all the Rules and Regulations in this or any other Act relating to the Removal and Warehousing of Spirits.

Stowage of Casks in Warehouse to afford easy Access.

XXVII. All Casks of Spirits which shall be warehoused under the Provisions of this or any other Act in that Behalf shall be arranged and stowed in the Warehouse in such Manner as that Access may easily be had to every Cask therein; and if any Distiller, or the Proprietor or Occupier of any such Warehouse, shall refuse or omit to cause all such Casks to be so arranged and stowed, he shall for every such Refusal or Omission forfeit the Sum of Five Pounds.

Allowances for Deficiencies of Spirits in Warehouse.

XXVIII. Upon all *British* Spirits which shall have been warehoused without Payment of Duty under the Provisions of the Acts in that Behalf, and which shall be in any Warehouse at the Time of the passing of this Act, and also upon all such Spirits which shall at any Time hereafter be so warehoused, the following Abatement in respect of the Deficiencies which may have occurred in such Spirits shall be made on the Quantity of Spirits warehoused on which the Duty is by Law payable, which Abatement shall be made after the several Rates of Allowance following; that is to say,

For every One hundred Gallons of such Spirits at Hydrometer Proof, where such Spirits shall have been in Warehouse for any Time not exceeding Seven Days, One Quarter of a Gallon:

For any Time exceeding Seven Days and not exceeding Fourteen Days, One Half of a Gallon:

For any Time exceeding Fourteen Days and not exceeding One Calendar Month, Three Fourths of a Gallon:

For any Time exceeding One Calendar Month and not exceeding Two Calendar Months, One Gallon:

For any Time exceeding Two Calendar Months and not exceeding Three Calendar Months, One Gallon and One Fourth of a Gallon:

For any Time exceeding Three Calendar Months and not exceeding Six Calendar Months, One Gallon and Three Fourths of a Gallon:

For any Time exceeding Six Calendar Months and not exceeding Nine Calendar Months, Two Gallons and One Fourth of a Gallon:

For any Time exceeding Nine Calendar Months and not exceeding Twelve Calendar Months, Two Gallons and Three Fourths of a Gallon:

And for any Time exceeding Twelve Calendar Months, the additional Allowance of Three Quarters of a Gallon for every Six Calendar Months, or any fractional Part of Six Calendar Months above Twelve Calendar Months, or any other Multiple of Six Calendar Months, provided that no Allowance shall be made in respect of any Time that such Spirits may have been in Warehouse beyond the Period of Five Years:

And any Spirits which shall be removed from one Warehouse to another shall, for the Purpose of such Abatement and Allowance as aforesaid, be deemed to have been in Warehouse during the Period occupied by such Removal.

Distillers and Warehouse Keepers, Rectifiers, and Dealers, to keep sufficient Scales, Weights, and

XXIX. Every Distiller, and every Proprietor of a general Warehouse for warehousing *British* Spirits, under the Provisions of the Laws in force, and every Rectifier of Spirits, and every Dealer therein, shall and is hereby required to provide sufficient and just Scales and Weights and a Set of Standard Measures for the Purpose of weighing, measuring, and taking an Account of the Spirits distilled by such Distiller, or in any such Warehouse, or in the Stock of any such Rectifier or Dealer as aforesaid, and of any Casks or Vessels used for the Purpose of containing Spirits, and such Weights and Measures shall

shall be of such Denominations respectively as the Commissioners of Inland Revenue shall order and require in that Behalf, and such Distiller, Proprietor, Rectifier, and Dealer respectively shall maintain and keep such Scales and Weights and Measures conveniently placed in his Distillery or Warehouse, and at all Times ready for Use, and shall permit and suffer any Officer or Officers of Excise to use the same for the Purpose aforesaid; and if any Distiller or Proprietor of such Warehouse, or Rectifier, or Dealer in Spirits, shall not provide and keep and maintain such Scales and Weights and Measures as aforesaid, and of such Denominations respectively as the Commissioners of Inland Revenue shall order and require in that Behalf, or if such Distiller, Proprietor, Rectifier, or Dealer shall refuse to permit and suffer any Officer or Officers of Excise to use the same as aforesaid, or if any such Distiller, Proprietor, Rectifier, or Dealer shall use or cause or procure or suffer to be used any false, unjust, or insufficient Scales or Weights or Measures, or shall practise any Art, Device, or Contrivance by which any such Officer or Officers may be hindered or prevented from taking the just and true Weight or Measure of any such Spirits, or any Casks or Vessels used for the Purpose of containing Spirits, then and in every such Case such Distiller, Proprietor, Rectifier, or Dealer shall for every such Offence forfeit the Sum of One hundred Pounds, and all false, unjust, or insufficient Scales or Weights and Measures respectively shall be forfeited, and may be seized by any Officer or Officers of Excise.

Measures for taking account of Spirits.

XXX. Every Distiller, and every Proprietor of such general Warehouse as aforesaid, and every Rectifier and Dealer respectively, shall, when and so often as he shall be thereunto required by any Officer of Excise, and with a sufficient Number of Servants, weigh and measure in the Presence of such Officer all or any Spirits, and all or any Casks or Vessels used for keeping, conveying, or removing Spirits, in the Possession of such Distiller, Rectifier, or Dealer, or in any such Warehouse, and aid and assist to the utmost of his Power such Officer in taking an Account thereof, on pain of forfeiting for every Neglect or Refusal so to do the Sum of Fifty Pounds.

Assistance to be given to the Officer in weighing, measuring, &c.

XXXI. Every Distiller and every Proprietor of any such Warehouse as aforesaid shall, when and as they shall be respectively required by the Commissioners of Inland Revenue so to do, provide Accommodation at the Distillery Store and at such Warehouse for the Officer in charge thereof respectively to the Satisfaction of the said Commissioners; and every Distiller and Proprietor of such Warehouse respectively who, on being so required to provide such Accommodation as aforesaid, shall refuse or neglect so to do, shall for every such Offence forfeit the Sum of Fifty Pounds.

Distillers, &c. to provide Accommodation for Officers.

XXXII. It shall be lawful for the Commissioners of Inland Revenue and they are hereby authorized and empowered to require every Distiller to erect and apply, at his own Expense, in his Distillery, any Apparatus or Machine which the said Commissioners may think proper for the Purpose of preventing the Supply Pipe and the Discharge Cock of the Spirits Receiver being both open at the same Time; and if such Distiller shall neglect or refuse to provide and apply any such Apparatus or Machine, on being required so to do by the said Commissioners, he shall forfeit the Sum of Two hundred Pounds.

Commissioners may require Apparatus to be applied to Spirit Receiver to prevent Fraud.

XXXIII. It shall be sufficient for any Distiller to give to the proper Officer from Time to Time Four Hours Notice in Writing before beginning to mash or brew or to make Bub, or any other Composition for inducing or increasing Fermentation, and the like Notice before any Wash shall be conveyed from any Fermenting Wash Back in the Distillery, such Notices respectively being given in the Manner and containing the several Particulars prescribed respectively by the several Acts in force in that Behalf, anything in the said Acts requiring a longer Notice for any such Purpose as aforesaid notwithstanding.

Four Hours Notice to mash, or to remove Wash from Fermenting Back.

XXXIV. And it shall be lawful for the Officer in charge of any Distillery, and he is hereby authorized and required, at any Time after the Expiration of Four Hours from the Time that a Declaration in Writing shall have been delivered to him as required by the said Acts respectively that the whole of the Wort and Wash in such Distillery is collected into the Fermenting Wash Backs therein, to open any Still or Stills in such Distillery, by removing such Fastenings as prevent such Still or Stills from being used, notwithstanding anything contained in the said Acts of the Fourth and Sixth Years of King *George* the Fourth respectively requiring the Lapse of a longer Period before the opening of any such Still or Stills.

Officer may open Stills Four Hours after Declaration delivered to him of the Wash being collected into the Fermenting Backs.

XXXV. And, notwithstanding anything in the said Acts respectively contained to the contrary, it shall be lawful for any Distiller to collect in the Low Wines Receiver at his Distillery the Low Wines produced by the Distillation of the Wash of the same Brewing contained in all or any of the Fermenting Backs of such Distillery; provided that such Low Wines produced by the Distillation of the Wash of One Brewing shall be kept separate and apart from and unmixed with any Low Wines produced by the Distillation of any Wash of any other Brewing, or with any other Matter or Thing whatever, until an Account of the Quantity and Strength of such Low Wines so collected shall have been taken by the proper Officer; and provided also, that all the Spirits and Feints produced by the Re-distillation of such Low Wines shall be collected in the Spirits and Feints Receivers respectively, and kept therein, separate and apart from and unmixed with any other Matter or Thing (save as is provided and allowed by the said Acts respectively,) until an Account of the Quantity and Strength of such Spirits and Feints respectively shall have been taken by the proper Officer; and, for any Neglect or Refusal to keep such Low Wines and Spirits and Feints respectively separate and apart and unmixed as herein directed, the Distiller shall forfeit the Sum of Two hundred Pounds.

Low Wines distilled from Wash of One Brewing, contained in Two or more Backs, may be mixed.

XXXVI. Provided always, That, notwithstanding anything contained in the said Act of the Fourth Year of King *George* the Fourth, Section One hundred and thirty-two, to the contrary, it shall be lawful

Distiller may carry on the Trade of a Wholesale

Dealer in Spirits within the Distance of Two Miles from his Distillery.

lawful for any Distiller taking out a proper Licence in that Behalf to carry on the Trade of a Wholesale Dealer in Spirits at a Place within the Distance of Two Miles from the Distillery of such Distiller, provided such Place be approved by the Commissioners of Inland Revenue; but in any Case in which a Distiller shall carry on such Trade of a Wholesale Dealer in Spirits at any Place within the Distance aforesaid from his Distillery no Spirits shall be sold, sent out, delivered, or removed from his Stock, Custody, or Possession, either as a Dealer or a Distiller, without being accompanied by a Permit granted by the proper Officer of Excise, on pain of Forfeiture of such Spirits, and of such Penalty as by the Laws in force is imposed on a Distiller for sending out or removing Spirits without such Permit as aforesaid; and it shall be lawful for any Officer of Excise, although of less Rank than a Supervisor of Excise, to take or cause to be taken an Account of the Quantity of the Spirits in the Stock, Custody, or Possession of such Dealer, anything contained in the Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twenty-one, Section Twenty, to the contrary notwithstanding; and all the Powers, Provisions, and Penalties contained in the said last-mentioned Enactment in relation to any Account taken by any Supervisor of Excise, or other Officer of not less Rank, shall be deemed to apply in relation to the taking of any Account hereby authorized to be taken by an Officer of less Rank than a Supervisor of Excise.

Table in Schedule (C.) to be used in ascertaining the Quantity of Spirits in a Cask by weighing the same.

XXXVII. For the Purpose of ascertaining the Quantity of Spirits contained in any Cask by weighing the same, the Table in Schedule (C.) annexed to this Act shall be referred to and used in connexion with *Sykes*'s Hydrometer, and any Spirits which shall indicate on such Hydrometer any Number in Column (A.) of such Table shall be deemed to be of the Weight *per* Gallon in Pounds and Decimal Parts of a Pound denoted by the Number in Column (B.) of the same Table set opposite to the said Number in Column (A.), and the total net Weight of the Spirits contained in any Cask divided by the said Number in Column (B.) shall be deemed to give the true Quantity of Spirits contained in such Cask in Gallons and Decimal Parts of a Gallon.

Mode of determining the original Gravity of Wash.

XXXVIII. 'And whereas the proper Officer of Excise is authorized by the said Acts respectively of 'the Fourth and Sixth Years of King *George* the Fourth to take Samples of the Wash from any Wash 'Back in a Distillery, and to cause such Wash to be distilled as in the said Acts respectively is men-'tioned:' It shall be lawful for such Officer to take such Samples of Wash from the Wash Back or Wash Charger in any Distillery, or from both of such Vessels, as he may think proper; and in order to ascertain and determine the original Gravity of the Worts from which such Wash was made or prepared before Fermentation had taken place in such Worts, a definite Quantity by Measure of such Wash shall be distilled, and the Proportion of Alcohol contained therein ascertained, and the Specific Gravity of such Wash deprived of its Alcohol by such Distillation, and made up with pure Water to its original Measure, shall also be ascertained, and from such Proportion of Alcohol and such Specific Gravity as last aforesaid the original Gravity of the Worts from which such Wash was made before Fermentation shall be computed and determined by means of the Table contained in Schedule (D.) annexed to this Act; and if the original Gravity of such Worts as found and determined in the Manner aforesaid shall exceed by more than Three Degrees the Gravity thereof as declared by the Distiller, pursuant to the said Acts respectively, such Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Sixpence for every Gallon of Wort or Wash contained in the Wash Back or Wash Charger from which such Wash so distilled was taken: Provided always, that such Distiller, or any Person acting on his Behalf, shall and may, if he shall so desire, be present at the Distillation of any such Wash, and at the Performance of any such Process as aforesaid for ascertaining the said original Gravity.

Persons who have contracted for Sale of Spirits may add additional Duties to the Price.

XXXIX. It shall be lawful for every Person who, on or before the said Twenty-first Day of *April* One thousand eight hundred and fifty-three, has sold or made or entered into any Contract or Agreement for the Sale of Spirits on which any additional Duty by this Act imposed will attach, to add so much Money as will be equivalent to such additional Duty to the Price of such Spirits, and such Person shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Repealing Sect. 79. of 4 G. 4. c. 94., Sect. 88. of 6 G. 4. c. 80., and all Clauses of Acts inconsistent herewith.

XL. The Seventy-ninth Section of the said Act passed in the Fourth Year of King *George* the Fourth, Chapter Ninety-four, and Section Eighty-eight of the said Act of the Sixth Year of the said King, Chapter Eighty, shall be and the same are hereby repealed; and all Clauses, Provisions, and Regulations contained in any Act or Acts that are inconsistent with or are superseded by the Clauses, Provisions, and Regulations of this Act shall, so far and to such Extent as the same are so inconsistent or superseded as aforesaid, be and the same are hereby also repealed, save and except as to any Penalty or Forfeiture which shall have been incurred under the said Sections, Clauses, and Provisions, or any of them.

Commencement of Act.

XLI. The several Provisions of this Act shall commence and take effect at the respective Times herein-after mentioned; (that is to say,) as to the said Duties and Drawbacks by this Act granted and imposed and allowed respectively, from and after the Twenty-first Day of *April* One thousand eight hundred and fifty-three; and as to the said Abatement or Allowance to be made in respect of the Deficiencies in Spirits warehoused, from and after the passing of this Act; and as to all other Provisions contained herein, from and after the Tenth Day of *October* One thousand eight hundred and fifty-three.

SCHEDULE (A.)

COUNTERVAILING DUTIES.

ARTICLES ENUMERATED. For every Gallon thereof removed	COUNTERVAILING DUTIES. From Scotland to England.	From Ireland to England.	From Ireland to Scotland.
	£ s. d.	£ s. d.	£ s. d.
Ether	0 7 11	0 11 3	0 3 4
Sweet Spirits of Nitre	0 4 9	0 6 9	0 2 0
Camphorated Spirits			
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients			
Compound Spirits of Lavender			
Spirits of Rosemary			
Spirits of Ammonia			
Sal Volatile			
Friar's Balsam			
Compound Tincture of Benzoin			
Tincture of Assafœtida			
Tincture of Castor			
Tincture of Kino			
Tincture of Guiacum			
Tincture of Myrrh			
Tincture of Ginger			
Spirit Varnishes			
Other Tinctures and Medicated Spirits	0 3 2	0 4 6	0 1 4
Made Wines	0 0 4½	0 0 6½	0 0 2

SCHEDULE (B.)

COUNTERVAILING DRAWBACKS.

ARTICLES ENUMERATED. For every Gallon thereof removed	COUNTERVAILING DRAWBACKS. From England to Scotland.	From England to Ireland.	From Scotland to Ireland.
	£ s. d.	£ s. d.	£ s. d.
Ether	0 7 11	0 11 3	0 3 4
Sweet Spirits of Nitre	0 4 9	0 6 9	0 2 0
Camphorated Spirits			
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients			
Compound Spirits of Lavender			
Spirits of Rosemary			
Spirits of Ammonia			
Sal Volatile			
Friar's Balsam			
Compound Tincture of Benzoin			
Tincture of Assafœtida			
Tincture of Castor			
Tincture of Kino			
Tincture of Guiacum			
Tincture of Myrrh			
Tincture of Ginger			
Opirit Varnishes			
Sther Tinctures and Medicated Spirits	0 3 2	0 4 6	0 1 4
Made Wines	0 0 4½	0 0 6½	0 0 2

SCHE-

SCHEDULE (C.)

A TABLE for determining the WEIGHT per GALLON of SPIRITS by SYKES'S HYDROMETER.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
0	8·154	10	8·323	20	8·495	30	8·670
2	8·157	2	8·326	2	8·498	2	8·674
4	8·161	4	8·330	4	8·502	4	8·677
6	8·164	6	8·333	6	8·505	6	8·681
8	8·168	8	8·337	8	8·509	8	8·684
1	8·171	11	8·340	21	8·512	31	8·688
2	8·174	2	8·343	2	8·516	2	8·692
4	8·178	4	8·347	4	8·519	4	8·695
6	8·181	6	8·350	6	8·523	6	8·699
8	8·185	8	8·354	8	8·526	8	8·702
2	8·188	12	8·357	22	8·530	32	8·706
2	8·191	2	8·361	2	8·533	2	8·709
4	8·195	4	8·364	4	8·537	4	8·713
6	8·198	6	8·368	6	8·540	6	8·716
8	8·202	8	8·371	8	8·544	8	8·720
3	8·205	13	8·375	23	8·547	33	8·723
2	8·208	2	8·378	2	8·551	2	8·727
4	8·212	4	8·382	4	8·554	4	8·730
6	8·215	6	8·385	6	8·558	6	8·734
8	8·219	8	8·389	8	8·561	8	8·737
4	8·222	14	8·392	24	8·565	34	8·741
2	8·225	2	8·395	2	8·568	2	8·745
4	8·229	4	8·399	4	8·572	4	8·748
6	8·232	6	8·402	6	8·575	6	8·752
8	8·236	8	8·406	8	8·579	8	8·755
5	8·239	15	8·409	25	8·582	35	8·759
2	8·242	2	8·412	2	8·586	2	8·763
4	8·245	4	8·416	4	8·589	4	8·766
6	8·249	6	8·419	6	8·593	6	8·770
8	8·252	8	8·423	8	8·596	8	8·773
6	8·255	16	8·426	26	8·600	36	8·777
2	8·258	2	8·429	2	8·603	2	8·781
4	8·262	4	8·433	4	8·607	4	8·784
6	8·265	6	8·436	6	8·610	6	8·788
8	8·269	8	8·440	8	8·614	8	8·791
7	8·272	17	8·443	27	8·617	37	8·795
2	8·275	2	8·446	2	8·620	2	8·799
4	8·279	4	8·450	4	8·624	4	8·802
6	8·282	6	8·453	6	8·628	6	8·806
8	8·286	8	8·457	8	8·631	8	8·809
8	8·289	18	8·460	28	8·635	38	8·813
2	8·292	2	8·464	2	8·639	2	8·817
4	8·296	4	8·467	4	8·642	4	8·820
6	8·299	6	8·471	6	8·646	6	8·824
8	8·303	8	8·474	8	8·649	8	8·827
9	8·306	19	8·478	29	8·653	39	8·831
2	8·309	2	8·481	2	8·656	2	8·835
4	8·313	4	8·485	4	8·660	4	8·838
6	8·316	6	8·488	6	8·663	6	8·842
8	8·320	8	8·492	8	8·667	8	8·845

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
40	8·849	52	9·069	64	9·294	76	9·525
2	8·853	2	9·073	2	9·298	2	9·529
4	8·856	4	9·076	4	9·302	4	9·533
6	8·860	6	9·080	6	9·305	6	9·537
8	8·863	8	9·083	8	9·309	8	9·541
41	8·867	53	9·087	65	9·313	77	9·545
2	8·871	2	9·091	2	9·317	2	9·549
4	8·874	4	9·095	4	9·321	4	9·553
6	8·878	6	9·098	6	9·324	6	9·557
8	8·881	8	9·102	8	9·328	8	9·561
42	8·885	54	9·106	66	9·332	78	9·565
2	8·889	2	9·110	2	9·336	2	9·569
4	8·892	4	9·114	4	9·340	4	9·573
6	8·896	6	9·117	6	9·344	6	9·576
8	8·899	8	9·121	8	9·348	8	9·580
43	8·903	55	9·125	67	9·352	79	9·584
2	8·907	2	9·129	2	9·356	2	9·588
4	8·911	4	9·132	4	9·360	4	9·592
6	8·914	6	9·136	6	9·363	6	9·596
8	8·918	8	9·139	8	9·367	8	9·600
44	8·922	56	9·143	68	9·371	80	9·604
2	8·926	2	9·147	2	9·375	2	9·608
4	8·929	4	9·151	4	9·379	4	9·612
6	8·933	6	9·154	6	9·382	6	9·615
8	8·936	8	9·158	8	9·386	8	9·619
45	8·940	57	9·162	69	9·390	81	9·623
2	8·944	2	9·166	2	9·394	2	9·627
4	8·947	4	9·170	4	9·398	4	9·631
6	8·951	6	9·173	6	9·401	6	9·635
8	8·954	8	9·177	8	9·405	8	9·639
46	8·958	58	9·181	70	9·409	82	9·643
2	8·962	2	9·185	2	9·413	2	9·647
4	8·965	4	9·189	4	9·417	4	9·651
6	8·969	6	9·192	6	9·420	6	9·655
8	8·972	8	9·196	8	9·424	8	9·659
47	8·976	59	9·200	71	9·428	83	9·663
2	8·980	2	9·204	2	9·432	2	9·667
4	8·984	4	9·207	4	9·436	4	9·671
6	8·987	6	9·211	6	9·440	6	9·674
8	8·991	8	9·214	8	9·444	8	9·678
48	8·995	60	9·218	72	9·448	84	9·682
2	8·999	2	9·222	2	9·452	2	9·686
4	9·002	4	9·226	4	9·456	4	9·690
6	9·006	6	9·229	6	9·459	6	9·694
8	9·009	8	9·233	8	9·463	8	9·698
49	9·013	61	9·237	73	9·467	85	9·702
2	9·017	2	9·241	2	9·471	2	9·706
4	9·021	4	9·245	4	9·475	4	9·710
6	9·024	6	9·248	6	9·479	6	9·714
8	9·028	8	9·252	8	9·483	8	9·718
50	9·032	62	9·256	74	9·487	86	9·722
2	9·036	2	9·260	2	9·491	2	9·726
4	9·039	4	9·264	4	9·495	4	9·730
6	9·043	6	9·267	6	9·498	6	9·733
8	9·046	8	9·271	8	9·502	8	9·737
51	9·050	63	9·275	75	9·506	87	9·741
2	9·054	2	9·279	2	9·510	2	9·745
4	9·058	4	9·283	4	9·514	4	9·749
6	9·061	6	9·286	6	9·517	6	9·753
8	9·065	8	9·290	8	9·521	8	9·757

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
88	9·761	91	9·820	94	9·880	97	9·942
2	9·765	2	9·824	2	9·884	2	9·946
4	9·769	4	9·828	4	9·888	4	9·950
6	9·773	6	9·832	6	9·892	6	9·955
8	9·777	8	9·836	8	9·896	8	9·959
89	9·781	92	9·840	95	9·900	98	9·963
2	9·785	2	9·844	2	9·904	2	9·967
4	9·789	4	9·848	4	9·908	4	9·972
6	9·792	6	9·852	6	9·913	6	9·976
8	9·796	8	9·856	8	9·917	8	9·981
90	9·800	93	9·860	96	9·921	99	9·985
2	9·804	2	9·864	2	9·925	2	9·989
4	9·808	4	9·868	4	9·929	4	9·994
6	9·812	6	9·872	6	9·934	6	9·998
8	9·816	8	9·876	8	9·938	8	10·003
						100	10·007

SCHEDULE (D.)

A TABLE to be used in determining the original GRAVITY of WASH.

Degrees of Spirit-Indication.	·0	·1	·2	·3	·4	·5	·6	·7	·8	·9
0	—	·3	·6	·9	1·2	1·5	1·8	2·1	2·4	2·7
1	3·0	3·3	3·7	4·1	4·4	4·8	5·1	5·5	5·9	6·2
2	6·6	7·0	7·4	7·8	8·2	8·6	9·0	9·4	9·8	10·2
3	10·7	11·1	11·5	12·0	12·4	12·9	13·3	13·8	14·2	14·7
4	15·1	15·5	16·0	16·4	16·8	17·3	17·7	18·2	18·6	19·1
5	19·5	19·9	20·4	20·9	21·3	21·8	22·2	22·7	23·1	23·6
6	24·1	24·6	25·0	25·5	26·0	26·4	26·9	27·4	27·8	28·3
7	28·8	29·2	29·7	30·2	30·7	31·2	31·7	32·2	32·7	33·2
8	33·7	34·3	34·8	35·4	35·9	36·5	37·0	37·5	38·0	38·6
9	39·1	39·7	40·2	40·7	41·2	41·7	42·2	42·7	43·2	43·7
10	44·2	44·7	45·1	45·6	46·0	46·5	47·0	47·5	48·0	48·5
11	49·0	49·6	50·1	50·6	51·2	51·7	52·2	52·7	53·3	53·8
12	54·3	54·9	55·4	55·9	56·4	56·9	57·4	57·9	58·4	58·9
13	59·4	60·0	60·5	61·1	61·6	62·2	62·7	63·3	63·8	64·3
14	64·8	65·4	65·9	66·5	67·1	67·6	68·2	68·7	69·3	69·9
15	70·5									

CAP. XXXVIII.

An Act to extend the Remedies for the Compensation of malicious Injuries to Property in *Ireland*. [8th *July* 1853.]

6 & 7 W. 4. c. 116. 7 & 8 Vict. c. 106.

'WHEREAS an Act was passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and sixteen, whereby, amongst other Things, Provision is made relating to the Application for and Recovery of Compensation for Losses or Damages sustained by Persons by means of certain mischievous, wanton, or malicious Acts and Outrages in the said Act in that Behalf mentioned: And whereas by an Act of the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter One hundred and six, like Provision is made in like Cases in relation to the County of *Dublin*: And whereas by an Act of the Fourth and Fifth Years of the Reign of Her present Majesty, Chapter Ten, like Provision is made in certain

'certain Cases therein mentioned in relation to the County of the City of *Dublin:* And whereas by an 'Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Sixty-nine, Provision is made 'relating to the Application for and Recovery of Compensation for Losses and Damages sustained by 'Persons by means of certain other riotous and unlawful Proceedings in the said Act mentioned: And 'whereas it is expedient to extend the Benefit of the said recited Provisions of the said first-recited Act 'to certain Cases of Losses or Damages sustained by Persons by means of certain other unlawful, riotous, 'or tumultuous Acts herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That— 11 & 12 Vict. c. 69.

Damages sustained by means of Offences enumerated in this Act to be recovered by like Proceedings as Damages are recovered under 6 & 7 W. 4. c. 116. and 7 & 8 Vict. c. 106.

I. If any Persons in *Ireland*, unlawfully, riotously, or tumultuously assembled together, shall, at any Time since the First of *June* One thousand eight hundred and fifty-two, have unlawfully, wantonly, or maliciously destroyed, demolished, or partially destroyed or demolished, or otherwise damaged or injured, or shall hereafter unlawfully, wantonly, or maliciously destroy or demolish, or partially destroy or demolish, or otherwise damage or injure, any Dwelling House, Outhouse, Warehouse, Shop, or Building, or any Furniture, Goods, Chattels, or Property therein, or any Goods, Chattels, or Property, or any growing Crop, Produce, or Article of any Person or Persons, wherever situate, all Damages which have heretofore been so sustained, or shall at any Time after the passing of this Act be so sustained, by any Person or Persons, by means of any of such unlawful Acts or Offences as aforesaid, shall and may be recovered by like Applications and Proceedings, and by like Presentments of the Grand Jury of the County, County of a City, or County of a Town, in which any such unlawful Act or Offence shall have been committed, and subject to like Traverses, and subject to like Provisions, and in like Manner in all respects as by the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or by the said recited Act of the Seventh and Eighth Years of the Reign of Her present Majesty, respectively, is or are provided in relation to the Application for or Recovery of Compensation for Losses or Damages sustained by any Person or Persons by means of the mischievously or wantonly setting fire to, burning, or destroying any House, Outhouse, or other Building, or any Haggard, Corn, Hay, Straw, or Turf, or the maliciously setting fire to, burning, or sinking any Boat or Barge laden with Corn or other Provisions, or the maliciously killing, maiming, houghing, or injuring any Horse, Mule, Ass, or Swine, or any Horned Cattle or Sheep, or the maliciously damaging, injuring, or destroying any Bank, Gate, Lock, Weir, Sluice, Bridge, Dam, or other Work belonging to any Person, public Canal or Navigation; and the Provisions of the said Two last-mentioned Acts respectively, as the Case may be, shall be accordingly applied for the Recovery of Compensation for Damages sustained by means of any of such unlawful Acts or Offences as are first enumerated in this Act as aforesaid: Provided always, that in the Case of any of such unlawful Acts or Offences committed in the County of the City of *Dublin* Compensation for Damages sustained by any Person or Persons by means thereof shall and may be recovered in like Manner in all respects as by an Act of the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act for extending to the County of the City of* Dublin *the Provisions of an Act passed in the Nineteenth and Twentieth Years of His late Majesty King* George *the Third in* Ireland, *intituled 'An Act to prevent the detestable Practices of houghing Cattle, burning of Houses, 'Barns, Haggards, and Corn, and for other Purposes,' so far as relates to burning of Houses*, is provided in relation to the malicious burning of Houses, Barns, Haggards, Corn, or other Articles or Effects, but subject to any such Alteration or Amendment of the said last-mentioned Act as has been made by an Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Ninety-seven.

Compensation for such Offences committed in the City of Dublin may be recovered as under 4 & 5 Vict. c. 10.

In Cases of such Damages already sustained, Notices, &c. of applying for Compensation, if served before passing of Act, to be as valid as if served after passing of Act.

II. Provided also, That in case of any such Damages so sustained by any Person or Persons by any of the Means aforesaid since the First Day of *June* One thousand eight hundred and fifty-two, if such Person or Persons shall, before the passing of this Act, have served or posted any Notice or Notices of any Application by him or them for Compensation for such Damages, or have lodged any Application for such Compensation, or have given or caused to be given an Examination on Oath in the Manner respectively directed by the said Act of the Sixth and Seventh Years of King *William* the Fourth, in relation to Applications for Compensation under that Act, the Service or posting of such Notice or Notices, or the Lodgment of such Application so made, and the Examination on Oath so given, shall be deemed to be as valid and effectual for the Purposes of this Act as if the same had been made after the passing of this Act; and all Proceedings already taken towards obtaining Compensation for any such unlawful Acts or Offences as aforesaid, but which at the Time of the passing of this Act shall be incomplete or insufficient by reason of the existing Law not extending to any such unlawful Acts or Offences, shall and may be carried on and completed under the Authority of this Act as if this Act had passed previously to the said First Day of *June* One thousand eight hundred and fifty-two.

CAP. XXXIX.

An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap. [8th *July* 1853.]

'WHEREAS it is expedient to repeal the Duties, Allowances, and Drawbacks of Excise on Soap:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: All Duties of Excise on Soap made in *Great Britain*, and on Soap brought from *Ireland* into *Great Britain*, and all Allowances in respect of the said Duties, and all Drawbacks of Excise on Soap exported to Foreign Parts, or removed from *Great Britain* into *Ireland*, and

Duties, Allowances, and Drawbacks of Excise on Soap repealed.

and also all Enactments, Clauses, Provisions, Regulations, and Penalties for levying, collecting, and securing the said Duties, and paying the said Allowances and Drawbacks, and for preventing Frauds in relation thereto, shall respectively cease and determine, and shall be and the same are hereby repealed, from and after the respective Times herein-after mentioned; (that is to say,) as to the said Duties on Soap made in *Great Britain*, and as to all such Allowances and Drawbacks as aforesaid, from and after the Fifth Day of *July* One thousand eight hundred and fifty-three, and as to the said Duties on Soap brought from *Ireland* into *Great Britain* from and after the Fifth Day of *July* One thousand eight hundred and fifty-four; save and except as to any of the said Duties which shall have been charged on or before the respective Times aforesaid, and any Arrear thereof, and as to all Allowances on any Soap which on or before the said Fifth Day of *July* One thousand eight hundred and fifty-three shall have been used in any Manufactures in respect whereof any Allowance of the said Duties is by Law granted and payable, and also as to any Drawback which shall be payable in respect of the Exportation or Removal of any Soap on or before the said last-mentioned Day, and also as to all Fines, Penalties, and Forfeitures incurred in respect of the said Duties, Allowances, and Drawbacks respectively, or in relation thereto, all which said Duties, Allowances, Drawbacks, Fines, Penalties, and Forfeitures so excepted as aforesaid shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

CAP. XL.

An Act for altering the Mode of Repayment of Advances by the Public Works Loan Commissioners under the Public Health Act, 1848, and other Acts. [8th *July* 1853.]

11 & 12 Vict. c. 63.

'WHEREAS by the One hundred and thirteenth Section of the Public Health Act, 1848, it was enacted, that the Interest secured by any Mortgage authorized to be made under that Act should, unless otherwise provided, be paid half-yearly; and in order to pay off any Monies borrowed and secured by any such Mortgage, the Local Board of Health should in every Year, until the same should be paid off, appropriate and set apart as a Sinking Fund such Sum as, together with the Interest from Time to Time to accrue thereon, would in the Period of Thirty Years amount to a Sum sufficient to repay the Monies borrowed and secured by any such Mortgage, and should from Time to Time cause such Sinking Fund and the Interest thereon to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise; and whenever the said Local Board should be enabled to pay off One or more of the Mortgages charged upon the same Property or Rate, and should not be able to pay off the whole of the Mortgages so charged, they should, in default of Arrangement between the Local Board of Health and the Mortgagees, decide by Lot the Order in which the same should be paid off:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Advances by Public Works Loan Commissioners to be repaid by Instalments within Twenty Years, instead of by a Sinking Fund in Thirty Years.

57 G. 3. c. 34.

I. Notwithstanding the said One hundred and thirteenth Section of the said Act, or any other Provisions therein, any Monies thereby authorized to be borrowed and secured by way of Mortgage may be borrowed from the Commissioners acting in execution of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned*, and in execution of any Act or Acts for amending or continuing the same Act or Acts or any of them; and on any such Loan by the said Commissioners called "The Public Works Loan Commissioners" the Repayment of the Monies borrowed, with Interest thereon, shall be secured so as that the same, with the Interest thereon, shall be fully repaid by Instalments within the Period of Twenty Years from the advancing thereof, instead of by forming such accumulating Fund for the Payment of Monies borrowed as by the said Act is provided; and all the Powers and Provisions in the said Act contained for raising Rates for the forming a Fund for the Repayment of Monies to be borrowed under the Provisions of the said Act shall apply and extend to the raising and paying any Monies which may be borrowed of the said Public Works Loan Commissioners, and the Interest thereon.

Securities for Advances to be taken under the Powers of Public Works Loan Acts.

II. In all Cases of Loans under the Public Health Act, 1848, and in all other Cases where any Loans or Advances shall hereafter be made or have already been made by the said Public Works Loan Commissioners to any Persons or Bodies having Power to borrow the same, or to any Persons or Bodies to whom the said Commissioners were, are, or shall be authorized or directed to lend any Monies under the Provisions of any Act or Acts whatsoever, then, notwithstanding the Provisions of the Public Health Act, 1848, or of any local or other Act to the contrary, all Loans or Advances made or to be made shall be taken to have been made or to be made by the Public Works Loan Commissioners under the Provisions of the several Acts in force authorizing Loans by the said Public Works Loan Commissioners; and the Securities for such Loans shall be taken to have been made, and shall have such Priorities, and shall be subject to the same Powers, Authorities, and Remedies in all respects whatsoever, as if such Loans, Advances, and Securities had been made under the Authority of the several Acts in force relating to Loans to be made by the Public Works Loan Commissioners, and notwithstanding any Provision in any other Act now passed or to be passed contained as regards the Priorities or Mode of Payment of any Monies authorized

authorized or directed by any such Act to be borrowed, except so far as the same may by any such Act be altered, varied, or repealed by express Reference to this Act.

Loans may be advanced at a lower Rate of Interest than Five per Cent.

III. From and after the passing of this Act, it shall be lawful for the said Public Works Loan Commissioners and they are hereby authorized to make Advances at such Rate of Interest as they in their Discretion may think fit, not being less than the Rate of Three Pounds Ten Shillings *per Centum per Annum*, except that in case at the Time at which the said Commissioners shall resolve to make any Loan it shall appear that the Rate of Interest to be produced by an Investment in the Purchase of the Stock called the Three *per Centum* Consolidated Bank Annuities would be above Three Pounds Ten Shillings *per Centum per Annum*, then no such Loan shall be granted at a Rate of Interest less than the Rate which would be produced by an Investment in the Purchase of the said Stock; and such Rate of Interest for the Purpose aforesaid shall be ascertained by the said Commissioners by the average Price of such Stock on the Day before the resolving to make such Loan, if the Transfer Books shall on that Day be open, if not, then by the average Price of such Stock on the Day next before the closing such Transfer Books; provided that if the Rate of Interest upon any Advances to be made by the said Commissioners be less than the Rate which by the Act or Acts herein-before recited or referred to the said Commissioners are now authorized or required to take, or in case any Loan the Interest whereof is so as aforesaid to be regulated by the Price of such Stock, then the Consent of the Commissioners of Her Majesty's Treasury for the Time being shall be obtained previously to resolving to make such Loan.

Powers of Treasury to reduce Interest not to be affected.

IV. Nothing in this Act contained shall extend or be deemed or construed to extend to alter, lessen, or abridge the Powers given to or vested in the Commissioners of Her Majesty's Treasury to reduce the Rate of Interest on any Loan advanced or to be advanced by the said Public Works Loan Commissioners, in the Manner and under the Circumstances in any of the Acts herein-before referred to particularly stated or mentioned.

Short Title.

V. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The Public Works Loan Act, 1853."

CAP. XLI.

An Act for making further Provisions with respect to Common Lodging Houses.

[4th *August* 1853.]

'WHEREAS it is expedient to extend the Provisions of "The Common Lodging Houses Act, 1851:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for any Purpose as "The Common Lodging Houses Act, 1853."

Recited Act and this Act to be as One.

II. The Common Lodging Houses Act, 1851, and this Act shall be construed and executed as if they were One Act.

All Common Lodging Houses to be registered, and kept only by registered Keepers.

III. After Three Months after the passing of this Act a Person shall not keep a Common Lodging House or receive a Lodger therein until the House have been inspected and approved for that Purpose by some Officer appointed in that Behalf by the local Authority, and have been registered as by the recited Act provided; and a Person shall not keep a Common Lodging House unless his Name as the Keeper thereof be entered in the Register kept under the recited Act: Provided always, that when the Person so registered dies, his Widow or any Member of his Family may keep the House as a Common Lodging House for not more than Four Weeks after his Death without being registered as the Keeper thereof.

Local Authority may refuse to register Houses, &c.

IV. The local Authority may refuse to register as the Keeper of a Common Lodging House a Person who does not produce to the local Authority a Certificate of Character in such Form as the local Authority shall direct, signed by Three Inhabitant Householders of the Parish respectively rated to the Relief of the Poor of the Parish within which the Lodging House is situate for Property of the yearly rateable Value of Six Pounds or upwards.

Evidence of Register.

V. A Copy of an Entry made in a Register kept under the recited Act, certified by the Person having the Charge of the Register to be a true Copy, shall be received in all Courts and before all Justices and on all Occasions whatsoever as Evidence, and be sufficient Proof of all Things therein registered, without Production of the Register or of any Document, Act, or Thing on which the Entry is founded; and every Person applying at a reasonable Time shall be furnished *gratis* by the Person having such Charge with a certified Copy of such Entry.

Supply of Water to Common Lodging Houses.

VI. Where it appears to the local Authority that a Common Lodging House is without a proper Supply of Water for the Use of the Lodgers, and that such a Supply can be furnished thereto at a reasonable Rate, the local Authority may by Notice in Writing require the Owner or Keeper of the Common Lodging House, within a Time specified therein, to obtain such Supply, and to do all Works necessary for that Purpose; and if the Notice be not complied with accordingly, the local Authority may remove the Common Lodging House from the Register until it be complied with.

As to Removal of sick Persons from Common Lodging Houses to Hospitals, &c.

VII. When a Person in a Common Lodging House is ill of Fever or any infectious or contagious Disease the local Authority may cause such Person to be removed to an Hospital or Infirmary, with the Consent of the Authorities thereof, and on the Certificate of the Medical Officer of the Parish, Place, or District that the Disease is infectious or contagious, and that the Patient may be safely removed, and

and may, so far as the local Authority think requisite for preventing the Spread of Disease, cause any Clothes or Bedding used by such Person to be disinfected or destroyed, and may, if the local Authority think fit, award to the Owners of the Clothes and Bedding so disinfected or destroyed reasonable Compensation for the Injury or Destruction thereof, and such Compensation shall be paid to such Owners by the proper Officer of the Parish or Union in which the Common Lodging House is situate, out of the Rates applicable to the Relief of the Poor of such Parish, the Amount of such Compensation being first certified in Writing upon a List of such Articles.

Power to order Reports from Keepers of Common Lodging Houses kept for Beggars and Vagrants.

VIII. The Keeper of a Common Lodging House in which Beggars or Vagrants are received to lodge, or other Person having the Care or Management thereof, shall from Time to Time, if required by any Order of the local Authority served on such Keeper or Person, report to the local Authority, or to such Person or Persons as the said local Authority shall direct, every Person who resorted to such House during the preceding Day or Night, and for that Purpose Schedules shall be furnished by the local Authority to the Persons so ordered to report, which Schedules they shall fill up with the Information required, and transmit to the local Authority.

Power to Town Councils, &c. to remove Causes of Complaint certified under Nuisances Removal, &c. Act.

IX. The Town Council, Trustees, Commissioners, Guardians, and other Officers and Boards specified in the First Section of the "Nuisances Removal and Diseases Prevention Act, 1848," shall, on the Receipt of a Certificate of any Police Constable or of any Officer appointed for the Inspection of Common Lodging Houses by the local Authority, stating the Existence in or about any Common Lodging House of any of the Causes of Complaint specified in that Section, take all such Proceedings as by that Section are required to be taken by the Town Council, Trustees, Commissioners, Guardians, and other Officers and Boards specified therein on a Notice signed by Two Inhabitant Householders, and in like Manner as nearly as may be as if such Notice had been given; and the local Authority shall have the like Powers, and shall take all such Proceedings, on Receipt of any such Certificate of the Existence of any such Cause of Complaint, as the Town Council, Trustees, Commissioners, Guardians, and other Officers or Boards have and are empowered and required to take under the Provisions of that Act.

Oxford and Cambridge Commissioners to act as the local Authority under this Act.

X. Provided always, notwithstanding any Provision contained in this Act, That within the City of *Oxford*, or the Parts within the Jurisdiction of the Commissioners for amending certain Mileways leading to *Oxford*, and making Improvements in the University and City of *Oxford*, the Suburbs thereof, and the adjoining Parish of *Saint Clement*, (which Commissioners are herein-after called the *Oxford* Commissioners,) the several Powers and Duties assigned by this Act to any local Authority shall, in so far as they are consistent with the Laws under which the said *Oxford* Commissioners act, be exercised by the said *Oxford* Commissioners; and within the Borough of *Cambridge*, or the Parts within the Jurisdiction of the Commissioners acting under an Act of the Thirty-fourth Year of the Reign of King *George* the Third, for amending and enlarging the Powers of a former Act of the same Reign, for the better paving, cleansing, and lighting the Town of *Cambridge*, for removing and preventing Obstructions and Annoyances, and for widening the Streets, Lanes, and other Passages within that Town, (which Commissioners are herein-after called the *Cambridge* Commissioners,) the several Powers and Duties aforesaid shall, in so far as they are consistent with the Laws under which the said *Cambridge* Commissioners act, be exercised by the *Cambridge* Commissioners.

As to Offences against this Act.

XI. The Fourteenth Section of the recited Act extends to Offences against any of the Provisions of this Act, so as to render the Offenders liable to the Penalties therein expressed, and any Person convicted of any Offence against the recited Act and this Act, or either of them, may, in default of Payment of the Penalty imposed, be imprisoned for any Term not exceeding Three Months in the Manner provided by Law in that Behalf.

Conviction for Third Offence to disqualify Persons from keeping Common Lodging House.

XII. Where a Keeper of a Common Lodging House, or a Person having or acting in the Care or Management of a Common Lodging House, is convicted of a Third Offence against the recited Act and this Act, or either of them, the Justices before whom the Conviction for such Third Offence takes place may, if they think fit, adjudge that he shall not at any Time within Five Years after the Conviction, or within such shorter Period after the Conviction as the Justices think fit, keep or have or act in the Care or Management of a Common Lodging House without the previous Licence in Writing of the local Authority, which Licence the local Authority may withhold or may grant on such Terms and Conditions as they think fit.

Acts may be executed by Justices at Petty Sessions.

XIII. In a Case in which there are not Petty Sessions for a Place fifthly mentioned in Section Three of the recited Act, that Act and this Act may be executed within and for all and any Part of such Place by the Justices of the Peace acting in Petty Sessions in the Petty Sessional Division within which such Place is comprised.

As to Expenses of executing Act by Justices.

XIV. Where in any Place the recited Act and this Act are executed by Justices in Petty Sessions, the expenses of and incident to the executing of the recited Act and this Act with respect to such Petty Sessional Division shall be borne by and paid out of the Rates for the Relief of the Poor of the several Parishes or other Places comprised therein in which any Common Lodging House is situate (except so far as there are other Monies applicable to the Purpose), and the Amount of such Expenses shall be ascertained and apportioned by such Justices, and shall be paid accordingly as they order.

CAP. XLII.

An Act for disafforesting the Forest of *Whittlewood* otherwise *Whittlebury*. [4th *August* 1853.]

'WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her Heirs and Successors, of and in the Royal Forest of *Whittlewood* otherwise *Whittlebury* in the Counties of *Northampton*, *Oxford*, and *Buckingham*, or in some or one of the said Counties, and of and in the Soil thereof, and all Timber and other Trees, and all Saplings likely to become Timber, growing thereon, with the Right of Herbage and Feed for Deer, subject to certain Rights of the Most Noble *Henry* Duke of *Grafton* in and over the same, and subject also as to Portions thereof to certain Rights of Common in and over the same: And whereas the said Forest now consists of Four Walks; *viz.*, *Wakefield Walk*, *Hanger Walk*, *Sholbrook Walk*, and *Shrob Walk*, and is computed to contain Four thousand and eleven Acres and Fourteen Perches or thereabouts, consisting partly of Coppices and Ridings within them, partly of Plains and open Ridings, partly of Lawns and Lodge Yards, and partly of Inclosures to the Lodges: And whereas with respect to such of the Coppices as are not constantly inclosed the Custom has been to cut them in rotation every Twenty-one Years, and after each Cutting to inclose them for Nine Years, and then to throw them open for the Deer and Commonable Cattle until the next Cutting: And whereas the said Duke of *Grafton*, under and by virtue of certain Letters Patent of His late Majesty King *Charles* the Second, made in the Twenty-fifth Year of His Reign, is or claims to be entitled to the Coppices within the Limits of the said Forest, "excepting to the Crown all great Trees and Timber Trees, and all Oak Saplings, growing or to grow in the said Coppices, Woods, Underwoods, and Woodlands, to be reserved and left on the same for Stadles or Samplers, and which shall seem most fit and proper according to the Form in the Statute in that Case made and provided, and also all the fairest Stadles or Samplers of Oak, Ash, Elm, or Beech in or upon the said Coppices, Woods, Underwoods, and Woodlands, growing, coming, happening, or arising, and also excepting and reserving all Herbage and Pannage of the same:" And whereas the said Duke of *Grafton*, under and by virtue of certain Letters Patent of His said late Majesty King *Charles*, made in the Thirty-second Year of His Reign, and of certain other Letters Patent of Her late Majesty Queen *Anne*, made in the Eleventh Year of Her Reign, or One of them, is or claims to be entitled to hold and enjoy the Office of Warden, Master Forester or Ranger, and Master of the Game of the said Forest, with the Right of appointing a Deputy Forester and all the Under Foresters and Page Keepers, and at pleasure to remove them and appoint others, with certain Emoluments and annual Payments, and with the other Rights, Emoluments, and Privileges to the said Office belonging, and in virtue of such Office or Offices also claims to have Possession of the chief Lodge of the said Forest called *Wakefield Lodge*, and also of the Lodge called *Sholbrook Lodge*, with the Gardens, Pleasure Grounds, and inclosed Meadow Lands, with the Pasture for Cattle in common with the Deer in certain inclosed Lawns called *Wakefield* and *Sholbrook* Lawns: And whereas there are certain other Lodges for Keepers and other Officers of the said Forest, with Lands inclosed therewith: And whereas the said Forest might be made much more valuable and productive if it were disafforested and the Deer removed therefrom: And whereas Her Majesty has been graciously pleased to signify Her Consent that the said Forest of *Whittlewood* otherwise *Whittlebury* should be disafforested, and the Royal Deer therein removed or destroyed with all convenient Speed, and that the Officers of Her Majesty of and for the said Forest should be discharged, and that such Allotment should be made to Her Majesty in respect of Her Forestal and other Estate, Rights, and Interests, except Rights of Common (if any) as a Proprietor of Lands entitled to such Rights of Common, in and over the said Forest, as is hereinafter provided, and that such Allotment or Allotments and Compensation should be made to the said Duke of *Grafton* in respect of all his Rights as Warden, Master Forester or Ranger, and Master of the Game of the said Forest, and in respect of his Rights and Interests in the Coppices of the said Forest, and all other his Rights and Interests under or by virtue of the said recited Letters Patent, or any of them, and such Compensation to the other Officers of the said Forest as herein-after is also provided; and that such Allotment should be made for the exclusive Common of Pasture of the several Persons entitled to Rights of Common of Pasture over the Portions of the said Forest subject to such Rights, and that such Allotment or Compensation should be made for any other Rights to which any Person or Persons are or may be entitled in, over, or in respect of the said Forest, as is herein-after provided:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Commissioners to be appointed; One by Commissioners of Treasury, One by Inclosure Commissioners, and the Third by the Chief Justice of the Queen's Bench.

I. The Provisions of this Act (subject to the Provision herein-after contained with respect to the said Duke of *Grafton*) shall be carried into execution by Three Commissioners, of whom One shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and so often as any Vacancy shall occur by Death, Resignation, or Incapacity, a new Commissioner shall be appointed in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners so appointed shall for the Time being be the Commissioners for carrying this Act into execution, herein-after designated as "the Commissioners of this Act;" and all Acts and Powers to

to be performed by or given to the Commissioners of this Act under the Provisions herein contained may be performed or exercised by any Two of such Commissioners.

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

II. Every Commissioner shall before he enter upon the Execution of his Office make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the Powers and Duties of a Commissioner under an Act passed in the Seventeenth Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Enrolments.

Commissioners may appoint a Clerk, and employ Land Surveyors and Valuers.

III. It shall be lawful for the Commissioners of this Act from Time to Time to appoint a Clerk, and, if they shall think fit, to remove such Clerk, and on any Vacancy to appoint another Clerk, and also to employ from Time to Time One or more Land Surveyors and Valuers in such Manner as they shall think necessary; and every Land Surveyor and Valuer so to be appointed shall before entering upon the Duties of his Office make and subscribe before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

Land Surveyor to make and subscribe Declaration.

'I *A.B.* do solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Seventeenth Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Enrolments.

Commissioners of Woods, out of the Land Revenues of the Crown, (subject to Repayment,) to pay Salary, &c. of Commissioners and their Clerk.

IV. The Commissioners of Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, subject to Repayment as herein-after mentioned, pay and allow to the Commissioners of this Act such Sum, not exceeding the Sum of One thousand Pounds, as shall be thought sufficient and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be finally determined by the Commissioners of Her Majesty's Treasury), and to the Clerk of the Commissioners of this Act for the Time being such Salary, not exceeding Two hundred Pounds a Year, as shall be considered sufficient, and also shall allow to the Commissioners of this Act, and Clerk, all Costs and Expenses of employing such One or more Land Surveyors and Valuers as aforesaid, and all other reasonable Expenses incurred by them in the Performance of their Duties under this Act.

Commissioners to ascertain the Boundaries of the Forest.

V. The Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for the Purpose of determining the said Boundaries shall or may make use of any existing Maps, Plans, or Surveys, at their Discretion; and the Boundaries, as ascertained by the Commissioners of this Act, shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

Commissioners to set out and award a Common Field or Common Fields for Common of Pasture.

VI. The Commissioners of this Act, so soon as they shall have ascertained the aforesaid Boundaries, shall proceed to ascertain how much of the Lands of the said Forest ought to be set apart for the exclusive Pasturage of the Commonable Cattle of all Persons having Rights of Common of Pasture over the Portions of the said Forest subject to such Rights, and shall by their Award allot and set out as and for a Common Field or Common Fields so much of the Lands in the said Forest as they shall find sufficient to afford an adequate Compensation for such Rights of Common as aforesaid, and, if and so far as they shall find it expedient so to do, shall allot distinct Commons for different Parishes, Districts, or Places, and, subject thereto, the Soil and Freehold of such Commons shall be vested in the Right Honourable *Charles* Lord *Southampton* and the Right Honourable *Augustus Charles Lennox Fitzroy* commonly called Lord *Augustus Charles Lennox Fitzroy*, and their Heirs and Assigns, in trust for all Persons having such Rights of Common as aforesaid, until any Inclosure or Subdivision of such Common Field or Common Fields shall be legally made amongst such Persons; and upon the Confirmation of any Award upon any such Subdivision and Inclosure the Soil and Freehold of the said several Allotments which shall be thereupon made shall vest in the several Persons to whom such Allotments shall be made, upon and for such and the same Estates, Uses, Trusts, and Interests in all respects upon and for which the Rights of Common in respect of which such Allotments shall be made as aforesaid are held by or vested in such Persons.

On making of Award, the Forest to be disafforested, and Forestal Rights of Her Majesty to cease.

VII. On the making of such Award as herein directed the said Forest shall be for ever disafforested, and the Right of Her Majesty to Herbage and Feed for Deer, and all other the Forestal Rights of Her Majesty in or over the Parts of the said Forest so to be allotted for such Common Field or Common Fields as aforesaid, shall absolutely cease, except as to Her Rights, if any, as Owner of Lands entitled to Rights of Common over the said Forest.

Commissioners of Woods to remove Deer within Two Years from passing of Act;

VIII. The Commissioners of Woods or other the proper Officer or Officers of Her Majesty of or for the said Forest shall with all convenient Speed, and within Two Years from the passing of this Act, under the Direction of Her Majesty, Her Heirs or Successors, remove or destroy or cause to be removed or destroyed all the Deer within the said Forest, and apply and dispose of the same as Her Majesty, Her Heirs or Successors, shall direct.

IX. It

and within Two Years from the Award may remove Timber, &c. from Common Fields.

IX. It shall be lawful for the Commissioners of Woods, on behalf of Her Majesty, with all convenient Speed, and within Two Years from the making of such Award, to cut down, sell, and remove, or cause to be cut down, sold, and removed, from the said Common Field or Fields, and from such Portion of the said Forest as may be sold by the Commissioners of this Act for the Purposes herein-after mentioned, all such Timber and other Trees, and Saplings likely to become Timber, growing thereon, as they shall think fit.

Commissioners of Act, in allotting, to consider Advantages derived by Commoners.

X. The Commissioners of this Act, in ascertaining the Extent proper to be allotted as such Common Field or Common Fields as aforesaid, shall take into consideration the Advantage which will be derived by the Commoners aforesaid from the Extinction of Her Majesty's Forestal Rights and the Rights of the Officers of the said Forest, and from the Removal of the said Deer from the said Forest.

For Purpose of Allotment, Her Majesty to be considered as representing Rights of Warden and Forest Officers.

XI. For the Purpose of such Allotment thereof as aforesaid as between Her Majesty and the Commoners, Her Majesty shall be considered as having and representing all the Rights and Privileges of the said Duke of *Grafton* under the said recited Letters Patent as aforesaid, and of all other the Officers of the said Forest, and of all other Persons entitled to Rights and Privileges (other than Common Rights) over the said Forest, by this Act directed to be extinguished and destroyed, which Rights and Privileges shall be taken into consideration by the Commissioners of this Act in the same Manner as if the same had been vested in possession in and in the actual Enjoyment of Her Majesty, and all such Rights and Privileges, as well as all other the Rights and Privileges of Her Majesty, shall be taken into consideration by the said Commissioners in ascertaining the Extent of such Common Field or Common Fields, and so that the Residue of such Forest to be allotted to Her Majesty shall be a just and fair Compensation and Equivalent for and for the Extinguishment of such Rights and Privileges.

Her Majesty and all Persons Owners of existing Rights of Common of Pasture to have same Rights over the Common Fields.

XII. And with respect to the Part or Parts so to be allotted as and for such Common Field or Common Fields as aforesaid by Her Majesty, Her Heirs and Successors, and all other Persons the Owners of any Lands in respect of which any Right of Common of Pasture (other than Deer Feed) now exists in and over the said Forest, their Tenants and Occupiers, shall have the like Right of Common of Pasture other than Deer Feed over the said Common Field or Common Fields so to be allotted as aforesaid; and the said Common Field or Common Fields when allotted as aforesaid shall be freed and discharged from all Rights of Herbage and Feed for Deer, and from all other the Forestal Rights of Her Majesty, and from all Rights of the Officers of the said Forest and of the said Duke of *Grafton*, other than his Rights as a Commoner.

Commissioners to set out Roads.

XIII. The Commissioners of this Act shall set out and allot such Roads and Ways through and over the said Forest, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as they shall think fit, and such Roads and Ways shall be public Highways, and kept and maintained as such, and after setting out the same all other existing Roads or Ways over the Forest shall be shut up and discontinued.

Roads to be made and Expense thereof to be defrayed by Sale of Land.

XIV. The Commissioners of this Act shall cause the said Roads when so set out and allotted to be made and fenced, and shall, for the Purpose of defraying the Expense thereof, sell so much of the said Forest as they shall find necessary for those Purposes, for which Purposes their Conveyance shall vest an indefeasible Estate of Inheritance in the Purchaser or Purchasers, and their Receipt shall be a sufficient Discharge for the Purchase Monies.

Allotments out of Residue to Warden in respect of his Rights.

XV. And with respect to the Residue of the said Forest, the Commissioners of this Act shall by their Award allot thereout to the said Duke of *Grafton* the Chief Lodge called *Wakefield Lodge*, with the Gardens, Pleasure Grounds, inclosed Meadow Lands, and Lawns hitherto possessed therewith, and the Head Keeper's Lodge, and the Close called *Rushmore Close* possessed therewith, together with *Steer Copse* and the Piece of Land covered with Water on the North Side thereof, the *Hay Mead*, and the Southern Division of *South Water Slade Copse* lying on the East Side of *Hay Mead* aforesaid, together with such further Portion of the said Forest adjoining or near thereto as shall in their Judgment be a sufficient Compensation to the said Duke of *Grafton* for all his Rights, Emoluments, and Privileges as Warden, Master Forester or Ranger, and Master of the Game in the said Forest, and for his Right and Interest in the Coppices of the said Forest, and the Underwood and Bushes in the same, and for his Right of appointing the Deputy Forester and other Under Foresters and Page Keepers, and all other his Rights and Privileges, if any, under the said herein-before recited Letters Patent or any of them; and the said Lodge, with the Appurtenances, and such other Allotment or Allotments, as aforesaid, shall, upon the same being made, become the absolute and exclusive Property of the said Duke of *Grafton*, and shall be held and enjoyed freed and discharged from all Rights and Claims whatsoever of Her Majesty, Her Heirs and Successors, and of all other Persons whomsoever, in or over the same, and the same shall be vested in and held by him in the same Manner and for the same Estate Tail, and with the same Reversion in the Crown, as if the same were held under the said first-mentioned Letters Patent; and in ascertaining the Extent of the Allotment so to be made to the said Duke of *Grafton* the Commissioners of this Act shall take into consideration the Value of the Timber and other Trees, and Saplings likely to become Timber, left thereon, as well as the Extinction of Her Majesty's Forestal and other Rights in and over the same; and the said Allotment or Allotments shall be taken and be in full Discharge and Compensation of and for all Rights of the said Duke of *Grafton* in or in respect of the said Forest or any Forestal Office whatsoever: Provided always, that nothing herein-before contained shall affect the Rights of the said Duke of *Grafton* as a Commoner upon or over the said Common Field or Common Fields when so allotted and set out as herein-before directed.

XVI. It

Duke of Grafton or any other Proprietor may charge Allotments towards the Expense of fencing.

XVI. It shall be lawful for the said Duke of *Grafton*, or for any other Person who may be or become a Proprietor of any Allotment or Allotments to be made by virtue of this Act, being Tenant for Life or in Tail, or for any other Estate of Freehold or Inheritance, (with the Consent of the Commissioners of this Act, testified in Writing under their Hands and Seals,) from Time to Time to charge as well such Allotment or Allotments as also any other Lands now being Parcel of the said Forest to which the said Duke of *Grafton*, or any such other Person as aforesaid, may become entitled by Purchase or Exchange for any such Estate as aforesaid, with any Money not exceeding Five Pounds *per* Acre towards the Expenses of fencing and subdividing such Allotment or Allotments and other Lands, and for securing the Repayment of such Money, with Interest, to mortgage or demise the said Allotment or Allotments and other Lands unto or in trust for any Person who shall advance such Money for any Term of Years, but so that every such Mortgage or Demise be made with a Condition to cease and be void, or with an express Trust to be surrendered or re-assigned, when the Money thereby to be secured, with all Interest thereon, shall have been fully paid and satisfied, and so that in every such Mortgage or Demise which shall be made by any Person entitled for Life there be contained a Covenant to pay and keep down the Interest of the Money to be secured during his Life, in such Manner that no Person afterwards becoming possessed of such Lands shall be subject or liable to pay any larger Arrears of Interest than for Six Months previous to the Time when the Title of such Person shall accrue or commence; and every such Mortgage or Demise shall be valid in the Law for the Purposes thereby intended; and every such Mortgagee and his Assigns shall have the like Remedies in case of Nonpayment of the Monies thereby secured as in the Case of other Mortgages of the like Nature.

Power to Duke of Grafton, for Purpose of his Allotment, to appoint a Commissioner in place of the one appointed by Inclosure Commissioners.

XVII. For the Purpose of making such Allotment or Allotments to the said Duke of *Grafton*, it shall be lawful for him, if he shall think fit, under his Hand, to appoint a Commissioner in the Place of the Commissioner so to be appointed by the said Inclosure Commissioners as aforesaid, and in case of Vacancy in the Office of the Commissioner so appointed by him to appoint another Commissioner to supply such Vacancy, and so from Time to Time as there shall be Occasion; and the Commissioner so to be appointed shall act in the Execution of this Act, so far as relates to such Allotment or Allotments to the said Duke of *Grafton*, in all respects with the same Powers and be entitled to the like Emoluments as if he had been appointed by the said Inclosure Commissioners.

Compensation in Land or Money to be made to all other Persons (if any) injuriously affected by the Act.

XVIII. If it shall appear to the Commissioners of this Act that there are or is any other Persons or Person whose Rights (other than the Rights of Forestal Officers as such) will be injuriously affected by the Operation of this Act, the Commissioners of this Act shall ascertain the Nature of their or his Rights, and of the Injury done thereto, and shall determine whether such Injury can be more conveniently and adequately compensated by an Allotment of Land out of the said Forest, or by a pecuniary Compensation, and such Determination shall be final; and in case they shall determine in favour of a Compensation by way of Allotment to any such Person, they shall forthwith allot so much of that Portion of the said Forest which under the Provisions of this Act shall not have been otherwise allotted as to the Commissioners of this Act shall appear a reasonable and sufficient Compensation; and if the Commissioners of this Act shall determine in favour of a pecuniary Compensation, then they shall ascertain the proper Amount thereof, and the Persons or Person to whom the same shall be paid, and shall certify the same to the Commissioners of Woods, who shall pay the same out of the Land Revenues of the Crown, and in such Case the Commissioners of this Act shall take the same into consideration in making the Allotments hereby directed.

Allotments how be held.

XIX. All Allotments and Compensation shall enure and be held to the same Uses and upon the same Trusts as the Estates in respect of which the same shall be so allotted and given.

After the Allotments aforesaid, the Residue of the Forest to become absolutely vested in Her Majesty.

XX. After the Allotments aforesaid the Residue of the said Forest shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne as of Fee, freed, exonerated, and for ever discharged from all Rights to Underwood growing thereon, and from all Rights of Common, and all Rights, of what Nature and Kind soever, either of the said Duke of *Grafton* or of any other Persons or Person whomsoever; and it shall be lawful for the said Commissioners of Woods to exercise all the same Powers over and in respect of the Lands to be allotted to Her Majesty in and by the said Award, as herein provided, as they are or, at any Time hereafter, shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

Compensation to be made to the Poor of certain Parishes, &c. in respect of Right to gather sere and broken Wood.

XXI. 'And whereas certain poor Inhabitants of the Parishes, Townships, Liberties, Hamlets, or Precincts of *Whittlebury*, *Potterspury with Yardley Gobion*, *Passenham with Denshanger*, (which Parishes and Places are usually known as In-towns,) and of the Parishes, Townships, Liberties, Hamlets, or Precincts of *Paulerspury with Heathencote*, *Grafton Regis*, *Alderton*, *Wickin*, *Lillingston Lovell*, and *Lillingston Dayrell*, (which last-mentioned Parishes and Places are usually known as Out-towns,) claim to be entitled to a Right to gather sere and broken Wood in the said Forest on certain Days:' Be it enacted, That the Commissioners of this Act shall inquire and ascertain whether any and what pecuniary Compensation should in their Opinion be made unto the poor Inhabitants of the said several Parishes, Townships, Liberties, Hamlets, or Precincts in lieu of any Rights that they may establish to the Satisfaction of the Commissioners of this Act to sere and broken Wood within the said Forest, and the said Commissioners shall report the Amount or Amounts thereof to the Commissioner or Commissioners of Woods, Forests, and Land Revenues for the Time being in charge of the said Forest, who upon receiving such Report shall out of the Land Revenues of the Crown advance and pay the Amount or

Amounts

Amounts of such pecuniary Compensation so found and reported as aforesaid, and shall invest the same in the Names of the respective Rectors and Churchwardens of the said several Parishes or Places respectively in the Purchase of Three *per Cent.* Consolidated Bank Annuities, to be held by the respective Rectors and Churchwardens of the said respective Parishes or Places for ever in trust to pay and apply the Dividends thereof in the Purchase of Coals or other Fuel, to be by them distributed yearly at *Christmas* among the poor Inhabitants of the said respective Parishes or Places; and a proper Declaration or proper Declarations of Trust shall be executed by the Trustees of the respective Parishes or Places in whose Names the same Stocks shall be invested, and Memorials of such Declarations of Trust shall be enrolled with the Clerk of the Peace for the County of *Northampton*, and on the Investment or Investments of such Sums as aforesaid all such Right and Claim to sere or broken Wood within or over the said Forest shall absolutely cease.

In setting out Allotment to Her Majesty Consideration to be taken of certain Payments out of Land Revenues.

XXII. That in setting out and making the Allotment to Her Majesty as aforesaid the Commissioners of this Act shall take into consideration the pecuniary Payments to be made out of the Land Revenues of the Crown in respect of such Rights or Claims to sere or broken Wood, and shall give to Her Majesty such an Allotment from the said Forest as in their Opinion shall be a full and fair Equivalent for the Amount so to be paid out of the Land Revenues of the Crown for such Rights and Claims as aforesaid.

As regards the Tithes of the Coppices in Whittlebury.

XXIII. 'And whereas an Award of a total Sum to be paid by way of Rentcharge in lieu of the 'Tithes of the Parish or Township of *Whittlebury* (by the Description of the Township of *Whittlebury* 'in the Parish of *Green's Norton* in the County of *Northampton*) hath been confirmed by the Tithe 'Commissioners for *England* and *Wales*, in which Sum was included the Value of the Tithes of the said 'Coppices of the said Forest, and the Underwood and Bushes in the same within the said Parish or 'Township of *Whittlebury*, and in making the said Award the said last-mentioned Tithes were estimated 'at the Sum of Fifty Pounds *per Annum*, subject to the Provisions of the said Acts for the Commutation of Tithes: And whereas the Instrument of Apportionment of the total Sum so awarded by way of 'Rentcharge has not been confirmed: And whereas it may be expedient to apportion such last-mentioned 'Sum of Fifty Pounds *per Annum* on the Hereditaments and Premises by this Act directed to be 'allotted to the said Duke of *Grafton*, or a sufficient Portion thereof:' Be it enacted, That for the Purposes of such Apportionment, but for no other Purpose or Purposes whatsoever, the Hereditaments and Premises by this Act directed to be allotted to the said Duke of *Grafton* as aforesaid, or such Portion thereof as the Commissioners of this Act shall by any Certificate under their Hands direct, shall be and be deemed to be within and to be Part and Parcel of the said Parish or Township of *Whittlebury*, and of the titheable Lands or Places thereof.

Hereditaments allotted to Duke of Grafton to be deemed (for Purposes of the Tithe Apportionment) Part of Whittlebury Parish.

Commissioners to make Award within Three Years.

Deposit of the same.

XXIV. The Commissioners of this Act shall make their Award or Awards in Writing within Three Years from the passing of this Act, and every such Award shall be executed in Duplicate, and One Part thereof shall be deposited in the Office of Land Revenue Records and Enrolments, and the other Part thereof shall be deposited with the Clerk of the Peace for the said County of *Northampton*, there to remain, and be examined by all Persons at all reasonable Times, on Payment of a Fee of One Shilling for each Examination.

After Award all Letters Patent, Offices, &c. to cease and determine.

XXV. After the Award aforesaid all and every Letters Patent, Grants, Appointments, and Warrants of and all and every other Rights to or in any Offices, Bailiwicks, Walks, or Lodges in and for the said Forest of *Whittlewood* otherwise *Whittlebury*, and all Salaries, Gratuities, Fees, and Allowances whatsoever lawfully payable or allowed in respect of the same, and all Privileges and Emoluments incident or annexed thereto, shall thenceforth cease and determine, and pecuniary Compensation shall be made by the Commissioners of Woods out of the Land Revenues of the Crown to all Officers holding such Offices as aforesaid, except the Warden, Master Forester or Ranger, and Master of the Game, (whether holding Lodges and Land within the said Forest by virtue of their several Offices or not,) in consideration of the Cessation of their said several Offices, and on their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto, under any Grant, Letters Patent, or Appointment or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and ascertained by the Commissioners of Her Majesty's Treasury.

Her Majesty and the Duke of Grafton to make and maintain Boundary Fences round their Allotments.

XXVI. Her Majesty, Her Heirs and Successors, and the said Duke of *Grafton*, shall respectively make and at all Times thereafter maintain sufficient Boundary Fences where necessary, round all the Parts so to be set out and allotted or awarded to and to become the Property of Her Majesty and the said Duke of *Grafton* respectively as aforesaid: Provided always, that nothing herein contained shall operate to exonerate or discharge any Person or Persons from the Liability (if any) which at or before the passing of this Act he or they are or were under to make and maintain the Fences of such Part or Parts of the said Forest as may be allotted or awarded to Her Majesty or the said Duke of *Grafton* respectively as aforesaid.

In case of the Duke of Grafton's Death, Act to bind Persons entitled in remainder.

XXVII. In case the said Duke of *Grafton* shall die before the Completion of the said Allotments herein-before provided to be made to him, all the Provisions herein contained relating to the said Duke of *Grafton* shall extend to and be applicable in all respects to the Person or Persons entitled in remainder or reversion upon his Decease, and the Warden, Master Forester or Ranger, and Master of the Game of the said Forest for the Time being, or the Person who but for this Act would have been Warden, Master Forester or Ranger, and Master of the Game of the said Forest.

Commissioners may, if they think fit, ex-

XXVIII. The Commissioners of this Act may examine upon Declaration all such Persons as they might think fit, who attend before them for the Purpose of giving Evidence upon any Matter or Proceed-

amine Witnesses upon Declaration.

ing under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form:

'I *A. B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in question shall be the Truth, the whole Truth, and nothing but the Truth.'

Persons giving false Evidence guilty of Misdemeanor.

XXIX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

Act not to affect Hasleborough Walk.

5 G. 4. c. 99.

XXX. Nothing in this Act contained shall extend to or in anywise affect that Portion of the ancient Forest of *Whittlewood* otherwise *Whittlebury* called *Hasleborough Walk*, nor any Title, Right, or Claim of Her Majesty, or any other Person or Persons, under and by virtue of an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for dividing, allotting, and inclosing that Portion of the Forest of* Whittlewood *called* Hasleborough Walk *in the Parish of* Whitfield, *and Liberties and Precincts of* Silston *otherwise* Silverston *otherwise* Silveston Burnham *in the County of* Northampton, *and of the open Fields of* Silston *otherwise* Silverston *otherwise* Silveston Burnham *aforesaid.*

Provision as to Costs.

XXXI. The Commissioners of Woods shall pay all the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by them in and about the Execution of this Act, in the first place, out of the Produce of the Timber and other Trees and Saplings to be cut down and sold or otherwise disposed of under or by virtue of this Act, and so far as that shall not be sufficient the same shall be paid as Part of the Costs of Management of the Land Revenues of Her Majesty.

Short Title.

XXXII. It shall be sufficient for all Purposes to cite this Act as the "*Whittlewood* Disafforesting Act, 1853."

CAP. XLIII.

An Act for enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties.

[4th *August* 1853.]

5 & 6 W. 4. c. 38.

'WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, it was enacted, that it should be lawful for His said Majesty, by an Order to be notified in Writing by One of His Majesty's Principal Secretaries of State, to direct that any Persons in Prison within *England* and *Wales* under Sentence of any Court or of any competent Authority for any Offence committed by them should be moved from the Prison in which they were confined to any other of His Majesty's Prisons or Penitentiaries within *England* or *Wales*, there to be imprisoned for and during their respective Terms of Imprisonment: And whereas it is expedient to extend the Provisions of the said Act by enabling the Justices of any County to enter into Contracts in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Prison of an adjoining County:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever it shall appear to Her Majesty's Principal Secretary of State for the Home Department, by the Report of the Justices assembled at any General Quarter Sessions of the Peace or Adjournment thereof, held for any County, or Riding or Division of a County, in *England* or *Wales*, that any Gaol or House of Correction for such County, Riding or Division of a County, is either permanently or occasionally insufficient for or inadequate to the safe Confinement of the Number of Prisoners committed thereto, or to give effect to the Rules prescribed and then in force under any Acts for the Government and Discipline of such Gaol or House of Correction, and that the Justices of the Peace of any adjoining County, or Riding or Division of a County, possess the requisite Accommodation, and are willing to receive into and maintain in the Gaol or House of Correction of such adjoining County, or Riding or Division of a County, any specified Number of such Prisoners, it shall be lawful for the said Secretary of State, if he shall think proper so to do, by Writing under his Hand, to authorize the Visiting Justices, or any Three of them, of such adjoining Counties, or Ridings or Divisions of Counties respectively, by Writing under their Hand, to enter into such Contracts for the Reception, Maintenance, and Confinement of such Prisoners in the Gaol or House of Correction of any adjoining County, or Riding or Division of a County, for such Period and upon such Terms as may be mutually agreed upon between the Visiting Justices of such adjoining Counties, or Ridings or Divisions of Counties respectively, and when in pursuance of such Authority any such Contract shall have been entered into, the same or a Counterpart shall be submitted to the next General Quarter Sessions of the Peace of the respective Counties, or Ridings or Divisions of Counties, Parties thereto, and filed among the Records of the said Counties, Ridings, or Divisions respectively; and all Payments to become due under such Contract shall be payable out of the County Rates or out of such other Fund as but for such Contract would have been chargeable with the Cost of Maintenance and Confinement of the said Prisoners in the Gaol or House of Correction from which they may be so removed or transferred as aforesaid.

When Gaol of any County is insufficient for the Custody of Prisoners, the Secretary of State may authorize Justices of any adjoining County to contract for the Maintenance, &c. of such Prisoners.

CAP. XLIV.

An Act to enlarge and extend the Powers of an Act of the Fifteenth and Sixteenth Years of Her present Majesty, for enabling the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in *Pimlico*, and in the Neighbourhood of *Buckingham Palace*. [4th *August* 1853.]

'WHEREAS by the Seventy-eighth Chapter of the Statutes made in the last Session of Parliament certain Powers were vested in the Commissioners of Her Majesty's Works and Public Buildings, to enable them to complete such Improvements in *Pimlico* and in the Neighbourhood of *Buckingham Palace* as are shown on the Plan in the said Act referred to, and to purchase and take and appropriate certain Hereditaments therein mentioned or referred to: And whereas it is expedient that the Commissioners of Her Majesty's Works and Public Buildings should be empowered to make a certain Deviation from the Line of the said Improvements so by the said Act authorized to be made and therein referred to, and the Limits of which Deviation are shown on the Plan which was deposited on or before the Thirtieth Day of *November* last with the Clerks of the Peace for the County of *Middlesex* and for the City and Liberty of *Westminster*, and with such last-mentioned Plan so deposited were deposited Books of Reference thereto containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Property shown on the said Plan; and it is expedient that the said Commissioners of Her Majesty's Works and Public Buildings should have vested in them further Powers for the purchasing and taking the Property by the said Act and this Act authorized to be purchased and taken:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 15 & 16 Vict. c. 78.

Commissioners of Works and Public Buildings empowered to make Improvements.

I. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, herein-after styled "the Commissioners," to make such Improvements as aforesaid, within the Line of Deviation shown on the said Plan so deposited with the Clerks of the Peace for the County of *Middlesex* and for the City and Liberty of *Westminster*, in all respects as they shall think fit.

Power to alter Levels of existing Streets, &c. and to alter and stop up Streets, Ways, Sewers, or Drains.

II. It shall be lawful for the said Commissioners, for the Purpose of effecting the said Improvements, to alter the Levels of existing Streets, Ways, Paths, or Passages comprised and exhibited in the said last-mentioned Plan, and to cross, divert, widen, alter, or stop up, either temporarily or permanently, all such Streets, Ways, Paths, Passages, Sewers, Drains, or Pipes as it may be necessary or expedient to cross, divert, widen, alter, or stop up for the Purposes of the said Improvements; and any Streets or Roadways made or opened in pursuance of the said Act or this Act shall, when made and opened, be used by the Public.

Power to purchase Hereditaments mentioned in the Schedule, and to lease, sell, and exchange the same.

III. It shall be lawful for the said Commissioners for the Purposes of the said Act and this Act to purchase all such of the Hereditaments comprised in the Schedule to this Act, or any Estate or Interest therein, as in their Opinion may be necessary for the effecting the said Improvements, and such Hereditaments may be purchased out of such Funds and in all respects as is by the said Act provided; and all Hereditaments purchased by virtue of this Act may be held, appropriated, leased, sold, and exchanged in all respects as is by the aforesaid Act provided with respect to Hereditaments to be purchased under the Provisions of the aforesaid Act; and such Hereditaments, when purchased, shall be conveyed and assured in such Manner as is by the said Act provided with respect to the Hereditaments by the said Act authorized to be purchased, and particularly any Hereditaments purchased or acquired under the Powers of this Act or the said Act may be sold, leased, and exchanged in all respects as by the said Act is provided with respect to the Hereditaments thereby authorized to be purchased.

Certain Provisions of 9 & 10 Vict. c. 39. extended to this Act.

IV. For the Purposes of this Act the following Sections of the Thirty-ninth Chapter of the Statutes made in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her Majesty (being an Act for the Construction (amongst other Works) of a Bridge over the River *Thames* near *Chelsea Hospital*), namely, 11, 13, 16, 17, 18, 20, 23, 24, 25, 26, and 28 to 56 both inclusive, and 63 and 65, shall be deemed to be herein repeated with the Alterations necessary to make the same applicable to the Provisions of this Act, and to the Purchase of the Hereditaments by this Act or the said Act authorized to be purchased, and to the said Commissioners of Her Majesty's Works and Public Buildings, except that the Power to take and purchase any Hereditaments for the Purposes of this Act shall not be exercised by the said Commissioners after Four Years from the passing of this Act.

Provisions of 15 & 16 Vict. c. 78. extended to this Act.

V. All the Provisions contained in the aforesaid Statute, Chapter Seventy-eight, shall apply to all and every the Matters and Things to be done under this Act, and as if the same were herein repeated.

Short Title.

VI. It shall be sufficient for all Purposes to cite this Act as the "*Pimlico* Improvement Act, 1853."

The SCHEDULE to which this Act refers.

THE PARISH OF SAINT MARGARET IN THE CITY AND LIBERTY OF WESTMINSTER IN THE COUNTY OF MIDDLESEX.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		James Street.		
1	Dwelling House, Gateway, Garden, and Yard.	- - -	Elizabeth Moss, Alexander Mackenzie Ross, Augusta Foley Ross.	Fanny Bray, John Braham.
2	Dwelling House and Yard and Tenement in Princes Place.	- - -	Thomas Flight, Hannah Haining.	Hannah Haining, James Robinson.
3	Dwelling House and Yard.	- - -	- - -	Jane Fraser, Margaret Hofman.
4	Dwelling House and Yard.	The Crown -	- - -	William Atkinson Green.
5	Dwelling House, Coach-house, and Stable.	- - -	Otho William Hawtley Hamilton, Sir Fortunatus Dwarris.	Sir Fortunatus Dwarris, James Talbot.
6	Dwelling House, Yard, and Cowshed.	- - -	Lewis Crombie, James Farquhar Mathison.	Lewis Crombie, Rees Thomas.
7	Dwelling House and Yard.	- - -	Robert Torrens, Colonel William Wilberforce, Rev. Cyril Page.	Rev. Cyril Page.
30	Dwelling House and Yard, with Shop.	Joel Pinney, Francis Pinney, Executors of the late Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker -	William Truelove -	Abraham Harris.
31	Dwelling House, Shop, and Coalsheds.		Samuel Churchill -	Thomas Chandler.
32	Dwelling House, Shop, and Yard.	James Watney -	George Drew, Andrew Mann, Robert Mann, Margaret Mann, (Executors of the late Andrew Mann).	William Stone.
		William Street.		
6	Dwelling House and Yard.	- - -	- - -	Henry Grant.
7	Dwelling House and Yard.	- - -	- - -	Thomas Goble.
8	Dwelling House and Yard.	Joel Pinney, Francis Pinney (Executors of the late Francis Pinney), Mrs. Bernard Pinney, Mrs. T. Walker.	- - -	Abraham Harris.
9	Dwelling House, Yard, and vacant Ground in front.		- - -	John Davenport.
10	Dwelling House and Yard.		- - -	Charles Waters.
15	Dwelling House and Coalshed.	- - -	- - -	Samuel Strickland.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Stafford Place.		
20	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Joseph Strickley.	Henry Abbott.
25	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Elizabeth Smith, William George Thomas Barter.	Thomas Wilkes.
26	Dwelling House and Yard.	- - -		Thomas White.
27	Dwelling House and Yard.	- - -		Mercy Ross.
28	Dwelling House and Shop.	- - -		James Talbot.
29	Dwelling House and Shop.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Charles Fox, Henry Howard.	Sarah Crook.
30	Public House "Stafford Arms."	- - -	John Parker Pierce, Michael Henry Howard, Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Charles Fox.	Charles Fox.
31	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Henry Sugg.	Edward Roper.
		The Crown - -		
32	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Henry Bushby.	John Horton.
33	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Henry Sugg.	Benjamin Brown.
34	Dwelling House and Yard.	- - -		James Holland.
35	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Charles Pye.	Thomas Oliver.
36	Dwelling House and Yard.	- - -		Charles Summerville.
37	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker, Adeline Papare.	Joseph Messmer.
38	Dwelling House and Yard.	- - -	Joel Pinney, Frances Pinney, Mrs. Bernard Pinney, Mrs. T. Walker.	Rees Thomas.
56	Dwelling House and Yard.	- - -		Thomas Carter.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
55	Dwelling House and Yard.	- - -	Joel Pinney, Francis Pinney, Mrs. Bernard Pinney, Mrs. T. Walker.	Peter Moultre.
54	Dwelling House and Yard.	- - -		John Gowan.
53	Dwelling House and Yard.	- - -		George Davis.
39	Dwelling House and Shop.	The Crown -		Samuel Sadler.
40	Dwelling House, Shop, and Yard.	- - -		Benjamin Styche.
41	Dwelling House, Shop, and Yard.	- - -		Charles Hounsell.

THE PARISH OF SAINT GEORGE HANOVER SQUARE IN THE CITY AND LIBERTY OF WESTMINSTER IN THE COUNTY OF MIDDLESEX.

Stafford Place.

52	Dwelling House and Yard.	Rev. John Philip Tomlinson, William Tooke (Trustees of the late Ralph Ward), William Robert Tomlinson, James Ward Tomlinson, William Piggott Shuckburgh, Anne Harrison, Maria Tomlinson, Elizabeth Ward Tomlinson, Joanna Shuckburgh.	Joel Pinney, Francis Pinney (Executors of the late Francis Pinney).	Sarah Pinney.
51	Dwelling House and Yard.			George Kitchener.
50	Dwelling House and Yard.			Francis Strugnell.
49	Dwelling House and Yard.			Peter Singleton.
48	Dwelling House and Yard.			John Lead.
47	Dwelling House and Yard.			James Martin.
46	Dwelling House and Yard.			Elizabeth Young.

Stafford Row, Victoria Road.

12	Dwelling House, Shop, and Garden.	- - -	Thomas Bew -	Frederick Berry.
13	Public House and Garden "The Gun Tavern."	- - -	William Rackstraw	William Rackstraw.
13	Dwelling House and Shop.	Rev. John Philip Tomlinson, William Tooke (Trustees of the late Ralph Ward), William Robert Tomlinson, James Ward Tomlinson, William Piggott Shuckburgh, Anne Harrison, Maria Tomlinson, Elizabeth Ward Tomlinson, Joanna Shuckburgh.		Charles Grover.
14	Dwelling House, House, Shop, and Garden.		George Henry Stevens.	George Henry Stevens.
14*a*	Garden at back -		Edward Weatherley -	George Nisbet.
15	Dwelling House, Shop, and Yard.		Henry Hayes, Charles Grover.	Henry Hayes.
16	Dwelling House, Shop, and Yard.		Thomas Edy - -	Thomas Edy.
17	Dwelling House, Shop, and Yard.		John Imrie - -	John Imrie.
18	Dwelling House, Shop, and Yard.		Adam Murgatroyd -	Adam Murgatroyd.
19	Dwelling House and Shop.	- - -	George Taylor -	George Taylor, David Gilbert.

Number in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Charlotte Street.		
1	Dwelling House and Shop.	Rev. John Philip Tomlinson, William Tooke (Trustees of the late Ralph Ward), William Robert Tomlinson, James Ward Tomlinson, William Piggott Shuckburgh, Anne Harrison, Maria Tomlinson, Elizabeth Ward Tomlinson, Joanna Shuckburgh.	Henry Rhodes, William Woolston.	William Woolston.
		Princes Court.		
1	Stables - -	The Crown - -	Thomas Flight -	John Robinson.
2	Cottage and Yard -			John Swain.
100	Public Street -	The Commissioners for Paving and Improving the Parishes of Saint Margaret and Saint John, Westminster.	—	—
101	Public Street - -	The Commissioners of Paving for the Out Ward of St. George Hanover Square.	—	—
102	Public Street - -	The Commissioners of Paving for the Parish of Saint Martin in the Fields.	—	—

CAP. XLV.

An Act to consolidate and amend the Laws and to grant additional Facilities in relation to the Purchase of Government Annuities through the Medium of Saving Banks, and to make other Provisions in respect thereof. [4th *August* 1853.]

'WHEREAS it is expedient that the existing Acts of Parliament relating to the Purchase of Government Annuities through the Medium of Savings Banks should be repealed, in order that the same may be consolidated and amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of 3 W. 4. c. 14. and 7 & 8 Vict. c. 83. as relates to Purchase of Government Annuities through the Medium of Savings Banks, &c. repealed.

I. So much of the Act passed in the Third Year of the Reign of King *William* the Fourth, Chapter Fourteen, as relates to the enabling Depositors in Savings Banks and others to purchase Government Annuities through the Medium of Savings Banks and Parochial Societies, and so much of another Act passed in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-three, as relates to the Purchase of Government Annuities through the Medium of Savings Banks, shall be repealed, except as to anything heretofore done, or which shall hereafter be required to be done, in respect to any Annuities granted under the said Acts or either of them, and except also so far as may be necessary for the Purpose of any Proceedings to be taken under or by virtue of the same Acts or either of them, such Repeal to commence and take effect on and after the Tenth Day of *October* One thousand eight hundred and fifty-three.

Commissioners for Reduction of National Debt may receive Money from Depositors,

II. From and after the said Tenth Day of *October* One thousand eight hundred and fifty-three, it shall and may be lawful for the Commissioners for the Reduction of the National Debt to grant to or for the Benefit of any Depositor in a Savings Bank, or other Person whom the said Commissioners shall think entitled to be or to become a Depositor in a Savings Bank, any Immediate or Deferred Life Annuities depending on single Lives, or Immediate Annuities depending on joint Lives with Benefit of Survivorship

&c. for Purchase of Annuities.

Survivorship or on the joint Continuance of Two Lives, to any Amount not less than Four Pounds nor more than Thirty Pounds in the whole, to or for the Benefit of any One Person, and to receive Payment for such Immediate Life Annuities in One Sum, and for such Deferred Life Annuities either in One Sum or in annual Sums payable for fixed Periods: Provided always, that no such Annuities shall be granted to or for the Benefit of any Person under the Age of Ten Years.

Annuity may be granted to Husband and Wife.

III. Such Annuity may be granted to or possessed by any married Man or Woman, although an Annuity to the same or a less Amount may have been granted to or possessed by the Wife or Husband of such Party.

Deferred Annuities may be granted with a Condition that Purchase Money shall be returnable;

IV. The said Commissioners may grant such Deferred Life Annuities on condition that the Purchase Money shall be returnable, but without Interest, in which Case such Purchase Money without Interest shall be returnable at any Time on the Application of the Person beneficially interested in such Annuity, or after his Death on the Application of his Executors or Administrators; provided always, that in no Case whatever shall such Purchase Money or any Part thereof be returned after the first Payment of the said Annuity shall have actually become due, and the Monies so returnable shall be charged, paid, and defrayed out of the Monies standing in the Names of the said Commissioners at the Bank of *England* under the Provisions of this Act.

or with a Condition that Purchase Money shall not be returnable.

V. The said Commissioners may grant in like Manner and to the like Persons Deferred Life Annuities, of not less than One Pound or some Multiple thereof, not exceeding Thirty Pounds in the whole, to any One Person, and receive Payment for such Annuity in One Sum on condition that the Purchase Money shall not be returnable.

Parties unable to keep up Payments may have an Annuity granted in lieu of Money returned.

VI. Where a Party who has contracted under the Acts hereby repealed or shall contract under this Act for the Purchase of a Deferred Life Annuity by annual Payments shall, after having made One or more of such Payments, be unable to pay the Residue thereof, the said Commissioners may, at the Option of the Party beneficially interested in such Annuity, grant to such Party a Life Annuity, immediate or deferred, equivalent to the Amount of the several Payments so made by him, instead of returning the Amount of such Payments in Money.

Power to convert Deferred into Immediate Annuity.

VII. Where a Party has already contracted under the Acts hereby repealed, or shall hereafter contract under this Act, by Payment in One Sum for a Deferred Life Annuity, the said Commissioners may, at the Option of the Party, grant an Immediate Life Annuity in place and instead of the Deferred Life Annuity, which shall forthwith be cancelled.

Name of Party to be always inserted in Grant.

VIII. No Annuity shall be granted under the Authority of this Act unless the Name of the Party on whose Life and for whose Benefit the Purchase is proposed to be effected shall be inserted in the Grant as a joint Proprietor of the said Annuity.

Cases in which Grants of Annuities may be to Trustees.

IX. No such Annuity shall be granted otherwise than in the sole Name of the Person on whose Life and for whose Benefit the said Annuity is granted, except in the Case of Females, Infants under the Age of Twenty-one Years, Idiots, Persons of unsound Mind or incapacitated by bodily or mental Infirmity from taking care of themselves, of which Proof shall be afforded at the Time of making the Contract to the Satisfaction of the said Commissioners, or Comptroller General or Assistant Comptoller acting under them, in which Cases it shall be lawful to grant such Annuities as are authorized by this Act upon the Life of any such Person to such Person and to any Two or more Persons not interested therein as Trustees for such Person, under such Regulations as shall be prescribed by the said Commissioners or Comptroller General.

Power to grant Money on Death of Persons purchasing Deferred Annuities.

X. The said Commissioners may contract with any such Person or Persons for the Payment of a Sum of Money on his or her Death, provided that the Party contracting for such Payment on Death shall at the same Time purchase a Deferred Annuity depending upon his or her own Life, as the Case may be, and that the Money payable on Death do not exceed the Amount of the Sum paid down for the said Payment on Death and Annuity taken together, and shall in no Case exceed One hundred Pounds in the whole.

Contracts may be made at National Debt Office, or through the Medium of Savings Banks, &c.

XI. The said Commissioners may make such Contracts with such Parties for the Grant of any Annuities under the Authority of this Act, either directly at their own Office or through the Medium of Savings Banks or Parochial or other Societies, or Agents duly authorized by the said Commissioners for such Purpose, and under such Regulations as the said Commissioners shall prescribe, and in such last-mentioned Cases may authorize the said Savings Banks and Societies and Agents to take and demand the like Fees as are sanctioned in respect to such Annuities by the Act of the Seventh and Eighth *Victoria* above referred to.

Money paid on account of Purchase of Annuity to be kept distinct, and paid to Account of Commissioners.

XII. The said Annuities and Payments on Death herein referred to are hereby made chargeable upon the Consolidated Fund of the United Kingdom, and all Sums of Money from Time to Time paid on account of such Contracts under this Act, or under the Acts hereby repealed, shall be paid into the Bank of *England* or into the Bank of *Ireland* to the Account of the Commissioners for the Reduction of the National Debt, under such Regulations as the said Commissioners shall from Time to Time prescribe in that respect; and the Cashiers of the Bank of *England* or Bank of *Ireland* are hereby required to receive all such Monies, and to place the same to the Accounts of the said Commissioners to be entitled "The Fund for purchasing Life Annuities or for Payments on Death, on the Account of "Depositors in Savings Banks (as the Case may be);" and the said Commissioners shall in like Manner keep distinct and separate Accounts of all Monies so placed to the said Accounts, pursuant to the Provisions of this Act.

Commissioners to make Rules, Regulations, &c.

XIII. The said Commissioners, or the Comptroller General or Assistant Comptroller acting under the said Commissioners, may require such Proofs of Age and of Identity, and such Certificates, and make such

such Rules and Regulations in respect to the Grant of all Annuities, and for securing Payments on Death, under the Authority of this Act, and to the Payment thereof, and also to the Payment of all Annuities granted under the Acts hereby repealed, as may appear to them to be necessary and proper for carrying out the Purposes of this Act; and may decline or refuse to contract for any Annuity or for any Payment on Death, under the Provisions of this Act, in any Case where there shall be in the Opinion of the said Commissioners, or of the said Comptroller General or Assistant Comptroller, sufficient Grounds for refusing or declining so to do.

Commissioners, &c. may decline to contract for Annuities, &c.

XIV. If any One Individual shall by his own direct Act have or hold or be possessed of or entitled to any Annuity or Annuities granted under the Provisions of this Act or of the Acts hereby repealed, exceeding in the whole the Sum of Thirty Pounds *per Annum*, or shall make a false Declaration in relation to any Matter or Thing required by the Regulations of the said Commissioners, all the said Annuity or Annuities and Payments on Death shall be forfeited.

Penalty on Persons making false Declaration, &c.

XV. If any Person having contracted for the Payment of a Sum of Money on Death in the Manner herein-before provided shall at any Time, in Writing, in a Form approved of by the said Commissioners, and deposited with them during his Life, direct that the Sum payable at his or her Death be commuted for an Annuity for Life, to commence at his or her Death, and to be paid to any Persons nominated in the said Writing, such Commutation shall take effect, when approved of by the said Commissioners, or by the Comptroller General or Assistant Comptroller acting under the said Commissioners, and the Person so nominated shall be entitled to such Life Annuity as shall be the Equivalent to such Sum of Money so payable after Death as aforesaid, such Annuity to commence and take effect on and from the Sixth Day of *January*, Sixth Day of *April*, Sixth Day of *July*, and Eleventh Day of *October*, as the Case may be, next immediately following the Death of the Party nominating, and be payable and paid at the next following half-yearly Period.

Persons contracting for Payments of Sums of Money at Death may commute the same into an Annuity payable after Death to Nominees.

XVI. For the better carrying this Act into execution it shall and may be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time as they shall think fit, to direct the Commissioners for the Reduction of the National Debt to use and adopt such Tables as shall from Time to Time be authorized and approved of by the said Commissioners of the Treasury for determining the Values of all Annuities, of whatsoever Kind, which may be granted according to the Provisions of this Act, as well as Tables for Payment of Sums of Money at Death, and such respective Tables shall be valid and effectual for the Purposes of this Act; and all Annuities for Lives, of whatsoever Kind, to be purchased under the Provisions of this Act shall be purchased, and all Payments for Sums to be secured at Death shall be contracted for, according to the Values stated in such Tables respectively, so long as the same shall remain in force; and the said Commissioners of the Treasury may alter, revoke, and recall all or any of the said Tables from Time to Time, and direct the Use and Adoption of such other Tables in lieu thereof as shall be approved of by the said Commissioners of the Treasury, and also discontinue, by any Warrant under their Hands addressed to the said Commissioners for the Reduction of the National Debt, the granting of any Annuities for Lives, or of Sums payable at Death, under the Provisions of this Act, if they shall think it fit and expedient so to do: Provided always, that the said Commissioners for the Reduction of the National Debt shall, previous to the Adoption and using of any such Tables, and Discontinuance of the granting of such Annuities and Payments at Death as aforesaid, give Notice thereof from Time to Time in the *London*, *Edinburgh*, and *Dublin* Gazettes, in such Form and Manner as to the said Commissioners for the Reduction of the National Debt shall seem fit and proper: Provided also, that the Tables now in force in respect to Annuities grantable under the Authority of the Acts hereby repealed shall be valid and effective for the Purchase and Grant of any Annuities under this Act, so far as they are applicable thereto, until altered, revoked, and recalled by the said Commissioners of the Treasury.

Treasury shall direct Use of Tables of the Value of Annuities as approved by them.

XVII. In every Case when any Sum of Money shall be paid as the Consideration for the Purchase of any Annuity for Lives of whatsoever Kind, under the Provisions of this Act, or for securing a Payment on Death, the Person or Persons purchasing any such Annuity for Lives or for securing such Payment on Death, shall be entitled to receive from the Period at which the said Annuity is to commence and take effect an Annuity for a Life, or for joint Lives with Benefit of Survivorship, or on the joint Continuance of Two Lives, as the Case may be, of such annual Amount as shall be specified in any such Table or Tables respectively as the Commissioners of Her Majesty's Treasury shall from Time to Time authorize and approve in manner herein-before directed, to be calculated and ascertained according to the Age of the Party; and every Payment to be made on Death shall in like Manner be ascertained and settled according to the said Tables so to be approved and adopted from Time to Time as aforesaid.

Purchasers of Annuities for Lives shall be entitled to such Amount of Annuity as shall be specified in the Tables.

XVIII. All Life Annuities, of whatsoever Kind, which shall be purchased and granted under the Provisions of this Act, (whether such Life Annuities shall commence immediately or not,) and all Payments at Death, shall, in their due Course as the same shall fall due and become payable, be carried to a new and separate Account in the Books of the said Commissioners for the Reduction of the National Debt.

Life Annuities under this Act, and Payments at Death, to be carried to separate Accounts.

XIX. Whenever Proof of the Age of any Person shall have been once produced to the said Commissioners under the Provisions of any Act for the Purchase of any Annuity or Annuities on the Life of such Person, the original Proof of the Age of such Person, produced at the Time of the Purchase of the First Annuity upon the Life of such Person, shall be deemed sufficient in the Case of any proposed Purchase of a further Annuity on such Life under the Provisions of this Act, or of any other Act or Acts now in force authorizing the Grant of Annuities, without the Production of any further Proof of Age.

Life Annuitants may make further Purchases without fresh Certificates.

Amount of Annuities from Time to Time, and Sums payable on Death, to be certified to the Treasury, who shall issue their Warrant for Payment thereof.

XX. The said Comptroller General or Assistant Comptroller acting under the said Commissioners shall, within Fourteen Days preceding the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each and every Year, certify to the Commissioners of Her Majesty's Treasury the Amount of Annuities for Lives, and Sums payable at Death, which will become payable under this Act out of the said Consolidated Fund on each of such Days respectively, and the said Commissioners of the Treasury shall thereupon order and direct the Comptroller General of the Exchequer to issue out of the said Consolidated Fund from Time to Time to the Account of the said Commissioners for the Reduction of the National Debt the Sums specified in such Certificates, to be applied in paying such Annuities and Sums payable at Death respectively.

Time of Payment of Annuities granted under this Act.

XXI. All Annuities for Lives, of whatsoever Kind, which shall be purchased under the Provisions of this Act, shall be payable by Two equal half-yearly Payments, to become due respectively on the Fifth Day of *January* and on the Fifth Day of *July*, or on the Fifth Day of *April* and the Tenth Day of *October*, in each and every Year, according to the respective Periods, as herein-after mentioned, within which any Money shall be paid for the Purchase of any such Annuities for Life, of whatsoever Kind respectively; and the First half-yearly Payment of every such Annuity so purchased shall be made at the Times following; (that is to say,) on the Fifth Day of *January* in respect of all such Purchases completed by the actual Payment of Money into the Bank of *England* or into the Bank of *Ireland* to the Account of the said Commissioners herein-after mentioned at any Time during the Quarter ending on the Tenth Day of *October* preceding such Fifth Day of *January;* on the Fifth Day of *April* in respect of all such Purchases so completed at any Time during the Quarter ending on the Fifth Day of *January* preceding the Fifth Day of *April;* on the Fifth Day of *July* in respect of all such Purchases so completed at any Time during the Quarter ending the Fifth Day of *April* preceding such Fifth Day of *July;* and on the Tenth Day of *October* in respect of all such Purchases so completed at any Time during the Quarter ending on the Fifth Day of *July* preceding such Tenth Day of *October;* and all future half-yearly Payments of every such Annuity shall be made with reference to the Time of such First half-yearly Payment; and upon the Death of any Annuitant in respect of any Life Annuity a Sum equal to One Fourth Part of the Annuity depending upon the Life of such Annuitant (over and above all half-yearly Arrears thereof respectively) shall be payable to the Person or Persons entitled to such Annuity, or his or her or their Executors or Administrators, (as the Case may be,) on the half-yearly Days of Payment next succeeding the Production of Proof to the said Commissioners certifying the Death of such Annuitant, if such Proof shall be produced to the said Commissioners not less than Thirty Days next preceding the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* respectively in every Year, and that such last-mentioned Payment shall be claimed within Two Years after the Death of such Annuitant, but not otherwise; but the Fourth Part of any expired Life Anpuity payable under the Provisions of this Act shall not be payable or be paid upon or in respect of any Deferred Life Annuity unless One half-yearly Payment of such Deferred Life Annuity shall have been actually paid or become due at the Time of the Decease of such Annuitant; and all Sums payable at Death shall become due and payable on the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* next immediately following the Day on which such Death shall be proved to the Satisfaction of the said Commissioners, or the Comptroller General or Assistant Comptroller: Provided always, that Proof of such Death shall have been given Thirty Days previously to such Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October*, as the Case may be, and if not, then and in such Case such Payment shall not be made until the next succeeding Quarter Day.

On Death of Annuitant a Quarter's Payment to be made in addition to half-yearly Arrears.

Proviso as to Deferred Annuities.

Annuities, &c. to be paid at National Debt Office, or at Savings Banks, &c.

XXII. All Monies becoming due as aforesaid on account of such Annuities already granted or to be granted hereafter, and all Payments on Death, shall be paid to the several Parties respectively entitled thereto by the said Commissioners, at the Office of the said Commissioners, or by Savings Banks, or Parochial Societies, or other Agents specially authorized by the said Commissioners to make such Payment, under such Regulations as shall from Time to Time be issued by the said Commissioners, or the said Comptroller General or Assistant Comptroller acting under them.

Contracts for Annuities not to be made for 14 Days after quarterly Day of Payment.

XXIII. For the Space of Fourteen Days next after any of the said quarterly Days for Payment of the said Annuities respectively no Contract shall be made by or on behalf of the said Commissioners for the Reduction of the National Debt for the Grant or Purchase of any Annuity or Sum payable at Death under this Act, anything herein-before contained to the contrary in anywise notwithstanding.

Monies paid to Commissioners on account of this Act to be invested in Bank Annuities, Annuities for Terms of Years, or Exchequer Bills.

XXIV. The said Commissioners for the Reduction of the National Debt shall cause all Monies placed to their said Accounts for the Purchase of Annuities or for securing Payments on Death, in pursuance of the Provisions of this Act or of the Acts hereby repealed, to be invested from Time to Time, under such Regulations as the said Commissioners shall direct, in the Purchase of any Bank Annuities, or Annuities for Terms of Years, or Exchequer Bills, or in either of them, and to be carried to the Accounts herein-before provided; which said Bank Annuities, Annuities for Terms of Years, and Exchequer Bills (as the Case may be) shall be forthwith cancelled, and all Interest or Dividends on such Bank Annuities, Annuities for Terms of Years, or Exchequer Bills shall cease to be charged upon or to be issued out of the Consolidated Fund from and after the Day upon which any such Bank Annuities, Annuities for Terms of Years, or Exchequer Bills shall have been purchased by the said Commissioners: Provided nevertheless, that the said Commissioners for the Reduction of the National Debt may retain and reserve from Time to Time so much of such Monies as shall be necessary for the Purpose of enabling the said Commissioners to return and pay back any Sum of Money, as herein-before directed, to such Person as shall have contracted for the Purchase of any Annuity under the Provisions of this Act, or of the Acts hereby

Commissioners may reserve a Part of such Sums to repay Money claimed

hereby repealed, by annual or other Payments, but who may not make good and keep up the same, and who is entitled to receive back the same, or to his, her, or their Executors or Administrators, as well as to the Executors or Administrators of such Person who may die before the Annuity which he, she, or they may have contracted for becomes payable, or for Re-purchase of any Annuity or Annuities in manner herein-after provided.

in case of Death, &c. of Party purchasing Annuity.

XXV. The Right, Title, Interest, and Benefit in and to any Annuity, of whatsoever Kind, which has been purchased under any Act now in force for the Grant of Annuities through Savings Banks or Parochial Societies, or which may be purchased under the Provisions of this Act, shall not be assignable by the original Proprietor thereof so as to enable the Assignee to receive the same during the Lifetime of the said Proprietor; except in case of the Insolvency or Bankruptcy of an individual Proprietor, when the same shall become the Property of his or her Assignee or Assignees, for the Benefit of his or her Creditors; and in case of any such Bankruptcy or Insolvency the said Commissioners for the Reduction of the National Debt shall re-purchase the said Annuity according to the Value thereof, the same being computed upon the same Tables upon which the said Annuity was originally purchased; and the Receipt of the Assignee or Assignees shall be a sufficient Discharge to the said Commissioners, who shall forthwith cancel the said Annuity.

Annuities granted under this Act not assignable, except in case of Bankruptcy or Insolvency.

XXVI. When any Annuity for Life, immediate or deferred, shall have been purchased under the Acts hereby repealed or this Act, in the Names of more Parties than One, the said Commissioners may permit the Party or Parties not beneficially interested therein, jointly with the Party who is beneficially interested, whether such Party be of the Age of Twenty-one Years or not, to transfer the said Annuity or Annuities to other Parties, of whom the Party beneficially interested shall always be One, under such Regulations as the said Commissioners shall prescribe in that respect, for the Purpose of securing that no Assignment shall thereby be made of the Interest of the said Party to any other Person or Persons whatsoever: Provided always, that where the Party beneficially interested is incapable, from any of the Causes set forth in Section Nine of this Act, from joining in such Transfer, the said Commissioners may permit such Transfer, notwithstanding, under such Regulations as shall appear to them to be necessary to secure the Interest of the Party beneficially interested in such Annuity.

Transfer may be made by Trustees to secure Interest of Party beneficially interested.

XXVII. Life Annuities purchased under the Provisions of this Act shall be free from all Taxes, Charges, or Impositions whatever; and all such Annuities shall be deemed Personal Estate.

Life Annuities to be free from Taxes, &c.

XXVIII. An Account shall be made up on the Fifth Day of *January* in every Year, by the Commissioners for the Reduction of the National Debt, of all Annuities of whatsoever Kind granted in pursuance of any of the Acts hereby repealed or under this Act which shall have remained unclaimed for the Space of Three Years then next preceding, and all such Annuities so remaining unclaimed, together with the unclaimed half-yearly Arrears thereof, and also all such Annuities of whatsoever Kind which shall have expired; and all half-yearly Arrears thereof shall cease to be charged upon and shall not be issued or issuable out of the said Consolidated Fund from and after the Day upon which such Annuities shall have remained so unclaimed or shall have expired; but nothing in this Act contained shall extend to defeat or prejudice the Rights of any Persons entitled to such unclaimed Annuities who shall at any subsequent Period give Proof of their Title to such Annuities to the Satisfaction of the said Commissioners, or the said Comptroller General.

Yearly Account to be made up of unclaimed Annuities, &c.

Arrears, &c. of Three Years standing to cease to be charged on Consolidated Fund.

XXIX. No Stamp Duty whatever shall be paid or payable upon or in respect of any Copy of any Register of Birth or Baptism or Marriage or Burial, or upon or in respect of any Certificate or Declaration to be made or taken in pursuance of this Act, or any Certificate or other Instrument whatsoever respecting the Payment of Money for the Purchase of any Annuity or Sum payable at Death under this Act, or any Power of Attorney authorizing the Receipt or any Receipt for the Payment of any such Annuity or any Part thereof, or for the Payment of any Sum of Money payable at Death.

Registers, Receipts, &c. exempt from Stamp Duty.

XXX. If any Certificate or Declaration shall be produced to the Officer of the Commissioners for the Reduction of the National Debt which shall contain any untrue Statement of the Age of any Person to whom an Annuity has been granted under this Act, or of any Person who has contracted for a Sum payable at Death, with Intent to obtain an Annuity on the Continuance of the Life of any Person under the Age of Ten Years, or to obtain any higher Rate or Amount of Annuity or any Payment on Death greater than would or might be allowed under the Provisions of this Act, according to the true Age of such Person, then and in every such Case all Money which may have been paid for or on account of the Purchase of such Annuity or Payment on Death shall be forfeited to the said Commissioners, and all Right and Title to any Annuity or to any Payment on Death which would or might otherwise have been payable in respect thereof shall cease and determine.

If Certificate or Declaration contain any untrue Statement of Age, &c. the Money paid to be forfeited, and Right to Annuity to cease.

XXXI. If any Person or Persons shall forge, counterfeit, or alter, or shall cause or procure to be forged, counterfeited, or altered, or shall knowingly or wilfully act or assist in the forging, counterfeiting, or altering, any Register or Registers of Birth or Baptism or Death or Burial required under the Provisions of this Act, or any Copy or Certificate of any such Register, or the Name or Names of any Witness or Witnesses to any such Certificate, or any Declaration required to be taken for any of the Purposes of this Act, or any Certificate of any Justice of the Peace or Magistrate, or of any Officer acting under the said Commissioners for the Reduction of the National Debt, of any such Declaration having been taken before him, or any Certificate of any Governor, or Person acting as such, or Minister, or Consul, or Chief Magistrate of any Province, Town, or Place, or other Person authorized by this Act to grant any Certificate of the Life or Death of any Annuitant; or shall forge, counterfeit, or alter, or shall cause or procure to be forged, counterfeited, or altered, or shall knowingly or wilfully act or assist

Persons forging Register, Certificate, Transfers, &c. liable to Punishment for Forgery.

in the forging, counterfeiting, or altering, any Certificate or Certificates of any Officer of the Commissioners for the Reduction of the National Debt, or of any Cashier or Clerk of the Bank of *England* or Bank of *Ireland*, or the Name or Names of any Person or Persons in or to any Certificate or other Instrument for the Payment of Money for the Purchase of any Annuity, or Sum payable at Death, under the Provisions of this Act, or in or to any Receipt or Discharge for any such Annuity, or in or to any Receipt or Discharge for any Payment or Payments due or to become due thereon, or for any Sum payable at Death, under the Provisions of this Act, or authorizing or purporting to authorize the Receipt of any Life Annuity, or any Annuity for Years, of whatsoever Kind, or Sum payable at Death, granted under this Act, or under either of the Acts hereby repealed, or any Payment or Payments due or to become due thereon; or if any Person or Persons shall wilfully, falsely, and deceitfully personate any true and real Annuitant, or shall wilfully utter, or deliver or produce to any Person or Persons acting under the Authority of this Act, any such forged Register or Copy of Register, or any such forged Certificate or Declaration, knowing the same to be forged, counterfeited, or altered, with Intent to defraud Her Majesty, Her Heirs and Successors, or with Intent to defraud any Person or Persons whomsoever; then and in every such Case all and every Persons and Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Laws in force any Persons convicted of Forgery are subject and liable to.

Penalty on Persons guilty of Perjury.

XXXII. If any Person in any Declaration to be made before any Justice of the Peace or Magistrate, or before any Officer acting under the said Commissioners, under the Provisions of this Act, shall wilfully or corruptly declare to any Matter or Thing which shall be false or untrue, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Penalty on receiving Annuity after Death of Nominee, treble the Amount received.

XXXIII. If any Person or Persons shall for his, her, or their own Use, or for the Use of any other Person or Persons, receive any One or more Payment or Payments (otherwise than as authorized by this Act) upon or in respect of any Annuity granted under the Provisions of this Act or of the Acts hereby repealed, after the Death of any Annuitant on the Continuance of whose Life such Annuity was payable, or after the Death of either Annuitant, in case the Annuity shall have been granted upon the joint Continuance of the Lives of Two joint Annuitants, and after and beyond the Time on which such Annuity ought wholly to cease in consequence of the Death of such Annuitant, by virtue of this Act or the Acts hereby repealed, knowing such Annuitant to be dead, and contrary to the true Intent and Meaning of this Act, every Person so offending shall forfeit to Her Majesty, Her Heirs and Successors, treble the Amount of all Money so received.

Recovery and Application of Penalties.

XXXIV. All pecuniary Penalties and Forfeitures imposed by this Act shall be recoverable (if incurred in *England*) in the Name of Her Majesty's Attorney General, on the Part of Her Majesty, by Information in the Court of Exchequer at *Westminster*, or (if incurred in *Ireland*) in the Name of Her Majesty's Attorney General in the Court of Exchequer at *Dublin*, or (if incurred in *Scotland*) in the Name of Her Majesty's Advocate General in the Court of Exchequer in *Edinburgh*; and such Penalty and Forfeiture shall be payable and paid to the said Commissioners, and shall go and belong to and shall become Part of the Consolidated Fund; and it shall be lawful for the Commissioners for the Reduction of the National Debt to cause such Reward as they shall think fit, not exceeding One Moiety of any such Penalty or Forfeiture so recovered, after deducting all Charges and Expenses incurred in recovering the same, to be paid to any Person or Persons who shall appear to them to be entitled thereto as Informer or Informers in respect of such Penalty or Forfeiture so recovered.

Power to cause Reward to be paid to Informers.

Provision for defraying Expenses attending the Execution of this Act.

XXXV. The Lord High Treasurer or the Commissioners of Her Majesty's Treasury may order and direct to be issued and paid, out of the Fund upon which the Establishment of the Commissioners for the Reduction of the National Debt is chargeable, any Sum or Sums of Money for the Payment of Salaries to Officers and Clerks, and for any incidental Expenses incurred by the said Commissioners for the Reduction of the National Debt in carrying into execution this Act, in such Manner as the said Lord High Treasurer or Commissioners of the Treasury shall from Time to Time think fit and reasonable.

Account to be laid annually before Parliament of Annuities granted, and of Money paid for Annuities.

XXXVI. There shall be prepared and annually laid before both Houses of Parliament on or before the Twenty-fifth Day of *April* in every Year, if Parliament shall be then sitting, and if Parliament shall not be then sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament, an Account, made up by the Commissioners for the Reduction of the National Debt to the Fifth Day of *January* preceding, of the gross Amount of all Sums of Money paid to the said Commissioners, and the gross Amount of Annuities for Lives which shall have been granted for the same, and Contracts for Payment at Death which may have been made, under the Provisions of this Act, within the Year ending on the Fifth Day of *January* as aforesaid.

Powers of Attorney granted under recited Acts to be available under this Act.

XXXVII. All Powers of Attorney which shall have been granted for the Purpose of receiving any Annuity purchased under the said recited Acts or either of them, and which shall be in force on the Tenth Day of *October* One thousand eight hundred and fifty-three, shall continue of like Validity with respect to any Payment on account of such Annuities to be thereafter made by the said Commissioners under the Authority of this Act so long as such Powers of Attorney shall continue in force.

CAP. XLVI.

An Act to transfer *Westminster Bridge* and the Estates of "The Commissioners of *Westminster Bridge*" to the Commissioners of Her Majesty's Works and Public Buildings; and to enable such last-mentioned Commissioners to remove the present Bridge, and to build a new Bridge on or near the Site thereof. [4th *August* 1853.]

'WHEREAS, in pursuance of the Provisions of the following Acts of Parliament, made in the Reign of His late Majesty King *George* the Second, namely, an Act of the Ninth Year, Chapter Twenty-nine, an Act of the Tenth Year, Chapter Sixteen, an Act of the Eleventh Year, Chapter Twenty-five, an Act of the Twelfth Year, Chapter Thirty-three, an Act of the Thirteenth Year, Chapter Sixteen, an Act of the Fourteenth Year, Chapter Forty, an Act of the Fifteenth Year, Chapter Twenty-six, an Act of the Seventeenth Year, Chapter Thirty-two, an Act of the Eighteenth Year, Chapter Twenty-nine, an Act of the Twenty-ninth Year, Chapter Thirty-eight, and an Act of the Thirtieth Year, Chapter Thirty-four, the present Bridge over the *Thames* at *Westminster* was constructed by certain Commissioners appointed for that Purpose: And whereas by an Act of Parliament of the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, Chapter One hundred and thirty-two, (Local,) the last-mentioned Commissioners were constituted a Body Politic and Corporate by the Name of "The Commissioners of *Westminster Bridge*:" And whereas by an Act of Parliament of the Session held in the Thirteenth and Fourteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter One hundred and twelve, (Local,) the said Commissioners of *Westminster Bridge* were empowered to construct a temporary Bridge adjoining *Westminster Bridge* aforesaid during certain Repairs thereof then contemplated, but no such temporary Bridge has been constructed, and the Plan of repairing the Bridge contemplated as aforesaid has been abandoned: And whereas, for the Purpose of constructing and maintaining the said Bridge, divers Sums of Money were raised by the said Commissioners of *Westminster Bridge*, under the Authority of the aforesaid Acts or some of them, by way of Lottery, and other Sums were advanced to the same Commissioners out of the Public Revenues, and the Residue of such Monies, after discharging the Cost of the Construction of the said Bridge, was invested by the said Commissioners in the Purchase of divers Lands and Hereditaments commonly called the *Westminster Bridge* Estate, and the Expenses of maintaining and repairing the said Bridge, together with certain Improvements in the Streets and Roads leading to the same Bridge, also authorized by the said Acts or some of them, have from Time to Time been defrayed by and out of the Rents, Issues, and Profits of the said Estate, or by Sale of Parts thereof by the said Commissioners: And whereas the said *Westminster Bridge*, and the Stairs, Landings, and Abutments thereof, and also all the Lands and Hereditaments now constituting the *Westminster Bridge* Estate, are now, under and by virtue of the said Acts or some of them, absolutely vested in the said Commissioners of *Westminster Bridge* and their Successors, subject only to such Leases or other Interests of or in the same as are now subsisting, and which said Hereditaments are set forth in the First Schedule to this Act: And whereas the said Bridge at *Westminster* has become insecure, and cannot be effectually repaired, and it is therefore necessary that a new Bridge should be constructed: And whereas it is expedient that the Construction of such new Bridge, and of the necessary and proper Approaches thereto, should be intrusted to the Commissioners of Her Majesty's Works and Public Buildings, and for that Purpose that the present Bridge, together with all the said *Westminster Bridge* Estate, should be transferred to and vested in the said Commissioners of Her Majesty's Works and Public Buildings: And whereas, on or before the Thirtieth Day of *November* One thousand eight hundred and fifty-two, the said Commissioners of Her Majesty's Works and Public Buildings caused to be prepared a Plan of a new Bridge and of the Approaches thereto, and also deposited Copies of such Plan at the respective Offices of the Clerks of the Peace for the Counties of *Middlesex* and *Surrey*, and at the Office of the Clerk of the Peace for the City and Liberty of *Westminster*, and with the Parish Clerks of the Parishes of *Saint Margaret Westminster* and *Saint Mary Lambeth*, and at the Parliament Office of the House of Lords, the Private Bill Office of the House of Commons, and the Office of the Board of Admiralty, and also gave Notice of the Deposit of such Plan as aforesaid to all the Owners, Lessees, and Occupiers of the Property which it would be necessary to take or affect for the Purpose of constructing a new Bridge and Approaches according to such Plan, together with Notice of their Intention to apply to Parliament for an Act to enable them to construct such new Bridge and Approaches accordingly, and the Property proposed to be taken from such Owners, Lessees, and Occupiers is set forth in the Second Schedule to this Act: And whereas since the Deposit of the said Plan as aforesaid the said Commissioners of Her Majesty's Works and Public Buildings have found it expedient to make certain Alterations in the Width and Elevation of the said intended Bridge: And whereas the said Commissioners of Her Majesty's Works and Public Buildings have caused an amended Plan to be made of the said intended Bridge and the Approaches thereto, according to such proposed Alterations as aforesaid, and have deposited Copies of the said amended Plan in the Parliament Office of the House of Lords and in the Private Bill Office of the House of Commons, but the same were not deposited until after the Thirtieth Day of *November* One thousand eight hundred and fifty-two, such proposed Alterations not having been determined on until after that Day: And whereas such proposed Alterations will not render it necessary to take or affect any Property not included within the Limits of Deviation laid down in the said original Plan:' May it therefore please Your Majesty that it may be enacted; and be

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it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts repealed.

I. All and singular the Acts of Parliament herein-before mentioned shall be and hereby are absolutely repealed.

Commissioners constituted a Corporation for the Purposes of this Act.

II. The Commissioners of Her Majesty's Works and Public Buildings for the Time being shall be and they are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," in order to enable them to carry into effect and execute the several Objects, Powers, and Purposes of this Act, and by that Name, and for the Purposes of this Act, they shall have perpetual Succession and use a Common Seal, which may be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act.

The Bridge, or so much thereof as belonged to the Commissioners, either in trust or otherwise, before the passing of Act, to be vested, without further Conveyance, &c. in the Commissioners of Works, &c.

III. The said Bridge at *Westminster*, with all and singular the Abuttals, Stairs, Streets, and Approaches thereto belonging, or so much thereof as at or immediately before the passing of this Act are or were vested in the said Commissioners of *Westminster Bridge*, and also all and singular other the Messuages, Lands, and Hereditaments, Monies, Funds, and other Real or Personal Estate, whatsoever and wheresoever, which, at or immediately before the passing of this Act, are vested or belonging, either at Law or in Equity, and either in possession, reversion, or remainder, in or to the said Commissioners of *Westminster Bridge*, or in any Persons in trust for them, or in or to which they have any Estate, Claim, or Demand whatsoever, shall, without any further Conveyance or Assignment, forthwith be and hereby are absolutely vested in the said Commissioners of Her Majesty's Works and Public Buildings for the same Estate or Interest and to the same Extent as the same at the passing of this Act were vested in the said Commissioners of *Westminster Bridge*, but not further or otherwise, and subject to all such and the same Estates, Conditions, Covenants, Exceptions, Reservations, and Liabilities as the same were subject to in the Hands of the said Commissioners of *Westminster Bridge*.

Commissioners to be entitled to the Benefit of all Covenants, &c. entered into with the Commissioners of Westminster Bridge.

IV. The said Commissioners of Her Majesty's Works and Public Buildings shall be absolutely entitled, both at Law or in Equity, to the Benefit of all Covenants, Conditions, and Reservations entered into with or made or reserved by the said Commissioners of *Westminster Bridge*, or to the Benefit whereof the same Commissioners of *Westminster Bridge* are at the passing of this Act entitled; and all Actions, Suits, Claims, and Demands which, if this Act had not been passed, might have been instituted or made by or against or upon the said Commissioners of *Westminster Bridge*, may be instituted or made by or against or upon the said Commissioners of Her Majesty's Works and Public Buildings; and Payment to the said Commissioners of Her Majesty's Works and Public Buildings of any Monies now due or which shall or otherwise would at any future Time become due to the said Commissioners of *Westminster Bridge* shall absolutely discharge the Persons making such Payment from any further Liability in respect of such Monies.

Corporation of Westminster Bridge to be dissolved.

V. From and immediately after the passing of this Act the said Body Politic and Corporate of the Commissioners of *Westminster Bridge* shall cease and be dissolved.

Power to Commissioners to dispose of Hereditaments, &c. conveyed to them.

VI. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings and their Successors, as and when they shall think fit, to make sale and dispose of and convey the said Hereditaments and Premises hereby vested in them as aforesaid, and also all and every or any Messuages, Buildings, Pieces of Ground, and Hereditaments, which shall or may hereafter be purchased by or conveyed to them and their Successors, under the Provisions of this Act, and which shall not be required for the Purposes of this Act, and the Fee Simple thereof, or other their Estate or Interest therein, including all the Materials of *Westminster Bridge* aforesaid, and of all other Buildings, so soon as they shall be empowered to pull down or remove the same, as herein-after mentioned, either entirely or in Parcels, and by Public Sale or Private Contract, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, for such Price or Prices as can be reasonably obtained for the same, and upon Payment of the Monies for which the same Premises or any Part or Parts thereof shall be sold, then to convey and assure the same unto and to the Use of the Purchaser or Purchasers thereof, and his, her, or their Heirs, Executors, Administrators, and Assigns respectively, or as he, she, or they shall direct or appoint, and also to give, sign, and execute proper and effectual Receipts and Acquittances for such Monies, which shall exonerate such Purchaser or Purchasers from all Responsibility with regard to the Application of the same Monies.

Power to raise Money by Mortgage, and to grant Leases.

VII. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings, and their Successors, from Time to Time as they shall think fit, to raise any Sum or Sums of Money by way of Mortgage, either in Fee or for any Term of Years, of all or any of the Hereditaments and Premises hereby vested in them, or hereafter to be purchased or acquired by or conveyed to them for the Purposes of this Act, and also to demise all or any of the same Hereditaments and Premises, or any Part thereof, to any Person or Persons, for any Term or Terms of Years, and either taking or without taking a Fine, and either upon Building Leases or for any other Purpose, and at such yearly Rent or Rents, and under and subject to such Covenants, Restrictions, Conditions, and Stipulations, as to them the said Commissioners of Her Majesty's Works and Public Buildings, or their Successors, shall appear expedient and proper, and the Hereditaments and Premises so mortgaged or demised may afterwards be sold, under the Provisions in that Behalf herein-before contained, subject to any such Mortgage or Demise.

Power to apply Monies in

VIII. The said Commissioners of Her Majesty's Works and Public Buildings shall apply all the Monies arising by any such Sale, Mortgage, or other Disposition as aforesaid, and also all the Rents, Issues, and Profits

Profits of the Hereditaments and Premises hereby vested or hereafter to be vested in them as aforesaid, until the same shall be sold, mortgaged, or otherwise disposed of, in the first place in paying, discharging, and satisfying all lawful Claims or Demands to which the said Commissioners of *Westminster Bridge* would have been liable if this Act had not been passed, and in the next place in or towards the Execution and Performance of the several Works and Matters which they are hereby authorized or directed to execute and perform; and the said Commissioners of Her Majesty's Works and Public Buildings shall from Time to Time lay out and invest such Monies as shall not be immediately required by them for the Purposes of this Act in the Purchase of Freehold Lands, or of Stock in the Public Funds, or at Interest upon Government or Real Securities, or in Exchequer Bills, as they shall think fit, and shall have the same Powers of selling, mortgaging, and otherwise disposing of such last-mentioned Lands, Stocks, and Securities as are hereby conferred in respect of the *Westminster Bridge* Estates so vested in them as aforesaid; and, subject as aforesaid, all the Hereditaments and Premises which shall remain unsold, and all Monies and Securities which shall remain unapplied, after the Erection of the said Bridge, and doing and executing the Matters hereby directed to be done, shall remain vested in the said Commissioners hereby incorporated, and shall be applied in keeping the said Bridge and Approaches hereby directed to be built and made in sufficient Repair, and for that Purpose the said Commissioners last mentioned shall have such and the like Powers of leasing, mortgaging, and selling the said Hereditaments and other the Powers as are herein-before contained, at their sole Discretion. satisfaction of Claims.

IX. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings to construct a new Bridge across the River *Thames* on and adjoining to the Site of the present *Westminster Bridge*, together with all necessary and convenient Piers, Stairs, Hards, and Landing Places, and also the necessary and proper Streets, Roads, and Approaches to such new Bridge at both Ends thereof, as delineated and set forth in the amended Plan aforesaid, including the Lines of Deviation as shown on the same Plan, in manner herein-after mentioned, and according to such Plan as aforesaid, and for the Purposes aforesaid, or any of them, to dig and make proper Foundations in the said River, and in the Lands on each Side thereof, and make Dams in the said River, and cut and level the Banks thereof, and remove and take away all Beds of Gravel, Sand, Mud, or other Impediment whatsoever, and do and execute every other Thing necessary or convenient for the Purposes aforesaid or any of them; and for the Purpose of erecting, maintaining, and repairing the said intended Bridge, and constructing and completing the Approaches thereto, and also of keeping the present Bridge in repair, the said Commissioners shall have full Power and Authority from Time to Time to land and deposit on either Side of the said River, on any Part of the Ground which they are hereby authorized and empowered to purchase, all Materials and other Things to be used in or about the same, and there to work and use such Materials and Things as they shall think proper, before they shall have effected a Purchase of such Ground, doing as little Damage as may be, and (in case they shall not afterwards effect such Purchase) making such Satisfaction as herein-after mentioned to the respective Owners and Occupiers of the Lands and Hereditaments which shall be damaged or used for the Purposes of this Act; and such Bridge, when so erected, and the Approaches thereto, shall be kept in repair by the said Commissioners of Her Majesty's Works and Public Buildings out of the Monies coming to them under this Act. Power to construct Bridge.

X. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings to make and construct Piers, Stairs, and Landing Places at either End of the said intended Bridge, or at any of the Piers of the said Bridge. Landing Places to be constructed.

XI. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings to take on Lease or to agree for the Use and Occupation of proper Places within Five hundred Yards of the Approach to the said Bridge on either Side thereof, for the Purpose of depositing and working Stone, Iron, Timber, and other Materials for building the said intended Bridge, and to dispose of the same in like Manner as is herein directed with respect to the other Lands vested in the said Commissioners. Commissioners may take Places for depositing Materials.

XII. The amended Plan aforesaid, or a true Copy thereof, shall be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection. Plans to be deposited at the Office of Works, and be open for Inspection.

XIII. For the Purposes of this Act, the following Sections of the Thirty-ninth Chapter of the Statutes made in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her Majesty Queen *Victoria* (being an Act for the Construction (amongst other things) of a Bridge over the River *Thames* near *Chelsea Hospital*), namely, Section Nine, Sections Eleven to Eighteen, both inclusive, Section Twenty, Sections Twenty-three to Fifty-six, both inclusive, Section Fifty-nine, Sections Sixty-three to Sixty-seven, both inclusive, Sections Ninety to One hundred and eight, both inclusive, Section One hundred and thirteen, and Section One hundred and sixteen, shall be deemed to be herein repeated with the Alterations necessary to make the same applicable to the new Bridge and Approaches authorized by this Act, and to the said Commissioners of Her Majesty's Works and Public Buildings, and so that all Provisions in the said Act referring to or affecting any particular Commissioners of Sewers, or Persons or Bodies having the Control of any Sewers, shall be held to apply to the Commissioners or Body or Person or Persons having the Control or Management of the Sewers to which such Provisions became applicable, and so also that all the Provisions in the said Act relating to Sheriffs, Under Sheriffs, Coroners, Juries, and Justices shall be held to extend to and include Sheriffs, Under Sheriffs, Coroners, Juries, and Justices of the County of *Surrey*, as well as of the County of *Middlesex*, as the Case may require, Applicability of certain Sections of 9 & 10 Vict. c. 39. to this Act.

require, and so as the Space of Seven Years mentioned in the said Thirty-ninth Chapter of the Statutes shall commence from the passing of this Act.

Punishment of Persons guilty of wilful Damage.

XIV. That if any Person shall wilfully or maliciously damage or injure the present Bridge, or any Pier, Stairs, Hard, or Landing Place belonging thereto, or shall wilfully or maliciously damage or injure the said intended new Bridge, or any Pier, Stairs, Hard, or Landing Place, or any Works, Matters, or Things to be constructed or provided under the Provisions of this Act, or any Part thereof respectively, or shall wilfully or maliciously, and without Authority from the said Commissioners, remove or take away any Works, Matters, or Things thereunto respectively belonging, or in any way direct or procure the same to be done, or shall be aiding or assisting therein, whereby the said Bridges or either of them, or the Piers, Stairs, Hards, or Landing Places, or the Works, Matters, or Things thereof respectively, may be damaged, any Person so offending shall be judged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Punishments and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or, in mitigation of such Punishments, such Court may award such Sentence as the Law directs in Cases of Petty Larceny.

Owners of Vessels liable for Damage done to the Bridges, &c.

XV. That in case any Damage or Mischief shall be done to the said Bridges, or either of them, or to any such Piers, Stairs, Hards, or Landing Places as aforesaid, or any of the Works, Matters, or Things to be constructed or provided under the Provisions of this Act, or any Part thereof respectively, by any Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, through the wilful Negligence of any Person having the Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner of such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be and is hereby made answerable to the said Commissioners for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Masters to recover from their Servants any Damages paid for their Neglect, &c.

XVI. That in case the Owner of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any Neglect or Default done or committed by his Servants or Mariners, or any of them, such Servants or Mariners and each and every of them shall be liable to pay such Penalty or Damages (with the Costs thereof) to such Owner; and in case of Nonpayment upon Demand thereof, and Oath made by such Owner of the Payment made by him of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him by such Servants or Mariners or any of them, although demanded, (such Oath to be made before any One or more Justice or Justices of the Peace of the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is hereby directed to be recovered.

Penalty for Injuries, &c. or Obstructions to Passengers.

XVII. That if any Person shall wilfully break, throw down, or damage any of the Benches or Requisites erected on the present Bridge, Piers, Stairs, Hards, or Landing Places or any Benches or Requisites to be erected on the said intended new Bridge, Piers, Stairs, Hards, or Landing Places, or any Works, Matters, or Things to be constructed or provided for the Purpose of effectually carrying out the Purposes of this Act, or for the Convenience of the Passengers on the said Bridges, Piers, Stairs, Hards, or Landing Places, or wilfully break, throw down, damage, or destroy any Lamp Posts or Lamps on the same or any of them, or any of the Approaches thereto, or the Furniture of any of the said Lamps, or extinguish any of the said Lamps when lighted, or if any Person shall occasion any Obstruction, Annoyance, or Hindrance of any Description to Passengers on or along the said Bridges, Piers, Stairs, Hards, or Landing Places, or any of them, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also make Satisfaction to the said Commissioners, or to any such Person or Persons as they shall appoint to receive the same, or to the Party injured, for the Damage so done as aforesaid, which Satisfaction shall be received as Part of and in the same Way as the said Penalty is by this Act authorized to be recovered; and if any such Injury as aforesaid shall be done negligently or by Accident, the Person doing or causing the same shall make Satisfaction to the Party injured, which shall and may be recovered in the same Manner as Penalties are by this Act directed to be recovered.

Ground laid into the Streets to form Part of the Roadways, and may be used by the Public.

XVIII. When the several Roadways and Approaches and Streets shown and laid down in the said Plans shall be made in pursuance of this Act, all the Ground, Land, and Hereditaments which shall be laid open into the said Roadways and Approaches and Streets shall form Part of the said Roadways, Approaches, and Streets, and shall be used by the Public accordingly, and the same, and the sole Power, Authority, and Duty of paving, repairing, cleansing, lighting, and watering thereof, and of rating the Lands, Tenements, and Hereditaments situate and being within the same, or the Occupiers thereof for the Time being, shall be under the Care, Management, Control, and Jurisdiction of the Trustees or Commissioners of the Parishes or Places respectively after mentioned, that is to say, such Parts of the said Roadways, Approaches, and Streets as will be situate on the *Westminster* Side of the said intended Bridge shall be under the Care, Management, Control, and Jurisdiction of the Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John Westminster*, and such Parts thereof as will be situate on the *Lambeth* Side of the said intended Bridge shall be under the Care, Management, Control, and Jurisdiction of the Trustees or Commissioners or other Persons or Bodies for the Time being having the Charge of paving the Parish of *Saint Mary Lambeth*, in like Manner in all respects as if they were included in the Acts giving Authority to the Bodies respectively; but all such Roadways,

Approaches,

Approaches, and Streets shall in the first instance be well and sufficiently constructed and completed by and at the Costs of the said Commissioners of Her Majesty's Works and Public Buildings.

No Houses, &c. to be taken without Consent, unless mentioned in Schedule.

XIX. Provided always, That no Houses, Buildings, Lands, or Hereditaments shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the said Second Schedule hereunto annexed, or as are situated within the Limits of the Line of Deviation marked on the said original Plan, without the Consent in Writing of the Owner or Owners thereof, being capacitated to sell, being first had and obtained for that Purpose.

Until new Bridge completed, Commissioners to keep up a Communication between the Middlesex and Surrey Shores.

XX. Until the said intended new Bridge and the Approaches thereto shall be completed and thrown open to the Public, the said Commissioners of Her Majesty's Works and Public Buildings shall maintain and keep up the Means of a sufficient Communication between the *Middlesex* and *Surrey* Shores of the said River on or near the Site of the present Bridge at *Westminster*, and shall leave sufficient Access for the Public thereto along the Streets and Approaches leading to the same; and the said Commissioners shall as soon as conveniently may be take down and entirely remove the present Bridge, and the Stairs, Hards, and Piers thereto belonging, and shall sell or cause to be sold all the Materials thereof, and such Parts of the said Streets and Approaches not wanted for the Purposes of this Act in like Manner as is hereby provided with respect to the Sale of the Hereditaments and Materials of Houses to be pulled down by them, and hereby authorized to be sold.

So much of present and intended Bridge as lies to the West shall be in the Parish of St. Margaret, and so much as lies to the East shall be in the Parish of Lambeth; and the Bridges not to be liable to Land Tax, &c., nor to be deemed County Bridges.

XXI. So much of the said intended Bridge and of the said present Bridge, until removed, as lies or shall lie to the West of the Line dividing the Counties of *Middlesex* and *Surrey*, shall be in the Parish of *St. Margaret* in the City of *Westminster* and County of *Middlesex*, and so much as lies or shall lie to the East of the same Line shall be in the Parish of *Lambeth* in the County of *Surrey*, nevertheless no Part of either of the said Bridges shall be rated or assessed for or towards the Land Tax, the Repairs of Highways, Sewers Rate, Poor's Rate, Church Rates, or any other Parish or County Rate whatsoever; and neither of the said Bridges shall be deemed or taken to be a County Bridge, so as to subject the Counties of *Surrey* and *Middlesex*, or either of them, to the repairing or supporting the same; and on the said intended Bridge being built the said Commissioners shall mark on some conspicuous Part thereof the Boundaries of the said Two Counties, and that Mark shall be conclusive Evidence of such Boundaries; and until the said present Bridge shall be removed the said Commissioners hereby incorporated shall, as regards the present Bridge, and all the Streets, Piers, Landing Places, Hards, and Approaches, have all and every the Powers and Authorities which before the passing of this Act were vested in the *Westminster* Bridge Commissioners.

Damages, &c., in case of Dispute, to be settled by a Justice of the Peace.

XXII. In all Cases wherein Damages or Charges in respect of Acts or Offences done or committed upon or relating to the said Bridge, Piers, Stairs, Hards, or Landing Places are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Justice of the Peace for the said County of *Surrey* or the County of *Middlesex*, according to the Part of the Bridge where the Act or Offence was committed (such Justice not being interested in the Matters in question); and where by this Act any such Damages or Charges are directed to be paid, in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justice by or before whom any Offender shall be convicted of such Offence; and such Justice is hereby authorized and required, on Nonpayment of the Damages, in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Damages not otherwise provided for, Provisions of 8 & 9 Vict. c. 16. to apply.

XXIII. With respect to the Recovery of Damages and Penalties and Forfeitures not hereby otherwise specially provided for, all and singular the Clauses and Provisions in "The Companies Clauses Consolidation Act, 1845," relating to the Recovery of Damages, Penalties, and Forfeitures, and the Application thereof, shall, so far as the same are applicable to Damages, Penalties, and Forfeitures imposed or made recoverable by this Act, be considered as incorporated with this Act, and for that Purpose the said Commissioners of Her Majesty's Works and Public Buildings shall be considered to be a Company; provided nevertheless, that it shall not be necessary for the said Commissioners to publish any List or Particulars of the Penalties hereby imposed, as required by the said "Companies Clauses Consolidation Act, 1845;" And provided also, that the Share of Penalties and Forfeitures which by the said Act are directed to be applied for the Benefit of the Poor shall in lieu thereof be paid to the said Commissioners of Her Majesty's Works and Public Buildings for the Purposes of this Act.

Application of Penalties.

As to Receipts, &c.

XXIV. Receipts in Writing, signed by any Two of the Commissioners of Her Majesty's Works and Public Buildings, or by the First Commissioner alone, for any Monies payable to the said Commissioners hereby incorporated, under or by virtue of this Act, shall be good and sufficient Discharges to the Person or Persons paying the same; and all Contracts in Writing made by the First Commissioner in the Execution of any of the Powers by this Act given to the said Commissioners shall be valid, and shall be binding on the said Commissioners, as if the same had been under their Corporate Seal.

Compensation to Officers by reason of Abolition of Offices.

XXV. It shall be lawful for the Commissioners for the Time being of Her Majesty's Treasury to order and direct whether any and what Compensation shall be made to the Secretary, Clerk, or other Officers of the *Westminster Bridge* Commissioners by reason of the Abolition of their Offices, or the Discontinuance of their Services, which Compensation may be made either by a Sum or Sums of Money in gross or by an annual Payment or Payments, as the Commissioners of the Treasury shall think fit to determine, and the Commisssioners of Her Majesty's Works and Public Buildings are hereby authorized

to pay such Compensation, pursuant to such Order, out of any of the Public Stocks or Funds, or the Dividends thereof, for the Time being belonging to the said last-mentioned Commissioners, and applicable by them to the Purposes of this Act: Provided always, that such Compensation shall not operate as, or be deemed or taken to be, any Charge or Incumbrance upon the Lands, Tenements, and Hereditaments mentioned in the First Schedule to this Act, or upon any Part or Parcel thereof, nor shall any Purchaser, Mortgagee, Lessee, Tenant, or Occupier of such Lands, Tenements, or Hereditaments, or any Part thereof, be liable to the Payment of such Compensation, or bound to see whether any such Compensation has or has not been made or paid.

For Protection of Wharf, &c. in the Occupation of Mr. Simmonds.

XXVI. Nothing in this Act contained shall authorize or empower the said Commissioners of Her Majesty's Works and Public Buildings to erect any Structure within Twenty-five Yards on a Line drawn at a Right Angle from the Front of the Wharf and Flour Mills in the Occupation of Mr. *John Simmonds*, situate on the said River *Thames* at *Lambeth*, adjoining the Foot of the present *Westminster Bridge* on the Northern Side thereof.

Short Title.

XXVII. It shall be sufficient for all Purposes to cite this Act as the "*Westminster Bridge* Act, 1853."

The FIRST SCHEDULE to which this Act refers.

RENT ROLL of the COMMISSIONERS of WESTMINSTER BRIDGE at Lady Day 1853.

Houses where situated.	No. of House.	Tenants Names.	Yearly Rents. £	s.	d.	Commencement of the Leases.	Term of Years.	Expiration of the Leases.
Westminster Bridge Road, Surrey	99, 100, 101, &102	J. Collett, Esq.	24	0	0	Lady Day 1793	71	Lady Day 1864.
Abingdon Street	32	Commissioners of Her Majesty's Woods, &c.	50	0	0	Michaelmas 1785	72	Michaelmas 1857.
Charing Cross	42	Mr. Willis	160	0	0	Michaelmas 1851	21	Michaelmas 1872.
	41	Mr. Glasier	160	0	0			
	40	Messrs. Ommanney	160	0	0			
	39	Mr. Mitchell	160	0	0			
Spring Gardens	15	Mr. Carlton	80	0	0	Lady Day 1849	21	Lady Day 1870.
Parliament Street East and Cannon Row	37	Mr. Perkins	110	0	0	Lady Day 1851	21	Lady Day 1872.
	38	Mr. George Trollope	130	0	0			
	40	R. Hughes, Esq.	130	0	0			
	41	R. Wallace, Esq.	120	0	0			
	42	Messrs. Bellamy and Co.	110	0	0	Tenants at Will.		
	43	W. G. Rose, Esq.	120	0	0	Christmas 1828	31	Christmas 1859.
	44	A. M'Dougall, Esq.	120	0	0	Lady Day 1824	45	Lady Day 1869.
	45	The Commissioners of Her Majesty's Woods and Forests	120	0	0	Michaelmas 1823	31	Michaelmas 1854.
Parliament Street and King Street	Whitehall House.	Do.	800	0	0	Midsummer 1850	25	Midsummer 1875.
	1							
	2							
	3	Western Life Office	185	0	0	Lady Day 1823	31	Lady Day 1854.
	6	Messrs. Dorrington	120	0	0			
Parliament Street West	7	Mr. Withall	80	0	0	Do. 1824	31	Do. 1855.
	8	Mrs. Ferguson	80	0	0	Do. 1823	31	Do. 1854.
King Street	62	Mr. Smith	25	0	0	Do. 1836	21	Do. 1857.
	61	Mr. Hill	25	4	0	Do. 1823	31	Do. 1854.
	60	Dorset's Executors	25	0	0			
Parliament Street East and Charles Street	14	Mr. Priest	110	0	0			
Charles Street	5	Mr. Anderson	50	0	0	Do. 1852	21	Do. 1873.
	4	Mr. White	42	0	0			
King Street	9	Mrs. Mitchell	60	0	0			
Parliament Street West	17	Mr. George Trollope and Three Houses in King Street	200	0	0	Christmas 1852	21	Christmas 1873.
	19	Mr. Puncher	70	0	0			
	18	Mr. Bain	75	0	0			
	20	Mr. Metchin	75	0	0			
	21	Dr. Crispe	63	0	0	Tenant at Will.		
	26	Mr. Wm. Trollope	100	0	0	Lady Day 1852	21	Lady Day 1873.
	27	Mr. Burder	100	0	0			
East Side of King Street	57	Messrs. Gregory	80	0	0	Christmas 1842	21	Christmas 1863.

Houses where situated.	No. of House.	Tenants Names.	Yearly Rents. £ s. d.	Commencement of the Leases.	Term of Years.	Expiration of the Leases.
Abingdon Street	31	Messrs. Kempson	80 0 0	Christmas 1824	31	Christmas 1855.
	30	Mr. Banks	84 0 0			
	18	Mr. Hallett	90 0 0			
	19	Mr. Veale	95 0 0	Midsummer 1828	31	Midsummer 1859.
	20	Mr. Gwilt	100 0 0	Tenant at Will.		
	21	Mr. Gibbs	120 0 0	Christmas 1824	31	Christmas 1855.
	22	Messrs. Drew & Co.	84 0 0	Michaelmas 1823	31	Michaelmas 1854.
Abingdon Street	23	John Clementson, Esq.	- - -	- - -	- -	Used as the Office for the Commissioners of Westminster Bridge.
Bridge Street, Westminster	9	Mr. Elland	120 0 0			
	8	Mr. Heath	70 0 0			
	7	Mr. Hannah	75 0 0			
	6	Mr. Rush	80 0 0	Lady Day 1824	31	Lady Day 1855.
	5	Mr. West	75 0 0			
	4	Miss Porter	75 0 0			
	3	Miss Collier	75 0 0			
	2	Mr. Potter	100 0 0	Tenant at Will.		
	1	Mr. Ginger	136 10 0	- - -	- -	Under Agreement to expire at Michaelmas in any Year on Six Months Notice.
	45	Mr. Cremer	105 0 0	- - -	- -	Under Agreement to expire on receiving Three Months Notice.
		Ground	- - -	- - -	- -	Used as a Stoneyard by the Commissioners of Westminster Bridge.
Bridge Road, Surrey	95 to 98	Mr. Goldsmith	150 0 0	Lady Day 1823	61	Lady Day 1884.
	85 to 90	Mr. Elliott's Executors	142 8 6	Midsummer 1825	59	Midsummer 1884.
	94	Mr. Blundell	17 0 0			
	93	Mr. Clarke	17 0 0	Do. 1825	61	Do. 1886.
	91, 92	Mr. Saunderson	36 6 0			
	12, 13	Mr. Mackintosh	290 0 0	Tenant at Will.		
	11	Mr. Lott	45 0 0			
	9 & 10	Mrs. Jane Hancock	90 0 0			
	8	Mr. Taylor	45 0 0	- - -	- -	Tenants under Agreements to quit at Three Months Notice after Christmas 1853.
	7	Mr. Broadhurst	136 10 0			
		Mr. Pitt's Acknowledgment.	0 3 0	At Will.		
		Mr. Swinburne	- - -	- - -	- -	House, Yard, and Wharf used for the Dwelling, Office, and Workshops of the Resident Engineer.
		BRIDGE ROAD ESTATE.				
Westminster Bridge Road, Surrey		Mr. Clarke's Executors	10 0 0	24th June 1836	21	24th June 1857.
	83	Late Melbourne	- - -	Unlet.		
	81 & 82	Mr. Beck	100 0 0	24th June 1839	18	Do. 1857.
	80	Mr. Saunders	40 0 0	Do. 1837	20	Do. 1857.
	79	Mr. J. Elliott	42 0 0	22d September 1846	19	29th September 1865.
	78	Mr. Wright, jun.	20 0 0	25th March 1839	62	25th March 1901.
	77	Do.	20 0 0	24th June 1836	61	24th June 1897.
	76	Mr. Wright, sen.	130 0 0	Do. do.	21	Do. 1857.
	70 to 75	J. C. Cobbold, Esq.	85 0 0	Do. do.	63	Do. 1899.
	69	Mr. Leer	120 0 0	Do. do.	21	Do. 1857.
	67, 68	J. C. Cobbold, Esq.	90 0 0	Do. do.	21	Do. do.
	66	Mr. Fitchew	45 0 0	Do. do.	21	Do. do.
	65, 64	Mrs. Collinge	50 0 0	Do. do.	21	Do. do.
		Mr. Cosser	1 0 0	Michaelmas 1836	87	Michaelmas 1923.
			7,406 1 6			

The SECOND SCHEDULE to which this Act refers.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	City of Westminster, County of Middlesex, and Parish of Saint Margaret.			
1	The Public Street: Bridge Street, Foot and Carriage Way.	The Commissioners for paving and improving the Parishes of Saint Margaret and Saint John Westminster.	—	—
2	Westminster Bridge: landing and embarking Pier, and Approaches.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; the Lords of the Admiralty; and Commissioners of Westminster Bridge.	The Trustees of the Watermen's Pier Company.	The Trustees of the Watermen's Pier Company.
3	The Bed and Shore of the River Thames.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; and the Lords of the Admiralty.	—	—
4	Westminster Bridge: Foot and Carriage Way, Steps, Landings, Abutments, and Piers.	The Commissioners of Westminster Bridge.	—	—
	County of Surrey, Parish of Saint Mary Lambeth.			
1	Westminster Bridge: Foot and Carriage Way, Steps, Landings, Abutments, and Piers.	The Commissioners of Westminster Bridge.	—	—
2	The Bed and Shore of the River Thames.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; and the Lords of the Admiralty.	—	—
3	Westminster Bridge: landing and embarking Pier, and Approaches.	The Crown; Conservators, the Mayor, Commonalty, and Citizens of the City of London; the Lords of the Admiralty; and the Commissioners of Westminster Bridge.	The Trustees of the Penny Steam Boat Pier Company.	The Trustees of the Penny Steam Boat Pier Company.
4	Bridge Street and Bridge Road: the public Street, Foot and Carriage Way.	The Parish of Saint Mary Lambeth.	—	—
5	Stangate Street: public Street, Foot and Carriage Way.	The Parish of Saint Mary Lambeth.	—	—
6	Belvedere Road: public Street, Foot and Carriage Way.	The Parish of Saint Mary Lambeth.	—	—

CAP. XLVII.

An Act to provide for the Purchase and Extinguishment of all rights of Common and Lammas and other Commonable Rights over the Site of *Battersea Park* in the County of *Surrey*.

[4th *August* 1853.]

'WHEREAS under and by virtue of the Enactments, Powers, and Provisions contained in the Act of the Ninth and Tenth Years of Her present Majesty, Chapter Thirty-eight, and the Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Seventy-seven, the *Battersea Park* Commissioners were authorized and empowered to purchase and hold divers Lands and Hereditaments specified in a Schedule annexed to the first-mentioned Act, situate in *Battersea Fields* in the Parish of *Saint Mary Battersea* in the County of *Surrey*, for the Purpose of forming a public Park there, to be called *Battersea Park*, and for other Purposes: And whereas, in pursuance of the Provisions of the said Acts or One of them, certain of the aforesaid Lands and Hereditaments have been purchased and are now vested in the said *Battersea Park* Commissioners for the Purposes aforesaid, and the said Commissioners purpose from Time to Time hereafter to purchase such further Portions of the aforesaid Lands and Hereditaments as they may consider requisite for the Purposes aforesaid: And whereas by the first-mentioned Act it was amongst other things enacted, that in all Cases where there should be Occasion to cut through, take, or use for the Purposes aforesaid any Part or Parts of any Commons or Waste Grounds or other Lands or Hereditaments which should be charged with or subject to any Right or Rights of Common, whether of Pasture, Turbary, Estover, or Piscary, or other Easements whatsoever, appendant, appurtenant, or in gross, or whether created or subsisting by Grant, Prescription, Custom, or otherwise howsoever, the Conveyance thereof by any Body Politic, Corporate, or Collegiate, or other Person or Persons, having such and the like Estate and Interest of and in the Manor wherein such Lands, Commons, Waste Grounds, or Hereditaments should be situate or (if the same should not be the Waste of any Manor) then having such and the like Estate and Interest of and in the Soil of such Lands, Commons, Wastes, and Hereditaments, as the Body or Bodies Politic, Corporate, or Collegiate, or Persons, who by virtue of the said Act were enabled to sell and convey other Lands and Hereditaments, should be a good and sufficient Conveyance of the Fee Simple and Inheritance of such Waste Grounds or Common or other Lands or Hereditaments for the Purposes aforesaid, as fully and effectually as if every Person having such Right or Rights of Common upon such Common or Waste Ground, Lands, or Hereditaments were seised thereof in Fee Simple in possession, and had joined in and executed such Conveyance, and that the Compensation to be paid for any Right of Common upon any such Common or Waste Ground, Lands, or Hereditaments to be settled in the Manner by the said first-mentioned Act directed should be paid to the Churchwardens of the Parish or respective Parishes in which such Common or Waste Lands should lie, and should be by such Churchwardens applied for such general and public Purposes within such Parishes respectively as a Vestry of such respective Parishes to be convened by such Churchwardens for that Purpose should direct: And whereas the Inhabitants of the said Parish of *Saint Mary Battersea*, at a Vestry Meeting held on the Eighth Day of *July* One thousand eight hundred and fifty-two, unanimously resolved that the Churchwardens should be authorized, on the Part of the Parishioners, in respect of their Common Rights, either as Freeholders, Copyholders, or Tenants, or Parishioners, of all the said Lands named in the Schedule to the first-mentioned Act, to accept the Sum of One thousand five hundred Pounds by way of Compensation for the Extinguishment of such and all other Rights over all such said Lands: And whereas it was intended by the said Parishioners that the said Sum of One thousand five hundred Pounds should include the Purchase or Compensation Money to be paid in respect of all Lammas Rights and other Commonable Rights existing or alleged to exist in, over, or upon all the Lands mentioned in the said Resolution, although not Common or Waste Lands; but it is doubtful whether the Terms of the aforesaid Provisions of the first-mentioned Act include such last-mentioned Lammas and other Commonable Rights: And whereas Doubts are also entertained as to how the Monies to be paid as the Price or Compensation for such Rights of Common and Commonable Rights as aforesaid ought to be paid and applied under the Provisions of the said first-recited Act: And whereas it is just and necessary, for the Purpose of effecting the Purposes of the said Acts, that on Payment of the Sum of One thousand five hundred Pounds by the said *Battersea Park* Commissioners all Rights of Common and Commonable Rights whatsoever in, over, or upon all the Lands comprised in the said Schedule to the first-mentioned Act, and which have been purchased as aforesaid, or which shall hereafter be purchased, should be absolutely extinguished; but it is apprehended that the same cannot be completely effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 & 10 Vict. c. 38.
14 & 15 Vict. c. 77.

Battersea Park Commissioners to pay 1,500*l.* to Churchwardens of St. Mary Battersea, to be applied to such

I. It shall be lawful for the said *Battersea Park* Commissioners, out of any Monies coming to their Hands applicable to the Purposes of the said Acts, to pay to the Churchwardens for the Time being of the said Parish of *Saint Mary Battersea* the Sum of One thousand five hundred Pounds, to be by such Churchwardens or their Successors applied for such general and public Purposes within the said Parish as a Vestry of the same Parish, to be convened by such Churchwardens for that Purpose, shall direct; and immediately on such Payment all Rights of Common whatsoever, and all Lammas Rights and other Commonable

Purposes as a Vestry shall direct, and thereupon all Rights of Common to cease.

Commonable Rights whatsoever existing or claimed by any Body Politic, Corporate, or Collegiate, or any Person or Persons whatsoever, in, upon, or over all or any Part or Parts of the said Lands and Hereditaments specified in the Schedule to the said first-mentioned Act, and already purchased by the said Commissioners, shall absolutely cease and be extinguished; and as regards any other of the said Hereditaments which shall hereafter be purchased, then from the Date of such Purchase such Rights shall also cease and be extinguished, and whether the same be Common or Waste Lands or not.

Receipt of the Churchwardens to be a sufficient Discharge for the 1,500*l.*

II. The Receipt or Receipts in Writing of the Churchwardens for the Time being of the said Parish of *Saint Mary Battersea* shall be a full and sufficient Discharge to the said *Battersea Park* Commissioners for the said Sum of One thousand five hundred Pounds or any Part thereof, and they shall not be in anywise bound to see to the Application thereof.

Short Title.

III. It shall be sufficient for all Purposes to cite this Act as "The *Battersea Park* Act, 1853."

CAP. XLVIII.

An Act for the Punishment of Offences in the Colonies in relation to the Coin. [4th *August* 1853.]

2 & 3 W. 4. c. 34.

7 W. 4. & 1 Vict. c. 90.

'WHEREAS an Act was passed in the Second Year of King *William* the Fourth, "for consolidating "and amending the Laws against Offences relating to the Coin," and such Act has been amended 'by an Act passed in the First Year of Her Majesty, "to amend the Law relative to Offences punishable "by Transportation for Life:" And whereas it is expedient to extend the Provisions of the said first-'mentioned Act (as so amended) to Her Majesty's Colonies and Possessions abroad in which Provision 'may not have been already made for the like Purpose:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

2 & 3 W. 4. c. 34. as amended, extended to the Colonies.

I. The Provisions of the said first-mentioned Act, as amended as aforesaid, shall, except as herein-after otherwise provided, extend to and be in force in all Her Majesty's Colonies and Possessions abroad.

Punishment for importing counterfeit Coin into the Colonies.

II. If any Person shall import into any of Her Majesty's Colonies or Possessions abroad any false or counterfeit Coin resembling or apparently intended to resemble or pass for any of Her Majesty's current Gold or Silver Coin coined in any of Her Majesty's Mints (whether in the United Kingdom or elsewhere), knowing the same to be false or counterfeit, he shall be liable, at the Discretion of the Court, to be transported for Life, or for any Term not less than Seven Years, or to be imprisoned for any Time not exceeding Four Years.

Not to apply in any Colony to any Offence for Punishment whereof local Provision is already made.

III. Provided always, That where by the Law now in force in any such Colony or Possession Provision is made for the Punishment of Offences relating to the Coin, or relating to specified Descriptions of the Coin, the said Act and this Act respectively, so far as respects any Offence punishable under the Provisions of the Law now in force as aforesaid, shall not extend to such Colony or Possession, but such Offence shall be punished in such Colony or Possession as if this Act had not been passed.

Power to local Legislature to vary Provisions of this Act.

IV. Provided also, That it shall be lawful for the local Legislature of any such Colony or Possession, by any Act, Law, or Ordinance to be passed or made in the Manner and subject to the Conditions in and subject to which Acts, Laws, or Ordinances may be passed or made by such local Legislature, to alter or repeal, as regards such Colony or Possession, all or any of the Provisions by this Act extended or made applicable to the said Colonies or Possessions, and generally by such Acts, Laws, or Ordinances to make such Provision as they see fit in relation to the Matters to which the said first-mentioned Act and this Act extend, in like Manner as if this Act had not been passed.

CAP. XLIX.

An Act to extend the Provisions of an Act of the Fifteenth and Sixteenth Years of Her present Majesty, intituled *An Act to enable Colonial and other Bishops to perform certain Episcopal Functions, under Commission from Bishops of* England *and* Ireland. [4th *August* 1853.]

15 & 16 Vict. c. 52.

'WHEREAS by an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her present 'Majesty, intituled *An Act to enable Colonial and other Bishops to perform certain Episcopal* 'Functions, under Commission from Bishops of England *and* Ireland, it is enacted, that all Admissions, 'Institutions, and Inductions to Benefices in the United Church of *England* and *Ireland*, and all 'Appointments to act as Curates and Chaplains therein, of Persons admitted into Holy Orders in pur-'suance of a Request and Commission from the Bishop of any Diocese in *England* or *Ireland*, within 'the Limits of his Diocese, by any Bishop who by virtue of Her Majesty's Royal Letters Patent shall 'exercise or have exercised the Office of Bishop within the *British* Territories in *India*, or in any of 'Her Majesty's Colonies or Foreign Possessions, shall be to all Intents and Purposes good and valid in 'Law, notwithstanding anything contained in Two several Acts therein recited, passed respectively in 'the Fifty-ninth Year of the Reign of His Majesty King *George* the Third and in the Third and Fourth 'Years of the Reign of Her present Majesty: And whereas it is expedient to extend the Provisions of 'the said Act to Dioceses in Her Majesty's Foreign and Colonial Possessions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

poral, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Notwithstanding anything in the said recited Acts or either of them contained to the contrary, all Persons who have been or hereafter shall be ordained Deacon or Priest by any of the said Bishops in or for the Diocese of the Bishop of any other of Her Majesty's Foreign or Colonial Possessions, upon his Request in Writing, shall be entitled to all the same Rights, Privileges, and Advantages as if he had been ordained by such Bishop within the Limits of a Diocese over which he was at the Time himself actually exercising Jurisdiction, and residing therein.

Ordination of Persons by Colonial Bishop other than the Bishop of the Diocese valid.

CAP. L.

An Act to effect Exchange of Patronage by Archbishops, Bishops, and other Ecclesiastical Corporations. [4th *August* 1853.]

'WHEREAS by an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-seven, Provision is made for effecting by the Authority therein named, that is to say, a Scheme prepared by the Ecclesiastical Commissioners for *England*, and ratified by an Order of Her Majesty in Council, and duly gazetted, such Alterations in the Apportionment or Exchange of Ecclesiastical Patronage among the several Bishops as should be consistent with the relative Magnitude and Importance of their respective Dioceses: And whereas by an Order in Council ratifying a Scheme of the said Ecclesiastical Commissioners in pursuance of the said Act, and gazetted the Fourth *June* One thousand eight hundred and fifty-two, certain Alterations in the Apportionment or Exchange of Ecclesiastical Patronage have been duly made, and the same have been found beneficial, and it is expedient to extend the Benefit thereof, and in many Cases the Patronage so assigned may be advantageously exchanged for Patronage in other Hands:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

6 & 7 W. 4. c. 77.

Order in Council, dated 4th June 1852.

I. It shall be lawful for any Archbishop, Bishop, or any other Ecclesiastical Corporation, sole or aggregate, by the Authority of a Scheme of the Ecclesiastical Commissioners for *England*, ratified by Her Majesty in Council, and duly gazetted, to assign and transfer the Patronage of any Benefice or Benefices of which he shall be seised in right of his See, or other Preferment held by him by way of Exchange only, and not otherwise, to any Archbishop, Bishop, or other Ecclesiastical Corporation, sole or aggregate, who is and are hereby authorized to accept and acquire and hold the same, or to any other Person, for the Patronage of any other Benefice or Benefices; and from and after the Publication of the Scheme and Order in Council effecting such Transfer the Benefice or Benefices and Patronage thereby purporting to be transferred and exchanged shall be and remain thereby duly vested in the respective Archbishop, Bishop, or other Ecclesiastical Corporation, sole or aggregate, or other Person, Party to such Exchange, without any Transfer, Conveyance, or Assurance in the Law other than the said Scheme and Order so published in the Gazette as aforesaid.

Power for Archbishop, &c. by Authority of a Scheme of Ecclesiastical Commissioners, to exchange Patronage.

II. Provided that in every such Case the said Ecclesiastical Commissioners shall, before submitting such Scheme for the Consideration and Approval of Her said Majesty in Council, make due Inquiry into the Circumstances of the proposed Exchange, and into the equal or relative Value of the Benefice or Benefices and Patronage proposed to be thereby transferred, and shall certify the same to Her Majesty, with such Particulars thereof as may be necessary to show that such Exchange is made in conformity with the Intentions of the said recited Act.

Commissioners, before submitting Scheme for Approval, to inquire into and certify Particulars.

III. The Word "Person" shall include any Corporation, and the Master, Provost, Warden, or Head of any College or Collegiate Establishment, and the Master, Guardian, or Head of any Hospital, and the governing Body respectively entitled in his or their Corporate Capacity to any such Patronage, and shall also extend to and include the Queen's Majesty as well in respect of Patronage vested or to be vested in or exercised by Her Majesty in right of the Crown as in right of the Duchy of *Lancaster* or of the Duchy of *Cornwall;* and in every Case of Exchange in right of the Crown where the Benefice is above the yearly Value of Twenty Pounds in the Queen's Books the Assent of Her Majesty shall be testified by the Signature of the Lord High Treasurer or First Commissioner of the Treasury for the Time being, and when such yearly Value shall be Twenty Pounds or under such Assent shall be testified by the Signature of the Lord High Chancellor, and the Assent of Her Majesty when the Patronage is in respect of the Duchy of *Lancaster* shall be testified by the Signature of the Chancellor of the Duchy, and when the Patronage is in respect of the Duchy of *Cornwall* such Assent shall be testified by Two or more of the principal Officers of the said Duchy, to be appointed in manner provided for Appointment of Officers to grant Leases under the Provisions of an Act passed in the Session held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, Chapter Five, which Assent they are hereby authorized and empowered to give; and in every Case of Exchange in right of the Duchy of *Cornwall*, when there is a Duke of *Cornwall*, the Assent of the said Duke shall be testified in Writing under the Privy Seal of the said Duke first had and obtained for that Purpose.

As to Meaning of the Word "Person."

Who to assent in Cases of Exchange of Benefices in right of the Crown.

IV. Where the Patronage of any Benefice or Benefices is given in exchange by the Crown, the Benefice or Benefices respectively taken in exchange for the same shall follow and be subject to the Course of Patronage of the Benefice or Benefices so given by the Crown.

As to Patronage of Benefices taken by the Crown, &c.

V. All

Provisions of 1 & 2 W. 4. c. 45. respecting the Annexation of Laws, &c. to any Church, &c. extended to this Act.

V. All the Provisions and Powers of an Act passed in the Session of Parliament held in the First and Second Years of the Reign of King *William* the Fourth, Chapter Forty-five, relating to the Annexation by the Owner or Owners of any Lands, Tenements, or other Hereditaments whatsoever to any Church or Chapel under the Patronage of such Owner or Owners, shall apply to and may be exercised by any Archbishop or Bishop in reference to any Church or Chapel the Patronage whereof shall have been transferred from such Archbishop or Bishop under the said Order in Council gazetted the Fourth *June* One thousand eight hundred and fifty-two, or by any Archbishop, Bishop, or other Ecclesiastical Corporation, Person or Persons, whose Patronage shall be the Subject of any Exchange under this Act in reference to such Patronage, notwithstanding such Patronage may have been so transferred by such Exchange.

CAP. LI.

An Act for granting to Her Majesty Duties on Succession to Property, and for altering certain Provisions of the Acts charging Duties on Legacies and Shares of Personal Estates.

[4th *August* 1853.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies for defraying Your Majesty's Public Expenses, and making a permanent Addition to the Public Revenue, have freely and voluntarily resolved to grant unto Your Majesty the Duties herein-after mentioned; and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of certain Terms in this Act.

I. In the Construction and for the Purposes of this Act,

The Term "Real Property" shall include all Freehold, Copyhold, Customary, Leasehold, and other Hereditaments, and Heritable Property, whether corporeal or incorporeal, in *Great Britain* and *Ireland*, except Money secured on Heritable Property in *Scotland*, and all Estates in any such Hereditaments:

The Term "Personal Property" shall not include Leaseholds, but shall include Money payable under any Engagement, and Money secured on Heritable Property in *Scotland*, and all other Property not comprised in the preceding Definition of Real Property:

The Term "Property" alone shall include Real Property and Personal Property:

The Term "Succession" shall denote any Property chargeable with Duty under this Act:

The Term "Trustee" shall include an Executor and Administrator, and any Person having or taking on himself the Administration of Property affected by any express or implied Trust:

The Term "Person" shall include a Body Corporate, Company, and Society:

The Term "Legacy Duty Acts" shall denote the Acts now in force for charging Duties on Legacies and Shares of the Personal Estates of deceased Persons.

What Dispositions and Devolutions of Property shall confer Successions.

II. Every past or future Disposition of Property, by reason whereof any Person has or shall become beneficially entitled to any Property or the Income thereof upon the Death of any Person dying after the Time appointed for the Commencement of this Act, either immediately or after any Interval, either certainly or contingently, and either originally or by way of substitutive Limitation, and every Devolution by Law of any beneficial Interest in Property, or the Income thereof, upon the Death of any Person dying after the Time appointed for the Commencement of this Act, to any other Person, in possession or expectancy, shall be deemed to have conferred or to confer on the Person entitled by reason of any such Disposition or Devolution a "Succession;" and the Term "Successor" shall denote the Person so entitled; and the Term "Predecessor" shall denote Settlor, Disponer, Testator, Obligor, Ancestor, or other Person from whom the Interest of the Successor is or shall be derived.

Definition of the Terms "Successor," "Predecessor."

Joint Tenants taking by Survivorship to be deemed Successors.

III. Where any Person shall, at or after the Time appointed for the Commencement of this Act, have any Property vested in them jointly, by any Title not conferring on them a Succession, any beneficial Interest in such Property accruing to any of them by Survivorship shall be deemed to be a Succession; and every Person to whom any such Interest shall accrue shall be deemed to be the Successor; and the Person upon whose Death such Accruer shall take place shall be deemed to be the Predecessor; and where any Persons after the Time appointed for the Commencement of this Act shall take any Succession jointly, they shall pay the Duty, if any, chargeable thereon by this Act in proportion to their respective Interests in the Succession; and any beneficial Interest in such Succession, accruing to any of them by Survivorship, shall be deemed to be a new Succession, derived from the Predecessor from whom the joint Title shall have been derived.

General Powers of Appointment to confer Successions.

IV. Where any Person shall have a general Power of Appointment, under any Disposition of Property taking effect upon the Death of any Person dying after the Time appointed for the Commencement of this Act, over Property, he shall, in the event of his making any Appointment thereunder, be deemed to be entitled, at the Time of his exercising such Power, to the Property or Interest thereby appointed as a Succession derived from the Donor of the Power; and where any Person shall have a limited Power of Appointment, under a Disposition taking effect, upon any such Death, over Property, any Person taking any Property by the Exercise of such Power shall be deemed to take the same as a Succession derived from the Person creating the Power as Predecessor.

V. Where

Extinction of determinable Charges to confer Successions.

V. Where any Property shall at or after the Time appointed for the Commencement of this Act be subject to any Charge, Estate, or Interest, determinable by the Death of any Person, or at any Period ascertainable only by reference to Death, the Increase of Benefit accruing to any Person or Persons upon the Extinction or Determination of such Charge, Estate, or Interest shall be deemed to be a Succession accruing to the Person, or the Persons if more than One, then entitled beneficially to the Property or the Income thereof, according to his or their respective Estates or Interests therein, or beneficial Enjoyment thereof; and the Person or Persons from whom such Successor or Successors respectively shall have derived Title to the Property so charged shall be deemed to be the Predecessor or Predecessors, as the Case may be.

Persons now beneficially entitled to Real Property subject to Leases for Life, not liable to Duty.

VI. Provided that no Person entitled, at the Time appointed for the Commencement of this Act, to the immediate Reversion in any Real Property expectant upon the Determination of any Lease for Life or for Years determinable on Life, shall be chargeable with Duty in respect of such Determination, in the event of the same occurring in his Lifetime.

Dispositions accompanied by the Reservation of a Benefit to the Grantor, &c. to confer Successions.

VII. Where any Disposition of Property, not being a *bonâ fide* Sale, and not conferring an Interest expectant on Death on the Person in whose Favour the same shall be made, shall be accompanied by the Reservation or Assurance of or Contract for any Benefit to the Grantor, or any other Person, for any Term of Life or for any Period ascertainable only by reference to Death, such Disposition shall be deemed to confer at the Time appointed for the Determination of such Benefit an Increase of beneficial Interest in such Property, as a Succession equal in annual Value to the yearly Amount or yearly Value of the Benefit so reserved, assured, or contracted for, on the Person in whose Favour such Disposition shall be made.

Dispositions to take effect at Periods depending on Death, or made for evading Duty, to confer Successions.

VIII. Where any Disposition of Property shall be made to take effect at a Period ascertainable only by reference to the Date of the Death of any Person dying after the Time appointed for the Commencement of this Act, such Disposition shall be deemed to confer a Succession on the Person in whose Favour the same shall be made; and where any Disposition of Property shall purport to take effect presently, or under such Circumstances as not to confer a Succession, but by the Effect or in consequence of any Engagement, secret Trust, or Arrangement capable of being enforced in a Court of Law or Equity, the beneficial Ownership of such Property shall not *bonâ fide* pass according to such Disposition, but shall in fact devolve to any Person on Death, or at some Period ascertainable only by reference to Death, then such last-mentioned Person shall be deemed to acquire the Property so passing as a Succession derived from the Person making the Disposition as the Predecessor; and where any Court of competent Jurisdiction shall declare any Disposition to have been fraudulent and made for the Purpose of evading the Duty imposed by this Act, it shall be lawful for such Court to declare a Succession to have been conferred on such Person at such Time and to such an Extent as such Court shall think just; and such last-mentioned Person shall be deemed to have taken a Succession accordingly derived from the Person making such Disposition as Predecessor.

Duties to be under the Care and Management of the Commissioners of Inland Revenue.

IX. The Duties herein-after imposed shall be considered as Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue, herein-after called "The Commissioners;" who, by themselves and their Officers, shall have the same Powers and Authorities for the Collection, Recovery, and Management thereof, as are by an Act passed in the Session holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, Chapter One, or by any other Act or Acts, vested in them for the Collection, Recovery, and Management of any Stamp Duties; and shall provide proper Stamps for denoting the Rate *per Centum* of the Duties payable under this Act; and shall have all other Powers and Authorities requisite for carrying this Act into execution.

Duties on Successions.

X. There shall be levied and paid to Her Majesty in respect of every such Succession as aforesaid, according to the Value thereof, the following Duties; (that is to say,)

Where the Successor shall be the lineal Issue or lineal Ancestor of the Predecessor, a Duty at the Rate of One Pound *per Centum* upon such Value:

Where the Successor shall be a Brother or Sister, or a Descendant of a Brother or Sister of the Predecessor, a Duty at the Rate of Three Pounds *per Centum* upon such Value:

Where the Successor shall be a Brother or Sister of the Father or Mother, or a Descendant of a Brother or Sister of the Father or Mother of the Predecessor, a Duty at the Rate of Five Pounds *per Centum* upon such Value:

Where the Successor shall be a Brother or Sister of the Grandfather or Grandmother, or a Descendant of the Brother or Sister of the Grandfather or Grandmother of the Predecessor, a Duty at the Rate of Six Pounds *per Centum* upon such Value:

Where the Successor shall be in any other Degree of collateral Consanguinity to the Predecessor than is herein-before described, or shall be a Stranger in Blood to him, a Duty at the Rate of Ten Pounds *per Centum* upon such Value.

Provision as to married Persons chargeable with Succession or Legacy Duties.

XI. Where any Person chargeable with Duty under this Act in respect of any Succession, or chargeable with Duty under the Legacy Duty Acts in respect of any Legacy bequeathed to him or her by a Testator dying after the Time appointed for the Commencement of this Act, or in respect of the Personal Estate of any Person dying after the same Period, shall have been married to any Wife or Husband of nearer Consanguinity than himself or herself to the Predecessor, Testator, or deceased Person;

Person, then the Person taking such Succession, Legacy, or Personal Estate shall pay in respect thereof the same Rate of Duty only as such his or her Wife or Husband would have been chargeable with if she or he had taken the same.

What Duties payable when the Successor is also the Predecessor.

XII. Where any Person shall take a Succession under a Disposition made by himself, then, if at the Date of such Disposition he shall have been entitled to the Property comprised in the Succession expectantly on the Death of any Person dying after the Time appointed for the Commencement of this Act, and such Person shall have died during the Continuance of such Disposition, he shall be chargeable with Duty on his Succession at the same Rate as he would have been chargeable with if no such Disposition had been made; but a Successor shall not in any other Case be chargeable with Duty upon a Succession taken under a Disposition made by himself, and no Person shall be chargeable with Duty upon the Extinction or Determination of any Charge, Estate, or Interest created by himself, unless at the Date of the Creation thereof he shall have been entitled to the Property subjected thereto expectantly on the Death of some Person dying after the Time appointed for the Commencement of this Act.

Provision as to joint Predecessors.

XIII. Where the Successor shall derive his Succession from more Predecessors than One, and the proportional Interest derived from each of them shall not be distinguishable, it shall be lawful for the Commissioners to agree with the Successor as to the Duty payable; but if no such Agreement shall be made, the Successor shall be deemed to have derived his Succession in equal Proportions from each Predecessor, and shall be chargeable with Duty accordingly.

Duty on transmitted Successions.

XIV. Where the Interest of any Successor in any Personal Property shall, before he shall have become entitled thereto in possession, have passed by reason of Death to any other Successor or Successors, then One Duty only shall be paid in respect of such Interest, and shall be due from the Successor who shall first become entitled thereto in possession; but such Duty shall be at the highest Rate which, if every such Successor had been subject to Duty, would have been payable by any One of them.

Duties payable in respect of transferred Interests.

XV. Where, at the Time appointed for the Commencement of this Act, any reversionary Property expectant on Death shall be vested, by Alienation or other derivative Title, in any Person other than the Person who shall have been originally entitled thereto under any such Disposition or Devolution as is mentioned in the Second Section of this Act, then the Person in whom such Property shall be so vested shall be chargeable with Duty in respect thereof as a Succession at the same Time and at the same Rate as the Person so originally entitled would have been chargeable with if no such Alienation had been made or derivative Title created; and where, after the Time appointed for the Commencement of this Act, any Succession shall, before the Successor shall have become entitled thereto or to the Income thereof in possession, have become vested by Alienation or by any Title not conferring a new Succession in any other Person, then the Duty payable in respect thereof shall be paid at the same Rate and Time as the same would have been payable if no such Alienation had been made or derivative Title created; and where the Title to any Succession shall be accelerated by the Surrender or Extinction of any prior Interests, then the Duty thereon shall be payable at the same Time and in the same Manner as such Duty would have been payable if no such Acceleration had taken place.

Succession subject to Trusts for charitable or public Purposes chargeable with Duty.

XVI. Where Property shall become subject to a Trust for any charitable or public Purposes, under any past or future Disposition, which, if made in favour of an Individual, would confer on him a Succession, there shall be payable in respect of such Property, upon its becoming subject to such Trusts, a Duty at the Rate of Ten Pounds *per Centum* upon the Amount or principal Value of such Property; and it shall be lawful for the Trustee of any such Property to raise the Amount of any Duty due in respect thereof, with all reasonable Expenses, upon the Security of the Charity Property, at Interest, with Power for him to give effectual Discharges for the Money so raised.

Provision for Life Policies and certain Post Obit Bonds.

XVII. No Policy of Insurance on the Life of any Person shall create the Relation of Predecessor and Successor between the Insurers and the Assured, or between the Insurers and any Assignee of the Assured, and no Bond or Contract made by any Person *bonâ fide* for valuable Consideration in Money or Money's Worth, for the Payment of Money or Money's Worth after the Death of any other Person, shall create the Relation of Predecessor and Successor between the Person making such Bond or Contract and the Person to or with whom the same shall be made; but any Disposition or Devolution of the Monies payable under such Policy, Bond, or Contract, if otherwise such as in itself to create a Succession within the Provisions of this Act, shall be deemed to confer a Succession.

Exemptions.

XVIII. Where the whole Succession or Successions derived from the same Predecessor and passing upon any Death to any Person or Persons shall not amount in Money or Principal Value to the Sum of One hundred Pounds, no Duty shall be payable under this Act in respect thereof or of any Portion thereof; and no Duty shall be payable under this Act upon any Succession, which, as estimated according to the Provisions of this Act, shall be of less Value than Twenty Pounds in the whole, or upon any Monies applied to the Payment of the Duty on any Succession according to any Trust for that Purpose, or by any Person in respect of a Succession, who, if the same were a Legacy bequeathed to him by the Predecessor, would be exempted from the Payment of Duty in respect thereof under the Legacy Duty Acts; and no Person shall be charged with Duty under this Act in respect of any Interest surrendered by him or extinguished before the Time appointed for the Commencement of this Act; and no Person charged with the Duties on Legacies and Shares of Personal Estate under the Legacy Duty Acts, in respect

respect of any Property subject to such Duties, shall be charged also with the Duty granted by this Act in respect of the same Acquisition of the same Property.

Leasehold Estates not to be charged with Legacy Duty as Personal Estate.

XIX. No Legatee or other Person shall, after the Time appointed for the Commencement of this Act, be chargeable under the Legacy Duty Acts with Duty, not then already due, in respect of any Leasehold Hereditaments of any Testator or deceased Person, as belonging to the Personal Estate of the Testator or Deceased.

Duties to be paid on Successor becoming entitled in possession, but in case of outstanding Interests, on Determination thereof.

XX. The Duty imposed by this Act shall be paid at the Time when the Successor, or any Person in his Right or on his Behalf, shall become entitled in possession to his Succession, or to the Receipt of the Income and Profits thereof; except that if there shall be any prior Charge, Estate, or Interest, not created by the Successor himself, upon or in the Succession, by reason whereof the Successor shall not be presently entitled to the full Enjoyment or Value thereof, the Duty in respect of the increased Value accruing upon the Determination of such Charge, Estate, or Interest shall, if not previously paid, compounded for, or commuted, be paid at the Time of such Determination; and except that in case of an Annuity, or Property hereby made chargeable as an Annuity, the Duties shall be paid by such Instalments as are herein-after directed or referred to; provided that no Duty shall be payable upon the Determination of any Lease purporting at the Date thereof to be a Lease at Rackrent, in respect of the Increase accruing to the Successor upon such Determination.

The Interest of a Successor in Real Property to be considered as an Annuity.

XXI. The Interest of every Successor, except as herein provided, in Real Property, shall be considered to be of the Value of an Annuity equal to the annual Value of such Property, after making such Allowances as are herein-after directed, and payable from the Date of his becoming entitled thereto in possession, or to the Receipt of the Income or Profits thereof during the Residue of his Life, or for any less Period during which he shall be entitled thereto; and every such Annuity, for the Purposes of this Act, shall be valued according to the Tables in the Schedule annexed to this Act; and the Duty chargeable thereon shall be paid by Eight equal half-yearly Instalments, the First of such Instalments to be paid at the Expiration of Twelve Months next after the Successor shall have become entitled to the beneficial Enjoyment of the Real Property in respect whereof the same shall be payable, and the Seven following Instalments at half-yearly Intervals of Six Months each, to be computed from the Day on which the First Instalment shall have become due, provided that if the Successor shall die before all such Instalments shall have become due, then any Instalments not due at his Decease shall cease to be payable, except in the Case of a Successor who shall have been competent to dispose by Will of a continuing Interest in such Property, in which Case the Instalments unpaid at his Death shall be a continuing Charge on such Interest, in exoneration of his other Property, and shall be payable by the Owner for the Time being of such Interest.

Rules for valuing Lands, Houses, &c.

XXII. In estimating the annual Value of Lands used for Agricultural Purposes, Houses, Buildings, Tithes, Teinds, Rentcharges, and other Property yielding or capable of yielding Income not of a fluctuating Character, an Allowance shall be made of all necessary Outgoings.

Rule as to Timber.

XXIII. Where Timber, Trees, or Wood, not being Coppice or Underwood, shall be comprised in any Succession, the Successor shall be chargeable with Duty upon his Interest in the net Monies, after deducting all necessary Outgoings for the Year, which shall from Time to Time be received from any Sales of such Timber, Trees, or Wood, and shall account for and pay the same yearly; provided that no Duty shall be payable on the net Monies received from the Sale of Timber, Trees, or Wood in any One Year unless such net Mones shall exceed the Sum of Ten Pounds; provided, that if the Successor shal be desirous of commuting the Duty, and shall deliver to the Commissioners an Estimate of the ne Monies obtainable by him from the Sale of such Timber, Trees, and Wood as may, in a prudent Course of Management of the Property, be felled by such Successor during his Life, the Commissioners, if satisfied with such Estimate, shall accept the same and assess the Duty accordingly.

Rule as to Advowsons.

XXIV. A Successor shall not be chargeable with Duty in respect of any Advowson or Church Patronage comprised in his Succession, unless the same, or some Right of Presentation, or some other Interest in or out of such Advowson or Church Patronage, shall be disposed of by or in concert with him for Money or Money's Worth, in which Case he shall be chargeable with Duty upon the Amount or Value of the Money or Money's Worth, for which the same, or any such Presentation or Interest, shall be so disposed of at the Time of such Disposal.

Rule as to Property subject to beneficial Leases.

XXV. Where a Successor, entitled to any Real Property, subject to any Lease by reason whereof he shall not be presently entitled to the full Enjoyment thereof, shall not have paid Duty in respect of the full yearly Value of such Property, he shall be chargeable with Duty upon his Interest in any Fine or Grassum or other Consideration which may be received during his Life for the Renewal of any such Lease, or the Grant of any Reversionary Lease of the same Property.

Rule as to Manors, Mines, &c.

XXVI. The yearly Value of any Manor, open Mine, or other Real Property of a fluctuating yearly Income shall either be calculated upon the average Profits or Income derived therefrom, after deducting all necessary Outgoings, during such a Number of preceding Years as shall be agreed upon for this Purpose between the Commissioners and the Successor, before the first Payment of Duty on the Succession shall have become due, or, if no such Period shall be agreed upon, then the principal Value of such Property shall be ascertained, and the annual Value thereof shall be considered to be equal to Interest calculated at the Rate of Three Pounds *per Centum per Annum* on the Amount of such principal Value.

 XXVII. Where

Duty payable by Corporations, &c. taking Real Estates.

XXVII. Where any Body Corporate, Company, or Society shall become entitled, as Successors, to any Real Property, the Duty in respect thereof shall be assessed upon the principal Value of such Property, but shall be payable by such Instalments, at such Times, and in such Manner as the same would be payable if assessed in respect of Property devolving on a Successor in Fee Simple; and it shall be lawful for such Body Corporate, Company, or Society, or any Trustee thereof, to raise the Amount of any Duty due in respect of their Succession upon the Security thereof, at Interest, with Power for them to give effectual Discharges for the Money so raised.

Allowance for Fines, &c. paid by Successor.

XXVIII. If a Successor, or any Person on his Behalf, upon becoming entitled to any Copyhold or other Real Property, shall be subject to any Fines, Casualties of Superiority, Compositions, Reliefs, or Charges incident to the Tenure thereof, and due in respect of his Succession, he shall be entitled to have a Deduction allowed to him of the Amount of such Fines, Casualties, Compositions, Reliefs, or Charges from the assessable Value of his Interest in such Copyhold or other Real Property.

Real Property directed to be sold to be charged as Personalty.

XXIX. The Interest of any Successor in Monies to arise from the Sale of Real Property under any Trust for the Sale thereof, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, shall be deemed to be Personal Property chargeable with Duty under this Act; provided that where such Monies shall be subject to any Trust for the Re-investment thereof in the Purchase of other Real Property, to which the Successor would not be absolutely entitled, such Monies shall be deemed to be Real Property, and for the Purpose of this Act each Successor's Interest therein shall be considered to be of the Value of an Annuity, payable during his Life, or for any less Period during which he shall be entitled, equal in Amount to the annual Produce of the actual Trust Property at the Time of his becoming entitled in possession, whether the same shall then be the Real Property subject to the Trust or Direction for Sale, or any Property purchased in substitution for it, or any intermediate Investment of the Produce of the Sale of the original Property.

Personal Property to be invested in Real Property how to be charged.

XXX. The Interest of any Successor in Personal Property subject to any Trust for the Investment thereof in the Purchase of Real Property to which the Successor would be absolutely entitled shall, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, be chargeable with Duty under this Act as Personal Property; and Personal Property subject to any Trust for the Investment thereof in the Purchase of Real Property to which the Successor would not be absolutely entitled shall, so far as the same shall not be chargeable with Duty under the Legacy Duty Acts, be chargeable with Duty under this Act as Real Property; and for the Purposes of this Act each Successor's Interest therein shall be considered to be of the Value of an Annuity, payable during his Life, or for any less Period during which he shall be entitled, equal in Amount to the annual Produce of the actual Trust Property at the Time of his becoming entitled in possession, whether the same shall be the Real Property directed to be purchased, or any intermediate Investment of the Personal Property directed to be invested in such Purchase.

Annuities under this Act and Legacy Duty Acts to be valued according to the Tables annexed to this Act.

XXXI. Where it shall be required to calculate, for the Purposes either of this Act or of the Legacy Duty Acts, the Value of any Annuity, or of any Interest chargeable with Duty as an Annuity, such Value shall, after the Time appointed for the Commencement of this Act, be calculated according to the Tables in the Schedule annexed to this Act, and not according to the Tables in the Schedule annexed to the Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-two, and such Annuity or Interest shall be chargeable with Duty accordingly.

Provisions as to the Assessment of Personalty.

XXXII. The following Provisions relating to the Assessment and Payment of Duty on Personal Estate, and the Exemption thereof from Duty in certain Cases, namely, the Eighth, Tenth, Eleventh, Twelfth, Fourteenth, and Twenty-third Sections of the said Act of the Thirty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-two, shall be applicable to the Personal Property comprised in any Succession, and to the Assessment and Payment of Duty thereon, as if such Personal Property were a Legacy bequeathed by the Predecessor to the Successor, and were subject to the said Provisions, and as if the Tables in the said Act referred to were the Tables in the Schedules annexed to this Act.

Allowance to Donee of general Power of Appointment.

XXXIII. Where the Donee of a general Power of Appointment shall become chargeable with Duty in respect of the Property appointed by him under such Power, he shall be allowed to deduct from the Duty so payable any Duty he may have already paid in respect of any limited Interest taken by him in such Property.

What Allowance to be made for Incumbrances.

XXXIV. In estimating the Value of a Succession no Allowance shall be made in respect of any Incumbrance thereon created or incurred by the Successor, not made in execution of a prior special Power of Appointment, but an Allowance shall be made in respect of all other Incumbrances, and also in respect of any Monies which the Successor may previously to his Possession have laid out in the substantial Repairs or permanent Improvement of Real Property comprised in his Succession; provided that upon any Successor becoming entitled to Real Property subject to any prior principal Charge, an Allowance shall be made to him in respect only of the yearly Sums payable by way of Interest or otherwise on such Charge as reducing the annual Value *pro tanto* of such Real Property.

No Allowance to be made for contingent Incumbrances, unless they take effect.

XXXV. In estimating the Value of a Succession no Allowance shall be made in respect of any contingent Incumbrance thereon; but in the event of such Incumbrance taking effect as an actual Burden on the Interest of the Successor, he shall be entitled to a Return of a proportionate Amount of the Duty so paid by him in respect of the Amount or Value of the Incumbrance when taking effect.

XXXVI. In

XXXVI. In estimating the Value of a Succession no Allowance shall be made in respect of any Contingency upon the happening of which the Property may pass to some other Person; but in the event of the same so passing the Successor shall be entitled to a Return of so much of the Duty paid by him as will reduce the same to the Amount which would have been payable by him if such Duty had been assessed in respect of the actual Duration or Extent of his Interest. Duty on Successions to be calculated without regard to Contingencies.

XXXVII. Where a Successor shall not have obtained the whole of his Succession at the Time of the Duty becoming payable, he shall be chargeable only with Duty on the Value of the Property or Benefit from Time to Time obtained by him; and whenever any Duty shall have been paid on account of any Succession, and it shall afterwards be proved to the Satisfaction of the Commissioners that such Duty, not being due from the Person paying the same, was paid by Mistake, or was paid in respect of Property which the Successor shall have been unable to recover, or from or of which he shall have been evicted or deprived by any superior Title, or that for any other Reason it ought to be refunded, the Commissioners shall thereupon refund the same to the Person entitled thereto. Provision for Allowance or Return of Duty.

XXXVIII. Where any Successor upon taking a Succession shall be bound to relinquish or be deprived of any other Property, the Commissioners shall, upon the Computation of the assessable Value of his Succession, make such an Allowance to him as may be just in respect of the Value of such Property. Allowance to be made to Successor in respect of relinquished Property.

XXXIX. Where, in the Opinion of the Commissioners, any Succession shall be of such a Nature, or so disposed or circumstanced, that the Value thereof shall not be fairly ascertainable under any of the preceding Directions, or where, from the Complication of Circumstances affecting the Value of a Succession, or affecting the Assessment or Recovery of the Duty thereon, the Commissioners shall think it expedient to exercise this present Authority, it shall be lawful for them to compound the Duty payable on the Succession upon such Terms as they shall think fit, and to give Discharges to the Successor, upon Payment of Duty according to such Composition; and it shall be lawful for them, in any special Cases in which they may think it expedient so to do, to enlarge the Time for Payment of any Duty. Power for Commissioners to compound Duties.

XL. It shall be lawful for the Commissioners to receive any Duty tendered to them in advance, and to allow Discount thereon at the Rate of Four Pounds *per Centum per Annum*, or at such other Rate as may from Time to Time be directed by the Commissioners of Her Majesty's Treasury; and no Peason, by reason of his having made any Payment of Duty in advance, shall be prejudiced in his Right to have any Repayment of Duty made to him to which he may become entitled under any of the Provisions of this Act. Power of Commissioners to receive Duty in advance.

XLI. It shall be lawful for the Commissioners, in their Discretion, upon Application made by any Person who shall be entitled to a Succession in expectancy, to commute the Duty presumptively payable in respect of such Succession for a certain Sum to be presently paid, and for assessing the Amount which shall be so payable they shall cause a present Value to be set upon such presumptive Duty, regard being had to the Contingencies affecting the Liability to such Duty, and the Interest of Money involved in such Calculation being reckoned at the Rate for the Time being allowed by the Commissioners in respect of Duties paid in advance; and upon the Receipt of such certain Sum they shall give Discharges to the Successor accordingly. Power for Commissioners to commute future Duties.

XLII. The Duty imposed by this Act shall be a First Charge on the Interest of the Successor, and of all Persons claiming in his Right, in all the Real Property in respect whereof such Duty shall be assessed; and such Duty shall also be a First Charge on the Interest of the Successor in the Personal Property in respect whereof the same shall be assessed, while the same shall remain in the Ownership or Control of the Successor, or of any Trustee for him, or of his Guardian or Committee, or Tutor or Curator, or of the Husband of any Wife who shall be the Successor; and the said Duty shall be a Debt due to the Crown from the Successor, having, in the Case of Real Property comprised in any Succession, Priority over all Charges and Interests created by him, but such Duty shall not charge or affect any other Real Property of the Successor than the Property comprised in such Succession; provided, that where any settled Real Property comprised in a Succession shall be subject to any Power of Sale, Exchange, or Partition, exercisable with the Consent of the Successor, or by the Successor with the Consent of another Person, he shall not be disqualified by the Charge of Duty on his Succession from effectually authorizing by his Consent the Exercise of such Power, or exercising any Power with proper Consent, as the Case may be, and in such Case the Duty shall be charged substitutively upon the Successor's Interest, in all Real Property acquired in substitution for the Real Property before comprised in the Succession, and in the meantime upon his Interest also in all Monies arising from the Exercise of any such Power, and in all Investments of such Monies. Duty to be a First Charge on Property.

XLIII. The Commissioners shall, at the Request of any Successor, or any Person claiming in his Right, accept or cause to be made so many separate Assessments of the Duty payable in respect of the Interest of the Successor in any separate Properties, or in defined Portions of the same Property, as shall be reasonably required; and in such Cases the respective Properties shall be chargeable only with the Amount of Duty separately assessed in respect thereof; and it shall be lawful also for the Commissioners, by their Certificates, to be issued in such Form as they shall think fit, from Time to Time to declare that any Duties already assessed, whether collectively or distributively, in respect of any Succession, shall thenceforth be charged, as to any unpaid Instalments, according to any further Distribution thereof, upon separate Parts only of the Property in respect of which such Assessment shall have been made, Provision for the separate Assessments of Properties.

made, in which Case the Charge of such Duties shall be thenceforth limited according to such further Distribution.

What Persons accountable for Duty.

XLIV. The following Persons, besides the Successor, shall be personally accountable to Her Majesty for the Duty payable in respect of any Succession, but to the Extent only of the Property or Funds actually received or disposed of by them respectively after the Time appointed for the Commencement of this Act; that is to say, every Trustee, Guardian, Committee, Tutor, or Curator, or Husband in whom respectively any Property, or the Management of any Property, subject to such Duty, shall be vested, and every Person in whom the same shall be vested by Alienation or other derivative Title at the Time of the Succession becoming an Interest in possession; and all such Trustees, Guardians, Committees, Tutors, Curators, Husbands, and Persons shall be authorized to compound or pay in advance or commute any Duty, and retain out of the Property, subject to any such Duty, the Amount thereof, or to raise such Amount, and the Expenses incident thereto, at Interest on the Security of such Property, with Power to give effectual Discharges for the same, and such Security shall have Priority over any Charge or Incumbrance created by the Successor; and in the event of the Nonpayment of such Duty as aforesaid every Person hereby made accountable shall be a Debtor to Her Majesty in the Amount of the unpaid Duty for which he shall be so accountable.

Notice of Succession to be given to the Commissioners, and a Return of the Property made.

XLV. The Persons hereby made accountable for the Payment of Duty in respect of any Succession, or some of them, shall, in the Case of Personal Property, at the Time of the first Payment, Delivery, Retainer, Satisfaction, or other Discharge of the same or any Part thereof to or for the Successor or any Person in his Right, and in the Case of Real Property when any Duty in respect thereof shall first become payable, give Notice to the Commissioners or to their Officers of their Liability to such Duty, and shall at the same Time deliver to the Commissioners or to their Officers a full and true Account of the Property for the Duty whereon they shall respectively be accountable, and of the Value thereof, and of the Deductions claimed by them, together with the Names of the Successor and Predecessor, and their Relation to each other, and all such other Particulars as shall be necessary or proper for enabling the Commissioners fully and correctly to ascertain the Duties due; and the Commissioners, if satisfied with such Account and Estimate as originally delivered, or with any Amendments that may be made therein upon their Requisition, may assess the Succession Duty on the Footing of such Account and Estimate; but it shall be lawful for the Commissioners, if dissatisfied with such Account and Estimate, to cause an Account and Estimate to be taken by any Person or Persons to be appointed by themselves for that Purpose, and to assess the Duty on the Footing of such last-mentioned Account and Estimate, subject to Appeal, as herein-after provided; and if the Duty so assessed shall exceed the Duty assessable according to the Return made to the Commissioners, and with which they shall have been dissatisfied, and if there shall be no Appeal against such Assessment, then it shall be in the Discretion of the Commissioners, having regard to the Merits of each Case, to charge the whole or any Part of the Expenses incident to the taking of such last-mentioned Account and Estimate on the Interest of the Successor in respect whereof the Duty shall be due, in increase of such Duty, and to recover the same forthwith accordingly; and if there shall be an Appeal against such last-mentioned Assessment, then the Payment of such Expenses shall be in the Discretion of the Court of Appeal herein-after appointed.

Penalty on not giving Notices of Succession.

XLVI. If any Person required to give any such Notice or deliver such Account as aforesaid shall wilfully neglect to do so at the prescribed Period, he shall be liable to pay to Her Majesty a Sum equal to Ten Pounds *per Centum* upon the Amount of Duty payable by him, or in the Case of a Succession chargeable with a higher Rate of Duty than One Pound *per Centum* upon the Value thereof, upon such less Sum as such Duty, if assessable at the Rate of One Pound *per Centum* upon the Value of the Succession, would amount to, and a like Penalty for every Month after the First Month during which such Neglect shall continue; and if any Person liable under this Act to pay any Duty shall, after such Duty shall have been finally ascertained, wilfully neglect to do so within Twenty-one Days, he shall also be liable to pay to Her Majesty a Sum equal to Ten Pounds *per Centum* upon the Amount of Duty so unpaid, or upon such less Sum as such Duty, if assessable at the Rate of One Pound *per Centum* on the Value of the Succession, would amount to, and a like Penalty for every Month after the First Month during which such Neglect shall continue.

Proceeding if Return not made.

XLVII. If any accountable Party required by the Commissioners to deliver any such Account as aforesaid shall make default in doing so, it shall be lawful for the Commissioners to sue, out of Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland*, as they shall think expedient, according to the Circumstances of the Case, and for such Court to issue, a Writ of Summons in such Form as the Judges of such Court shall from Time to Time frame, commanding the Party so in default to deliver such Account within such Period as may be appointed in the Writ, or to show Cause to the contrary, and on Cause being shown such Order shall be made as shall be just.

Power to enforce Returns from Executors and Administrators.

XLVIII. The Commissioners shall for the Purposes of the Legacy Duty Acts be empowered to require and enforce the Delivery of Accounts from Executors, Administrators, and Trustees of Property and Legatees chargeable with Duty under such Acts, and for the Duty whereon they shall be accountable, in the same Manner as they are by the last preceding Section of this Act empowered to require and enforce the Delivery of Accounts for the Purposes of this Act.

XLIX. Every

Accounting Party to verify his Account by Production of Books, &c.; and Commissioners may inspect and take Copies of public Books.

XLIX. Every Person who under the Provisions of this Act may deliver any Account or Estimate of the Property comprised in any Succession shall, if required by the Commissioners, produce before them such Books and Documents in the Custody or Control of such Person, so far as the same relate to such Account or Estimate, as may be capable of affording any necessary Information for the Purpose of ascertaining such Property and the Duty payable thereon; and the Commissioners may, without Payment of any Fee, inspect and take Copies of any public Book; but all such Information shall be deemed to be confidential, and the Commissioners shall not disclose the same, or the Contents of any Document or Book, to any Person, otherwise than for the Purposes of this Act.

Power for accountable Party to appeal.

L. It shall be lawful for any accountable Party dissatisfied with the Assessment of the Commissioners, upon giving, within Twenty-one Days after the Date of such Assessment, Notice in Writing to the Commissioners of his Intention to appeal against such Assessment, and a Statement of the Grounds of such Appeal, such Statement to be furnished within the further Period of Thirty Days, to appeal by Petition accordingly to Her Majesty's Court of Exchequer in *England*, *Scotland*, or *Ireland*, according to the Place in which the Appellant shall be resident; and every such Court, or any Judge thereof sitting in Chambers, shall have Jurisdiction to hear and determine the Matter of such Appeal and the Costs thereof, with Power to direct, for the Purposes of such Appeal, any Inquiry, Valuation, or Report to be made by any Officer of the Court, or other Person, as such Court or Judge may think fit: Provided, that where the Sum in dispute in respect of Duty on such Assessment does not exceed Fifty Pounds, the accountable Party may, having given Notice of Appeal and delivered a Statement of the Grounds thereof as herein-before directed, appeal to the Judge of the County Court in *England*, the Sheriff Court in *Scotland*, or the Assistant Barrister's Court in *Ireland*, for the District, County, or Division in which the Appellant shall be resident, or the Property be situate; and every such Judge shall have Jurisdiction to hear and determine the Matter of such last-mentioned Appeal, with the like Power and Authority as are by this Section given to a Judge of Her Majesty's Court of Exchequer.

Duty to be entered by the Commissioners in a Book, and a stamped Receipt to be given.

LI. Whenever any Payment of Duty shall be made under this Act, the same shall be entered in a Book to be kept by the Commissioners for this Purpose, and the Receiver General of Inland Revenue, or other proper Officer appointed by the Commissioners, shall give a Receipt for the same in such Form as they shall think fit, and stamped with the proper Stamp for denoting the Rate of Duty, and the Commissioners shall from Time to Time deliver to any Person interested in any Property affected by such Duty, on applying for the same for any reasonable Purpose approved by the Commissioners, a Certificate, in such Form as they may think fit, of such Payment.

Protection to bonâ fide Purchasers.

LII. Every Receipt and Certificate purporting to be in discharge of the whole Duty payable for the Time being in respect of any Succession or any Part thereof, shall exonerate a *bonâ fide* Purchaser for valuable Consideration, and without Notice, from such Duty, notwithstanding any Suppression or Mis-statement in the Account upon the Footing whereof the same may have been assessed, or any Insufficiency of such Assessment; and no *bonâ fide* Purchaser of Property for valuable Consideration under a Title not appearing to confer a Succession shall be subject to any Duty with which such Property may be chargeable under the Provisions of this Act, by reason of any extrinsic Circumstances of which he shall not have had Notice at the Time of such Purchase.

Court in Suits for Administration of Property to provide for Payment of Duty.

LIII. Whenever any Suit shall be pending in any Court for the Administration of any Property chargeable with Duty under this Act or the Legacy Duty Acts, such Court shall provide, out of any Property which may be in the Possession or Control of the Court, for the Payment of Duty to the Commissioners.

Commencement of Act.

LIV. This Act shall be taken to have come into operation on the Nineteenth Day of *May* One thousand eight hundred and fifty-three, and shall take effect accordingly.

Short Title.

LV. This Act may be cited for all Purposes as "The Succession Duty Act, 1853."

The

The SCHEDULE to which this Act refers.

TABLE I.

The Values of an Annuity of £100 per Annum held on a single Life.

Years of Age.	Values. £	s.	d.	Years of Age.	Values. £	s.	d.
Birth	1,892	8	6	48	1,300	9	6
1	1,906	13	0	49	1,271	19	6
2	1,919	2	0	50	1,242	19	6
3	1,926	8	0	51	1,213	17	0
4	1,928	16	0	52	1,185	14	0
5	1,926	19	6	53	1,157	17	6
6	1,921	12	0	54	1,130	13	0
7	1,913	4	6	55	1,103	18	0
8	1,902	16	6	56	1,077	10	0
9	1,890	19	6	57	1,051	10	0
10	1,878	3	0	58	1,025	10	0
11	1,864	7	0	59	999	1	0
12	1,849	12	0	60	972	1	0
13	1,833	18	6	61	943	15	6
14	1,817	7	6	62	914	2	0
15	1,800	8	6	63	883	6	0
16	1,783	13	0	64	852	9	0
17	1,767	16	0	65	821	12	6
18	1,753	5	6	66	790	15	0
19	1,740	11	0	67	761	19	0
20	1,729	9	6	68	733	8	6
21	1,719	17	0	69	705	4	0
22	1,713	1	0	70	677	9	0
23	1,706	16	6	71	650	8	0
24	1,700	11	6	72	623	19	6
25	1,694	0	0	73	597	7	6
26	1,686	14	6	74	569	13	0
27	1,677	5	6	75	541	0	6
28	1,667	1	0	76	511	9	6
29	1,656	1	0	77	477	17	0
30	1,644	7	6	78	444	9	6
31	1,632	0	0	79	412	9	6
32	1,619	0	6	80	381	3	0
33	1,605	4	0	81	350	14	6
34	1,590	9	6	82	321	14	6
35	1,574	17	6	83	292	10	0
36	1,558	9	6	84	263	2	0
37	1,541	10	6	85	234	18	6
38	1,524	0	0	86	207	16	0
39	1,506	1	6	87	184	11	6
40	1,487	10	0	88	164	17	6
41	1,468	4	0	89	148	7	0
42	1,447	11	6	90	133	9	0
43	1,426	2	0	91	122	16	0
44	1,403	10	0	92	107	7	0
45	1,379	14	6	93	93	3	0
46	1,354	16	6	94	79	8	6
47	1,328	2	6	95	64	11	0

TABLE II.

The Values of an Annuity of £100 per Annum, held on the Joint Continuance of Two Lives.

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
95	95	23 13 0	95	50	63 2 0	95	5	63 16 6
95	94	26 9 6	95	49	63 4 0	95	4	63 14 0
95	93	28 18 6	95	48	63 5 6	95	3	63 10 6
95	92	31 8 0	95	47	63 6 6	95	2	63 6 0
95	91	33 19 0	95	46	63 7 6	95	1	63 1 0
95	90	34 16 0	95	45	63 7 0	95	0	62 18 0
95	89	37 1 6	95	44	63 7 0			
95	88	39 4 6	95	43	63 7 6			
95	87	41 13 0	95	42	63 7 6	94	94	29 19 0
95	86	44 4 0	95	41	63 7 6	94	93	32 19 0
95	85	46 16 0	95	40	63 7 6	94	92	35 19 0
95	84	48 15 6	95	39	63 7 6	94	91	39 1 0
95	83	50 9 6	95	38	63 8 0	94	90	40 5 6
95	82	51 15 6	95	37	63 8 6	94	89	43 0 0
95	81	52 16 6	95	36	63 9 0	94	88	45 13 6
95	80	53 19 6	95	35	63 9 0	94	87	48 14 0
95	79	55 0 0	95	34	63 9 6	94	86	51 18 6
95	78	55 18 0	95	33	63 9 0	94	85	55 5 0
95	77	56 16 0	95	32	63 9 0	94	84	57 17 6
95	76	57 10 0	95	31	63 9 0	94	83	60 3 0
95	75	57 13 0	95	30	63 9 0	94	82	61 18 0
95	74	57 18 6	95	29	63 9 0	94	81	63 7 0
95	73	58 4 6	95	28	63 9 0	94	80	64 17 6
95	72	58 9 6	95	27	63 8 6	94	79	66 5 0
95	71	58 15 6	95	26	63 8 6	94	78	67 9 6
95	70	59 10 0	95	25	63 7 0	94	77	68 13 6
95	69	59 10 6	95	24	63 6 6	94	76	69 13 6
95	68	59 17 6	95	23	63 6 6	94	75	69 19 0
95	67	60 3 6	95	22	63 6 6	94	74	70 6 6
95	66	60 9 6	95	21	63 7 0	94	73	70 14 6
95	65	60 17 6	95	20	63 9 6	94	72	71 1 6
95	64	61 3 0	95	19	63 12 0	94	71	71 9 6
95	63	61 7 6	95	18	63 14 0	94	70	71 19 0
95	62	61 12 0	95	17	63 16 6	94	69	72 9 0
95	61	61 14 6	95	16	63 18 6	94	68	72 18 6
95	60	61 15 6	95	15	64 0 0	94	67	73 7 6
95	59	61 17 0	95	14	64 1 0	94	66	73 15 6
95	58	61 18 6	95	13	64 1 6	94	65	74 6 0
95	57	62 1 0	95	12	64 1 6	94	64	74 14 0
95	56	62 3 6	95	11	64 1 6	94	63	75 0 6
95	55	62 6 6	95	10	64 1 6	94	62	75 6 0
95	54	62 9 6	95	9	64 1 0	94	61	75 10 0
95	53	62 12 6	95	8	64 0 6	94	60	75 12 0
95	52	62 15 6	95	7	64 0 0	94	59	75 13 6
95	51	62 18 6	95	6	63 18 6	94	58	75 16 0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
94	57	75 19 0	94	8	78 14 0	93	55	89 3 0
94	56	76 2 0	94	7	78 13 0	93	54	89 8 0
94	55	76 6 0	94	6	78 11 6	93	53	89 13 6
94	54	76 10 6	94	5	78 8 6	93	52	89 19 0
94	53	76 14 6	94	4	78 5 0	93	51	90 4 0
94	52	76 19 0	94	3	78 0 6	93	50	90 10 0
94	51	77 3 0	94	2	77 14 6	93	49	90 14 0
94	50	77 7 6	94	1	77 8 0	93	48	90 17 6
94	49	77 10 6	94	0	77 4 0	93	47	90 19 6
94	48	77 13 0				93	46	91 1 0
94	47	77 14 6				93	45	91 1 0
94	46	77 15 6	93	93	36 8 6	93	44	91 1 0
94	45	77 15 6	93	92	39 18 0	93	43	91 1 0
94	44	77 15 6	93	91	43 9 6	93	42	91 1 0
94	43	77 15 6	93	90	44 19 6	93	41	91 1 6
94	42	77 15 6	93	89	48 2 6	93	40	91 1 6
94	41	77 16 0	93	88	51 5 0	93	39	91 1 6
94	40	77 16 0	93	87	54 16 0	93	38	91 2 0
94	39	77 16 0	93	86	58 12 6	93	37	91 3 0
94	38	77 16 6	93	85	62 12 0	93	36	91 3 6
94	37	77 17 0	93	84	65 17 0	93	35	91 4 0
94	36	77 17 6	93	83	68 13 6	93	34	91 4 6
94	35	77 18 0	93	82	70 17 6	93	33	91 4 6
94	34	77 18 6	93	81	72 14 0	93	32	91 4 0
94	33	77 18 6	93	80	74 12 0	93	31	91 4 0
94	32	77 18 0	93	79	76 6 6	93	30	91 4 0
94	31	77 18 0	93	78	77 17 0	93	29	91 4 0
94	30	77 18 0	93	77	79 7 6	93	28	91 3 6
94	29	77 18 0	93	76	80 12 6	93	27	91 3 6
94	28	77 17 6	93	75	81 1 0	93	26	91 3 0
94	27	77 17 6	93	74	81 11 0	93	25	91 1 0
94	26	77 17 0	93	73	82 1 0	93	24	91 0 0
94	25	77 15 6	93	72	82 9 6	93	23	90 19 6
94	24	77 14 6	93	71	82 19 6	93	22	90 19 6
94	23	77 14 0	93	70	83 11 6	93	21	91 0 6
94	22	77 14 6	93	69	84 4 6	93	20	91 4 6
94	21	77 15 6	93	68	84 16 6	93	19	91 8 0
94	20	77 18 6	93	67	85 7 6	93	18	91 12 0
94	19	78 1 6	93	66	85 17 6	93	17	91 16 0
94	18	78 4 6	93	65	86 11 0	93	16	91 19 6
94	17	78 7 6	93	64	87 1 0	93	15	92 3 0
94	16	78 10 6	93	63	87 9 6	93	14	92 5 0
94	15	78 13 0	93	62	87 17 0	93	13	92 6 0
94	14	78 14 6	93	61	88 2 0	93	12	92 6 6
94	13	78 15 6	93	60	88 5 0	93	11	92 6 9
94	12	78 15 6	93	59	88 7 0	93	10	92 6 0
94	11	78 15 6	93	58	88 10 0	93	9	92 5 6
94	10	78 15 0	93	57	88 13 6	93	8	92 4 6
94	9	78 14 6	93	56	88 18 0	93	7	92 3 6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
93	6	92	1	6	92	52	103	6	6	92	3	105	4	0
93	5	91	18	0	92	51	103	13	0	92	2	104	15	0
93	4	91	13	6	92	50	104	0	0	92	1	104	5	0
93	3	91	8	0	92	49	104	5	6	92	0	103	18	0
93	2	91	0	6	92	48	104	9	6					
93	1	90	12	6	92	47	104	12	6					
93	0	90	7	0	92	46	104	14	0	91	91	52	9	6
					92	45	104	14	6	91	90	54	11	0
					92	44	104	14	6	91	89	58	11	6
92	92	43	16	6	92	43	104	14	6	91	88	62	13	6
92	91	47	17	6	92	42	104	15	0	91	87	67	6	6
92	90	49	13	6	92	41	104	15	0	91	86	72	7	6
92	89	53	5	0	92	40	104	15	0	91	85	77	14	6
92	88	56	16	6	92	39	104	15	6	91	84	82	5	0
92	87	60	18	6	92	38	104	16	0	91	83	86	5	0
92	86	65	6	6	92	37	104	17	0	91	82	89	9	6
92	85	69	19	6	92	36	104	17	6	91	81	92	3	0
92	84	73	16	6	92	35	104	18	6	91	80	94	17	6
92	83	77	4	0	92	34	104	19	0	91	79	97	7	6
92	82	79	18	0	92	33	104	19	0	91	78	99	12	6
92	81	82	2	6	92	32	104	18	6	91	77	101	17	0
92	80	84	8	0	92	31	104	18	6	91	76	103	14	0
92	79	86	10	0	92	30	104	18	6	91	75	104	10	0
92	78	88	7	6	92	29	104	18	0	91	74	105	6	0
92	77	90	4	6	92	28	104	18	0	91	73	106	1	0
92	76	91	15	0	92	27	104	17	6	91	72	106	14	0
92	75	92	7	0	92	26	104	17	0	91	71	107	8	6
92	74	93	0	0	92	25	104	15	0	91	70	108	6	0
92	73	93	12	0	92	24	104	13	6	91	69	109	4	6
92	72	94	3	0	92	23	104	13	0	91	68	110	2	0
92	71	94	15	0	92	22	104	13	0	91	67	110	18	6
92	70	95	9	6	92	21	104	14	0	91	66	111	14	0
92	69	96	5	0	92	20	104	18	6	91	65	112	13	0
92	68	96	19	6	92	19	105	3	0	91	64	113	8	6
92	67	97	13	0	92	18	105	7	6	91	63	114	2	0
92	66	98	6	0	92	17	105	12	6	91	62	114	13	6
92	65	99	2	0	92	16	105	17	0	91	61	115	1	6
92	64	99	14	6	92	15	106	1	0	91	60	115	6	6
92	63	100	5	0	92	14	106	4	0	91	59	115	10	6
92	62	100	14	6	92	13	106	5	6	91	58	115	15	0
92	61	101	1	0	92	12	106	6	0	91	57	116	0	0
92	60	101	5	0	92	11	106	6	0	91	56	116	6	0
92	59	101	8	0	92	10	106	5	6	91	55	116	13	6
92	58	101	11	6	92	9	106	5	0	91	54	117	1	0
92	57	101	16	0	92	8	106	4	0	91	53	117	9	0
92	56	102	1	0	92	7	106	2	6	91	52	117	17	6
92	55	102	7	0	92	6	106	0	6	91	51	118	5	0
92	54	102	13	6	92	5	105	16	6	91	50	118	13	6
92	53	103	0	0	92	4	105	11	0	91	49	119	0	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
91	48	119	5	6	90	90	56	17	6	90	41	129	15	6
91	47	119	9	0	90	89	61	3	6	90	40	129	15	6
91	46	119	11	6	90	88	65	11	6	90	39	129	16	0
91	45	119	12	0	90	87	70	12	0	90	38	129	16	6
91	44	119	12	0	90	86	76	2	0	90	37	129	18	0
91	43	119	12	6	90	85	81	19	0	90	36	129	19	0
91	42	119	12	6	90	84	86	19	6	90	35	130	0	0
91	41	119	13	0	90	83	91	9	0	90	34	130	1	0
91	40	119	12	6	90	82	95	2	0	90	33	130	1	0
91	39	119	13	0	90	81	98	3	0	90	32	130	0	6
91	38	119	13	6	90	80	101	4	6	90	31	130	0	6
91	37	119	15	0	90	79	104	1	0	90	30	130	0	0
91	36	119	16	0	90	78	106	12	6	90	29	130	0	0
91	35	119	17	0	90	77	109	3	0	90	28	130	0	0
91	34	119	17	6	90	76	111	5	6	90	27	129	19	6
91	33	119	17	6	90	75	112	5	6	90	26	129	19	0
91	32	119	17	0	90	74	113	4	0	90	25	129	16	0
91	31	119	17	0	90	73	114	1	6	90	24	129	14	0
91	30	119	17	0	90	72	114	17	0	90	23	129	13	0
91	29	119	16	6	90	71	115	13	6	90	22	129	12	6
91	28	119	16	6	90	70	116	13	0	90	21	129	14	0
91	27	119	16	0	90	69	117	14	0	90	20	129	19	6
91	26	119	15	6	90	68	118	14	0	90	19	130	5	6
91	25	119	13	0	90	67	119	13	0	90	18	130	12	0
91	24	119	11	0	90	66	120	10	6	90	17	130	19	0
91	23	119	10	0	90	65	121	12	6	90	16	131	5	6
91	22	119	10	0	90	64	122	10	6	90	15	131	11	0
91	21	119	11	6	90	63	123	6	0	90	14	131	15	6
91	20	119	16	6	90	62	123	19	6	90	13	131	18	0
91	19	120	2	0	90	61	124	9	0	90	12	131	19	0
91	18	120	7	6	90	60	124	15	6	90	11	131	19	0
91	17	120	13	6	90	59	125	0	0	90	10	131	18	6
91	16	120	19	0	90	58	125	5	0	90	9	131	18	0
91	15	121	4	0	90	57	125	11	0	90	8	131	17	0
91	14	121	7	6	90	56	125	18	0	90	7	131	15	0
91	13	121	9	6	90	55	126	6	6	90	6	131	12	0
91	12	121	10	6	90	54	126	15	0	90	5	131	6	6
91	11	121	10	6	90	53	127	4	0	90	4	130	19	6
91	10	121	10	0	90	52	127	13	6	90	3	130	10	0
91	9	121	9	0	90	51	128	2	6	90	2	129	18	0
91	8	121	8	6	90	50	128	12	6	90	1	129	4	6
91	7	121	6	6	90	49	129	0	6	90	0	128	14	0
91	6	121	4	0	90	48	129	6	6					
91	5	120	19	0	90	47	129	10	6					
91	4	120	12	6	90	46	129	13	6	89	89	65	18	0
91	3	120	4	6	90	45	129	14	0	89	88	70	14	6
91	2	119	14	0	90	44	129	14	6	89	87	76	5	0
91	1	119	2	0	90	43	129	15	0	89	86	82	6	6
91	0	118	13	0	90	42	129	15	0	89	85	88	16	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
89	84	94	9	6	89	35	144	6	6	88	77	131	9	6
89	83	99	10	6	89	34	144	7	0	88	76	134	7	6
89	82	103	14	6	89	33	144	7	6	88	75	135	16	6
89	81	107	4	6	89	32	144	7	0	88	74	137	3	6
89	80	110	15	0	89	31	144	7	0	88	73	138	7	6
89	79	114	0	0	89	30	144	6	6	88	72	139	8	6
89	78	116	19	6	89	29	144	6	6	88	71	140	11	0
89	77	119	17	0	89	28	144	6	0	88	70	141	17	0
89	76	122	7	0	89	27	144	5	6	88	69	143	4	6
89	75	123	11	0	89	26	144	5	0	88	68	144	11	6
89	74	124	13	6	89	25	144	1	6	88	67	145	17	0
89	73	125	14	0	89	24	143	19	6	88	66	147	1	0
89	72	126	12	0	89	23	143	18	0	88	65	148	10	0
89	71	127	11	6	89	22	143	18	0	88	64	149	14	6
89	70	128	13	6	89	21	143	19	6	88	63	150	15	6
89	69	129	17	6	89	20	144	5	6	88	62	151	14	6
89	68	131	1	0	89	19	144	12	6	88	61	152	8	6
89	67	132	3	0	89	18	144	19	6	88	60	152	17	6
89	66	133	3	6	89	17	145	7	6	88	59	153	4	6
89	65	134	9	0	89	16	145	15	0	88	58	153	12	0
89	64	135	10	0	89	15	146	2	0	88	57	154	0	0
89	63	136	8	0	89	14	146	7	0	88	56	154	9	6
89	62	137	4	0	89	13	146	10	6	88	55	155	0	6
89	61	137	15	6	89	12	146	11	6	88	54	155	12	0
89	60	138	3	0	89	11	146	12	0	88	53	156	4	6
89	59	138	8	6	89	10	146	11	6	88	52	156	17	0
89	58	138	15	0	89	9	146	10	6	88	51	157	9	0
89	57	139	2	0	89	8	146	9	6	88	50	158	2	6
89	56	139	10	0	89	7	146	7	6	88	49	158	13	6
89	55	139	19	6	89	6	146	4	0	88	48	159	2	0
89	54	140	9	6	89	5	145	18	0	88	47	159	8	6
89	53	141	0	0	89	4	145	10	0	88	46	159	13	0
89	52	141	11	0	89	3	144	19	0	88	45	159	14	6
89	51	142	1	6	89	2	144	5	6	88	44	159	15	6
89	50	142	13	0	89	1	143	10	0	88	43	159	16	0
89	49	143	2	0	89	0	142	17	6	88	42	159	16	6
89	48	143	9	6						88	41	159	17	0
89	47	143	14	6						88	40	159	17	0
89	46	143	18	6	88	88	76	1	0	88	39	159	17	6
89	45	143	19	6	88	87	82	2	6	88	38	159	18	0
89	44	144	0	0	88	86	88	17	6	88	37	160	0	0
89	43	144	0	6	88	85	96	1	6	88	36	160	1	6
89	42	144	0	6	88	84	102	8	6	88	35	160	3	0
89	41	144	1	6	88	83	108	3	0	88	34	160	4	0
89	40	144	1	0	88	82	112	18	6	88	33	160	4	0
89	39	144	1	6	88	81	116	19	6	88	32	160	4	0
89	38	144	2	6	88	80	121	0	0	88	31	160	3	6
89	37	144	3	6	88	79	124	14	6	88	30	160	3	6
89	36	144	5	0	88	78	128	3	0	88	29	160	3	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
88	28	160	3	0	87	69	158	19	6	87	20	178	17	6
88	27	160	2	6	87	68	160	11	0	87	19	179	6	6
88	26	160	1	6	87	67	162	0	6	87	18	179	16	0
88	25	159	18	0	87	66	163	9	0	87	17	180	7	0
88	24	159	15	0	87	65	165	2	6	87	16	180	17	0
88	23	159	13	6	87	64	166	11	6	87	15	181	6	6
88	22	159	13	6	87	63	167	16	6	87	14	181	14	0
88	21	159	15	0	87	62	168	19	0	87	13	181	19	0
88	20	160	1	6	87	61	169	15	6	87	12	182	1	6
88	19	160	9	6	87	60	170	7	0	87	11	182	2	0
88	18	160	17	6	87	59	170	15	6	87	10	182	2	0
88	17	161	7	0	87	58	171	4	6	87	9	182	1	0
88	16	161	15	6	87	57	171	14	0	87	8	181	19	6
88	15	162	3	6	87	56	172	5	0	87	7	181	17	0
88	14	162	10	0	87	55	172	17	6	87	6	181	12	6
88	13	162	14	0	87	54	173	11	6	87	5	181	4	6
88	12	162	15	6	87	53	174	5	6	87	4	180	14	0
88	11	162	16	0	87	52	175	0	6	87	3	179	19	6
88	10	162	16	0	87	51	175	14	6	87	2	179	1	6
88	9	162	15	0	87	50	176	10	0	87	1	178	1	0
88	8	162	13	6	87	49	177	3	6	87	0	177	4	0
88	7	162	11	6	87	48	177	13	6					
88	6	162	7	6	87	47	178	1	6					
88	5	162	0	6	87	46	178	7	0	86	86	104	15	0
88	4	161	11	0	87	45	178	9	0	86	85	113	16	6
88	3	160	19	0	87	44	178	10	6	86	84	121	19	6
88	2	160	3	6	87	43	178	11	0	86	83	129	9	0
88	1	159	5	6	87	42	178	11	6	86	82	135	16	0
88	0	158	11	0	87	41	178	12	6	86	81	141	5	0
					87	40	178	12	6	86	80	146	12	6
					87	39	178	13	0	86	79	151	13	6
87	87	88	18	0	87	38	178	14	0	86	78	156	6	0
87	86	96	7	6	87	37	178	15	6	86	77	160	16	0
87	85	104	9	0	87	36	178	17	6	86	76	164	15	6
87	84	111	12	6	87	35	178	19	6	86	75	166	19	0
87	83	118	3	0	87	34	179	0	6	86	74	168	18	0
87	82	123	13	0	87	33	179	1	0	86	73	170	12	6
87	81	128	6	6	87	32	179	0	6	86	72	172	2	6
87	80	132	19	6	87	31	179	0	6	86	71	173	13	6
87	79	137	5	6	87	30	179	0	0	86	70	175	8	6
87	78	141	5	0	87	29	179	0	0	86	69	177	6	0
87	77	145	2	0	87	28	178	19	6	86	68	179	3	0
87	76	148	9	6	87	27	178	19	0	86	67	180	18	0
87	75	150	5	6	87	26	178	18	0	86	66	182	11	6
87	74	151	17	6	87	25	178	13	6	86	65	184	11	0
87	73	153	6	6	87	24	178	10	6	86	64	186	5	0
87	72	154	11	6	87	23	178	8	6	86	63	187	15	0
87	71	155	17	6	87	22	178	8	6	86	62	189	1	6
87	70	157	7	6	87	21	178	10	0	86	61	190	2	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
86	60	190	16	0	86	11	204	17	0	85	50	223	3	6
86	59	191	6	6	86	10	204	17	0	85	49	224	2	6
86	58	191	17	6	86	9	204	16	0	85	48	224	18	0
86	57	192	9	0	86	8	204	14	6	85	47	225	9	6
86	56	193	1	6	86	7	204	11	6	85	46	225	18	0
86	55	193	16	6	86	6	204	6	0	85	45	226	2	0
86	54	194	12	6	86	5	203	17	6	85	44	226	4	6
86	53	195	9	6	86	4	203	4	6	85	43	226	6	0
86	52	196	7	0	86	3	202	8	0	85	42	226	7	0
86	51	197	4	0	86	2	201	7	6	85	41	226	8	6
86	50	198	2	0	86	1	200	3	0	85	40	226	8	6
86	49	198	18	0	86	0	199	2	6	85	39	226	9	0
86	48	199	10	6						85	38	226	10	6
86	47	200	0	0						85	37	226	13	0
86	46	200	7	0	85	85	124	1	0	85	36	226	15	6
86	45	200	9	6	85	84	133	6	6	85	35	226	18	0
86	44	200	11	6	85	83	141	18	6	85	34	226	19	6
86	43	200	12	6	85	82	149	6	0	85	33	227	0	6
86	42	200	13	6	85	81	155	13	6	85	32	227	0	6
86	41	200	14	6	85	80	161	19	0	85	31	227	0	0
86	40	200	14	0	85	79	167	16	6	85	30	226	19	6
86	39	200	15	0	85	78	173	5	6	85	29	226	19	6
86	38	200	16	0	85	77	178	11	0	85	28	226	19	0
86	37	200	18	0	85	76	183	5	0	85	27	226	18	0
86	36	201	0	6	85	75	185	19	0	85	26	226	16	6
86	35	201	2	6	85	74	188	6	6	85	25	226	11	6
86	34	201	3	6	85	73	190	8	0	85	24	226	6	0
86	33	201	4	6	85	72	192	4	6	85	23	226	4	0
86	32	201	4	0	85	71	194	1	6	85	22	226	3	6
86	31	201	3	6	85	70	196	2	6	85	21	226	5	0
86	30	201	3	6	85	69	198	6	6	85	20	226	15	0
86	29	201	3	0	85	68	200	10	0	85	19	227	6	6
86	28	201	3	0	85	67	202	11	6	85	18	227	19	6
86	27	201	2	0	85	66	204	11	0	85	17	228	14	6
86	26	201	1	0	85	65	206	17	6	85	16	229	9	0
86	25	200	16	6	85	64	208	18	6	85	15	230	2	6
86	24	200	12	6	85	63	210	14	6	85	14	230	13	6
86	23	200	10	6	85	62	212	6	6	85	13	231	1	0
86	22	200	9	6	85	61	213	11	0	85	12	231	5	6
86	21	200	11	6	85	60	214	9	0	85	11	231	7	0
86	20	201	0	0	85	59	215	2	6	85	10	231	7	6
86	19	201	10	0	85	58	215	15	6	85	9	231	6	6
86	18	202	1	6	85	57	216	9	0	85	8	231	4	6
86	17	202	14	0	85	56	217	4	6	85	7	231	1	0
86	16	203	6	0	85	55	218	2	0	85	6	230	15	0
86	15	203	17	6	85	54	219	1	0	85	5	230	5	0
86	14	204	6	6	85	53	220	1	0	85	4	229	10	6
86	13	204	12	6	85	52	221	1	6	85	3	228	11	0
86	12	204	15	6	85	51	222	2	0	85	2	227	7	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
85	1	225 18 0	84	39	253 0 0	83	76	219 9 0
85	0	224 14 0	84	38	253 1 6	83	75	223 8 6
			84	37	253 4 6	83	74	226 17 6
			84	36	253 7 6	83	73	229 17 6
84	84	143 16 0	84	35	253 10 0	83	72	232 9 0
84	83	153 11 0	84	34	253 12 0	83	71	235 0 6
84	82	162 0 6	84	33	253 13 0	83	70	237 16 6
84	81	169 7 6	84	32	253 13 6	83	69	240 16 0
84	80	176 12 6	84	31	253 13 0	83	68	243 15 0
84	79	183 9 0	84	30	253 12 6	83	67	246 12 6
84	78	189 15 6	84	29	253 12 0	83	66	249 7 0
84	77	195 18 6	84	28	253 11 6	83	65	252 10 0
84	76	201 8 6	84	27	253 10 6	83	64	255 6 6
84	75	204 14 6	84	26	253 9 6	83	63	257 17 0
84	74	207 12 0	84	25	253 3 0	83	62	260 3 0
84	73	210 2 6	84	24	252 18 0	83	61	261 19 0
84	72	212 6 0	84	23	252 14 6	83	60	263 6 0
84	71	214 9 6	84	22	252 13 6	83	59	264 6 6
84	70	216 17 6	84	21	252 15 6	83	58	265 6 0
84	69	219 9 0	84	20	253 6 0	83	57	266 5 6
84	68	222 0 0	84	19	253 19 6	83	56	267 6 6
84	67	224 9 0	84	18	254 14 6	83	55	268 11 0
84	66	226 15 6	84	17	255 12 0	83	54	269 16 6
84	65	229 10 0	84	16	256 9 0	83	53	271 4 0
84	64	231 18 0	84	15	257 5 0	83	52	272 12 6
84	63	234 1 0	84	14	257 18 6	83	51	274 0 6
84	62	235 19 6	84	13	258 8 0	83	50	275 11 0
84	61	237 9 6	84	12	258 13 6	83	49	276 17 6
84	60	238 11 6	84	11	258 16 0	83	48	277 19 6
84	59	239 8 0	84	10	258 16 6	83	47	278 17 0
84	58	240 4 0	84	9	258 16 0	83	46	279 10 6
84	57	241 0 6	84	8	258 14 0	83	45	279 17 6
84	56	241 18 6	84	7	258 10 0	83	44	280 2 0
84	55	242 19 6	84	6	258 3 0	83	43	280 5 0
84	54	244 1 6	84	5	257 11 6	83	42	280 7 0
84	53	245 5 0	84	4	256 14 6	83	41	280 9 0
84	52	246 9 6	84	3	255 12 6	83	40	280 9 6
84	51	247 13 0	84	2	254 4 0	83	39	280 10 6
84	50	248 19 0	84	1	252 10 6	83	38	280 12 0
84	49	250 1 6	84	0	251 2 0	83	37	280 15 6
84	48	251 0 0				83	36	280 18 6
84	47	251 14 6				83	35	281 2 0
84	46	252 5 0	83	83	164 10 0	83	34	281 4 6
84	45	252 10 6	83	82	174 2 6	83	33	281 6 0
84	44	252 14 0	83	81	182 11 0	83	32	281 6 0
84	43	252 16 0	83	80	190 16 6	83	31	281 5 6
84	42	252 17 6	83	79	198 13 0	83	30	281 5 6
84	41	252 19 0	83	78	205 19 0	83	29	281 5 0
84	40	252 19 0	83	77	213 1 0	83	28	281 4 6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
83	27	281	3	6	82	63	280	18	0	82	14	314	4	0
83	26	281	1	6	82	62	283	12	0	82	13	314	18	0
83	25	280	15	0	82	61	285	14	6	82	12	315	7	0
83	24	280	9	0	82	60	287	7	0	82	11	315	12	0
83	23	280	5	0	82	59	288	12	0	82	10	315	14	0
83	22	280	3	6	82	58	289	16	0	82	9	315	14	0
83	21	280	5	0	82	57	290	19	0	82	8	315	12	0
83	20	280	17	0	82	56	292	3	6	82	7	315	7	6
83	19	281	12	0	82	55	293	11	6	82	6	314	19	0
83	18	282	9	6	82	54	295	1	0	82	5	314	4	0
83	17	283	9	6	82	53	296	12	6	82	4	313	2	6
83	16	284	9	6	82	52	298	5	6	82	3	311	13	6
83	15	285	8	6	82	51	299	18	0	82	2	309	16	6
83	14	286	4	0	82	50	301	13	0	82	1	307	12	6
83	13	286	16	0	82	49	303	4	6	82	0	305	13	6
83	12	287	3	0	82	48	304	10	6					
83	11	287	6	6	82	47	305	11	6					
83	10	287	8	0	82	46	306	8	0					
83	9	287	7	0	82	45	306	17	0	81	81	204	17	6
83	8	287	5	6	82	44	307	3	0	81	80	215	5	6
83	7	287	1	0	82	43	307	7	0	81	79	225	3	6
83	6	286	13	6	82	42	307	9	6	81	78	234	9	0
83	5	286	0	0	82	41	307	12	0	81	77	243	10	6
83	4	285	1	0	82	40	307	13	0	81	76	251	16	0
83	3	283	15	6	82	39	307	14	0	81	75	257	6	0
83	2	282	3	0	82	38	307	16	0	81	74	262	1	0
83	1	280	4	0	82	37	307	19	6	81	73	266	4	0
83	0	278	10	6	82	36	308	3	6	81	72	269	15	0
					82	35	308	7	6	81	71	273	4	6
					82	34	308	10	6	81	70	276	18	0
82	82	184	16	6	82	33	308	12	0	81	69	280	14	6
82	81	194	6	6	82	32	308	12	6	81	68	284	11	6
82	80	203	13	6	82	31	308	12	0	81	67	288	6	6
82	79	212	11	0	82	30	308	12	0	81	66	291	18	6
82	78	220	16	6	82	29	308	11	6	81	65	296	1	0
82	77	228	18	0	82	28	308	10	6	81	64	299	15	0
82	76	236	4	6	82	27	308	9	6	81	63	303	3	0
82	75	240	18	6	82	26	308	7	6	81	62	306	5	6
82	74	245	0	6	82	25	308	0	0	81	61	308	15	6
82	73	248	11	6	82	24	307	13	6	81	60	310	14	0
82	72	251	12	6	82	23	307	9	0	81	59	312	4	6
82	71	254	12	6	82	22	307	6	6	81	58	313	12	6
82	70	257	16	6	82	21	307	8	6	81	57	314	19	6
82	69	261	4	6	82	20	308	1	6	81	56	316	8	0
82	68	264	12	6	82	19	308	18	0	81	55	318	0	0
82	67	267	18	6	82	18	309	17	6	81	54	319	14	0
82	66	271	1	6	82	17	311	0	6	81	53	321	9	6
82	65	274	14	0	82	16	312	3	6	81	52	323	7	6
82	64	277	19	0	82	15	313	5	6	81	51	325	4	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
81	50	327	4	6	81	1	334	14	6	80	35	363	6	0
81	49	329	0	6	81	0	332	10	0	80	34	363	10	0
81	48	330	11	6						80	33	363	12	0
81	47	331	16	0						80	32	363	13	0
81	46	332	16	0	80	80	226	15	0	80	31	363	13	0
81	45	333	7	0	80	79	237	14	0	80	30	363	13	0
81	44	333	15	0	80	78	248	0	6	80	29	363	12	6
81	43	334	0	6	80	77	258	3	0	80	28	363	12	0
81	42	334	4	0	80	76	267	8	6	80	27	363	10	6
81	41	334	7	0	80	75	273	15	0	80	26	363	8	0
81	40	334	8	0	80	74	279	5	0	80	25	362	19	0
81	39	334	9	6	80	73	284	1	0	80	24	362	11	0
81	38	334	12	0	80	72	288	3	6	80	23	362	5	0
81	37	334	16	0	80	71	292	3	0	80	22	362	1	6
81	36	335	0	6	80	70	296	6	6	80	21	362	3	0
81	35	335	5	0	80	69	300	13	0	80	20	362	18	0
81	34	335	8	0	80	68	305	0	0	80	19	363	17	6
81	33	335	10	0	80	67	309	4	6	80	18	365	2	0
81	32	335	11	0	80	66	313	6	0	80	17	366	10	0
81	31	335	10	6	80	65	317	18	6	80	16	367	19	6
81	30	335	10	6	80	64	322	3	0	80	15	369	8	6
81	29	335	10	0	80	63	326	1	0	80	14	370	13	6
81	28	335	9	6	80	62	329	12	6	80	13	371	13	0
81	27	335	8	0	80	61	332	10	6	80	12	372	6	6
81	26	335	6	0	80	60	334	16	0	80	11	372	15	0
81	25	334	17	6	80	59	336	12	0	80	10	372	19	0
81	24	334	10	6	80	58	338	5	6	80	9	373	0	6
81	23	334	5	0	80	57	339	17	0	80	8	372	19	0
81	22	334	2	0	80	56	341	10	0	80	7	372	14	0
81	21	334	4	0	80	55	343	6	6	80	6	372	4	0
81	20	334	17	6	80	54	345	5	0	80	5	371	6	0
81	19	335	16	0	80	53	347	5	6	80	4	369	19	6
81	18	336	18	0	80	52	349	8	0	80	3	368	3	6
81	17	338	3	0	80	51	351	10	6	80	2	365	17	6
81	16	339	9	6	80	50	353	16	0	80	1	363	2	0
81	15	340	15	0	80	49	355	17	6	80	0	360	11	6
81	14	341	16	6	80	48	357	13	0					
81	13	342	13	6	80	47	359	2	0					
81	12	343	4	6	80	46	360	5	6	79	79	249	14	6
81	11	343	11	0	80	45	360	19	6	79	78	261	2	6
81	10	343	14	0	80	44	361	9	6	79	77	272	6	6
81	9	343	14	0	80	43	361	16	6	79	76	282	12	6
81	8	343	12	6	80	42	362	1	6	79	75	289	16	6
81	7	343	7	6	80	41	362	5	6	79	74	296	2	0
81	6	342	18	0	80	40	362	7	0	79	73	301	12	0
81	5	342	2	0	80	39	362	9	0	79	72	306	7	0
81	4	340	18	0	80	38	362	12	0	79	71	310	18	0
81	3	339	5	6	80	37	362	16	0	79	70	315	12	0
81	2	337	4	6	80	36	363	1	0	79	69	320	10	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
79	68	325	7	0	79	19	392	12	6	78	51	405	5	0
79	67	330	2	0	79	18	393	19	0	78	50	408	3	0
79	66	334	14	0	79	17	395	10	6	78	49	410	16	0
79	65	339	17	6	79	16	397	3	6	78	48	413	2	6
79	64	344	13	0	79	15	398	16	0	78	47	415	1	6
79	63	349	1	0	79	14	400	4	6	78	46	416	13	6
79	62	353	2	0	79	13	401	7	0	78	45	417	14	6
79	61	356	9	0	79	12	402	3	6	78	44	418	10	0
79	60	359	2	6	79	11	402	13	6	78	43	419	1	6
79	59	361	5	0	79	10	402	19	6	78	42	419	9	0
79	58	363	4	0	79	9	403	1	6	78	41	419	16	0
79	57	365	1	0	79	8	403	1	0	78	40	419	19	0
79	56	366	19	0	79	7	402	15	6	78	39	420	2	0
79	55	369	0	0	79	6	402	5	0	78	38	420	6	0
79	54	371	3	6	79	5	401	5	6	78	37	420	11	6
79	53	373	9	6	79	4	399	16	6	78	36	420	17	6
79	52	375	17	6	79	3	397	17	0	78	35	421	4	0
79	51	378	5	6	79	2	395	6	0	78	34	421	9	0
79	50	380	17	0	79	1	392	4	0	78	33	421	12	0
79	49	383	4	0	79	0	389	7	6	78	32	421	13	6
79	48	385	5	0						78	31	421	14	0
79	47	386	18	6						78	30	421	14	0
79	46	388	6	0	78	78	273	12	0	78	29	421	14	0
79	45	389	3	6	78	77	285	17	6	78	28	421	13	6
79	44	389	16	0	78	76	297	5	0	78	27	421	11	6
79	43	390	5	0	78	75	305	7	0	78	26	421	9	0
79	42	390	11	0	78	74	312	9	6	78	25	420	18	6
79	41	390	16	6	78	73	318	14	6	78	24	420	8	6
79	40	390	18	6	78	72	324	2	6	78	23	420	1	0
79	39	391	1	0	78	71	329	6	0	78	22	419	16	6
79	38	391	4	6	78	70	334	12	0	78	21	419	17	6
79	37	391	9	6	78	69	340	1	0	78	20	420	14	0
79	36	391	15	0	78	68	345	9	6	78	19	421	17	0
79	35	392	0	6	78	67	350	15	6	78	18	423	6	0
79	34	392	4	6	78	66	355	18	6	78	17	425	0	0
79	33	392	7	6	78	65	361	13	6	78	16	426	16	6
79	32	392	8	6	78	64	367	0	0	78	15	428	12	6
79	31	392	9	0	78	63	371	19	0	78	14	430	5	0
79	30	392	9	0	78	62	376	10	6	78	13	431	11	6
79	29	392	8	6	78	61	380	7	6	78	12	432	10	6
79	28	392	8	0	78	60	383	9	0	78	11	433	3	0
79	27	392	6	6	78	59	385	18	6	78	10	433	10	6
79	26	392	4	0	78	58	388	4	0	78	9	433	14	0
79	25	391	14	0	78	57	390	7	0	78	8	433	14	0
79	24	391	5	0	78	56	392	10	6	78	7	433	9	0
79	23	390	18	0	78	55	394	17	0	78	6	432	17	6
79	22	390	14	6	78	54	397	6	0	78	5	431	16	6
79	21	390	15	6	78	53	399	17	6	78	4	430	5	0
79	20	391	11	6	78	52	402	11	6	78	3	428	2	0

TABLE II—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
78	2	425 5 6	77	33	451 19 0	76	63	418 2 6
78	1	421 17 6	77	32	452 0 6	76	62	423 17 0
78	0	418 14 0	77	31	452 1 6	76	61	428 15 0
			77	30	452 1 6	76	60	432 15 6
			77	29	452 1 6	76	59	436 1 6
77	77	299 5 6	77	28	452 1 0	76	58	439 2 0
77	76	311 15 0	77	27	451 19 6	76	57	441 18 6
77	75	320 16 6	77	26	451 16 6	76	56	444 15 0
77	74	328 16 0	77	25	451 5 0	76	55	447 14 6
77	73	335 17 0	77	24	450 14 0	76	54	450 16 0
77	72	341 19 6	77	23	450 5 6	76	53	454 0 6
77	71	347 16 0	77	22	450 0 6	76	52	457 7 0
77	70	353 14 6	77	21	450 1 6	76	51	460 14 0
77	69	359 16 0	77	20	450 19 0	76	50	464 5 6
77	68	365 17 0	77	19	452 3 6	76	49	467 12 0
77	67	371 15 0	77	18	453 14 6	76	48	470 11 6
77	66	377 9 6	77	17	455 12 0	76	47	473 2 0
77	65	383 17 0	77	16	457 12 0	76	46	475 4 6
77	64	389 15 6	77	15	459 12 6	76	45	476 13 6
77	63	395 6 0	77	14	461 8 6	76	44	477 16 6
77	62	400 9 0	77	13	462 18 6	76	43	478 13 6
77	61	404 16 0	77	12	464 0 6	76	42	479 6 0
77	60	408 6 6	77	11	464 16 0	76	41	479 16 0
77	59	411 4 6	77	10	465 5 6	76	40	480 1 6
77	58	413 17 0	77	9	465 10 6	76	39	480 7 0
77	57	416 6 0	77	8	465 11 6	76	38	480 12 6
77	56	418 16 0	77	7	465 6 6	76	37	481 0 0
77	55	421 9 0	77	6	464 15 0	76	36	481 7 6
77	54	424 4 0	77	5	463 12 6	76	35	481 15 0
77	53	427 1 6	77	4	461 18 0	76	34	482 1 6
77	52	430 1 6	77	3	459 11 0	76	33	482 6 0
77	51	433 2 0	77	2	456 10 0	76	32	482 8 0
77	50	436 6 0	77	1	452 15 0	76	31	482 9 0
77	49	439 5 6	77	0	449 4 6	76	30	482 9 6
77	48	441 18 6				76	29	482 10 0
77	47	444 3 6				76	28	482 9 0
77	46	446 0 0	76	76	325 6 6	76	27	482 7 6
77	45	447 5 0	76	75	335 7 0	76	26	482 4 6
77	44	448 4 0	76	74	344 5 0	76	25	481 12 0
77	43	448 18 0	76	73	352 2 6	76	24	481 0 6
77	42	449 8 0	76	72	359 0 0	76	23	480 11 0
77	41	449 16 6	76	71	365 10 0	76	22	480 5 6
77	40	450 0 6	76	70	372 2 6	76	21	480 6 0
77	39	450 4 6	76	69	378 17 6	76	20	481 4 6
77	38	450 9 6	76	68	385 11 0	76	19	482 10 6
77	37	450 16 0	76	67	392 1 0	76	18	484 4 0
77	36	451 2 6	76	66	398 8 0	76	17	486 4 6
77	35	451 9 6	76	65	405 8 0	76	16	488 8 6
77	34	451 15 0	76	64	411 19 6	76	15	490 12 6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
76	14	492	12	6	75	43	504	6	6	74	71	392	2	0
76	13	494	6	6	75	42	505	1	6	74	70	400	0	0
76	12	495	12	0	75	41	505	14	0	74	69	408	0	0
76	11	496	10	0	75	40	506	1	0	74	68	415	18	6
76	10	497	2	0	75	39	506	7	6	74	67	423	12	6
76	9	497	8	6	75	38	506	14	6	74	66	431	2	6
76	8	497	11	0	75	37	507	2	6	74	65	439	7	0
76	7	497	7	0	75	36	507	11	0	74	64	447	2	0
76	6	496	14	6	75	35	507	19	6	74	63	454	8	0
76	5	495	11	0	75	34	508	6	6	74	62	461	5	6
76	4	493	14	0	75	33	508	11	6	74	61	467	4	6
76	3	491	3	0	75	32	508	14	6	74	60	472	4	0
76	2	487	16	6	75	31	508	15	6	74	59	476	7	6
76	1	483	15	0	75	30	508	16	6	74	58	480	4	0
76	0	479	17	6	75	29	508	17	0	74	57	483	15	0
					75	28	508	16	0	74	56	487	5	6
					75	27	508	14	6	74	55	490	18	6
75	75	346	5	6	75	26	508	11	6	74	54	494	13	6
75	74	356	0	0	75	25	507	18	6	74	53	498	11	0
75	73	364	13	0	75	24	507	6	0	74	52	502	11	0
75	72	372	5	0	75	23	506	16	0	74	51	506	11	0
75	71	379	8	6	75	22	506	9	6	74	50	510	16	0
75	70	386	14	0	75	21	506	10	0	74	49	514	16	0
75	69	394	1	0	75	20	507	9	0	74	48	518	8	0
75	68	401	7	0	75	19	508	16	6	74	47	521	11	0
75	67	408	9	6	75	18	510	12	0	74	46	524	4	0
75	66	415	7	6	75	17	512	15	6	74	45	526	3	0
75	65	423	0	0	75	16	515	2	6	74	44	527	14	0
75	64	430	3	0	75	15	517	10	0	74	43	528	17	6
75	63	436	17	6	75	14	519	14	0	74	42	529	15	6
75	62	443	4	0	75	13	521	11	6	74	41	530	10	6
75	61	448	12	0	75	12	523	0	6	74	40	531	0	0
75	60	453	2	0	75	11	524	1	6	74	39	531	8	0
75	59	456	17	0	75	10	524	16	0	74	38	531	16	0
75	58	460	5	0	75	9	525	4	6	74	37	532	5	6
75	57	463	9	0	75	8	525	8	0	74	36	532	15	0
75	56	466	12	0	75	7	525	4	6	74	35	533	4	0
75	55	469	18	6	75	6	524	12	6	74	34	533	12	0
75	54	473	6	6	75	5	523	7	6	74	33	533	17	6
75	53	476	17	0	75	4	521	9	0	74	32	534	0	6
75	52	480	10	6	75	3	518	14	6	74	31	534	2	0
75	51	484	4	0	75	2	515	3	0	74	30	534	3	6
75	50	488	2	0	75	1	510	15	0	74	29	534	4	0
75	49	491	15	0	75	0	506	11	0	74	28	534	3	6
75	48	495	1	0						74	27	534	2	0
75	47	497	17	6						74	26	533	18	6
75	46	500	5	6	74	74	366	10	6	74	25	533	5	0
75	45	501	19	6	74	73	375	19	0	74	24	532	12	0
75	44	503	6	0	74	72	384	5	0	74	23	532	1	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
74	22	531	14	0	73	50	532	7	6	73	1	562	1	0
74	21	531	14	0	73	49	536	14	0	73	0	557	4	6
74	20	532	14	0	73	48	540	13	0					
74	19	534	2	6	73	47	544	1	6					
74	18	536	0	0	73	46	547	0	6	72	72	404	15	0
74	17	538	6	0	73	45	549	4	6	72	71	413	18	0
74	16	540	16	0	73	44	550	19	6	72	70	423	1	6
74	15	543	7	6	73	43	552	7	0	72	69	432	6	0
74	14	545	15	6	73	42	553	8	0	72	68	441	8	0
74	13	547	16	6	73	41	554	6	0	72	67	450	6	0
74	12	549	8	6	73	40	554	17	6	72	66	458	19	0
74	11	550	12	6	73	39	555	7	0	72	65	468	7	0
74	10	551	9	6	73	38	555	16	6	72	64	477	5	6
74	9	552	0	0	73	37	556	7	6	72	63	485	14	0
74	8	552	5	0	73	36	556	18	0	72	62	493	14	0
74	7	552	3	0	73	35	557	8	6	72	61	500	14	0
74	6	551	11	0	73	34	557	17	0	72	60	506	12	6
74	5	550	5	6	73	33	558	3	0	72	59	511	14	0
74	4	548	4	6	73	32	558	7	0	72	58	516	7	6
74	3	545	7	6	73	31	558	9	0	72	57	520	14	0
74	2	541	11	0	73	30	558	10	6	72	56	524	19	6
74	1	536	17	6	73	29	558	11	0	72	55	529	7	0
74	0	532	7	0	73	28	558	11	0	72	54	533	15	6
					73	27	558	9	6	72	53	538	7	0
					73	26	558	6	0	72	52	543	0	6
					73	25	557	12	0	72	51	547	14	6
73	73	386	2	0	73	24	556	18	0	72	50	552	13	6
73	72	395	2	0	73	23	556	6	6	72	49	557	7	0
73	71	403	12	0	73	22	555	19	0	72	48	561	12	6
73	70	412	3	0	73	21	555	18	6	72	47	565	7	0
73	69	420	15	6	73	20	556	19	0	72	46	568	12	0
73	68	429	5	6	73	19	558	9	0	72	45	571	0	6
73	67	437	11	6	73	18	560	8	0	72	44	573	0	6
73	66	445	13	6	73	17	562	16	6	72	43	574	12	0
73	65	454	10	0	73	16	565	10	0	72	42	575	16	6
73	64	462	16	6	73	15	568	4	6	72	41	576	17	0
73	63	470	14	0	73	14	570	16	0	72	40	577	10	6
73	62	478	3	0	73	13	573	0	6	72	39	578	2	6
73	61	484	12	0	73	12	574	16	0	72	38	578	14	0
73	60	490	1	6	73	11	576	3	0	72	37	579	6	0
73	59	494	14	0	73	10	577	2	6	72	36	579	18	0
73	58	498	18	6	73	9	577	15	0	72	35	580	9	6
73	57	502	17	6	73	8	578	2	0	72	34	580	19	0
73	56	506	15	6	73	7	578	1	0	72	33	581	6	0
73	55	510	15	6	73	6	577	9	6	72	32	581	10	0
73	54	514	17	6	73	5	576	3	6	72	31	581	12	6
73	53	519	1	6	73	4	574	1	0	72	30	581	14	6
73	52	523	8	6	73	3	571	1	0	72	29	581	15	6
73	51	527	15	6	73	2	567	0	6	72	28	581	15	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.			Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities.		
		£	s.	d.			£	s.	d.			£	s.	d.
72	27	581	14	0	71	52	562	4	0	71	3	619	18	0
72	26	581	10	6	71	51	567	4	6	71	2	615	10	0
72	25	580	16	0	71	50	572	10	6	71	1	610	0	0
72	24	580	1	6	71	49	577	11	0	71	0	604	11	6
72	23	579	9	0	71	48	582	3	0					
72	22	579	1	0	71	47	586	4	6					
72	21	579	0	6	71	46	589	15	0	70	70	443	17	0
72	20	580	1	6	71	45	592	9	0	70	69	454	6	0
72	19	581	12	6	71	44	594	13	0	70	68	464	12	0
72	18	583	13	6	71	43	596	8	6	70	67	474	13	6
72	17	586	4	0	71	42	597	17	0	70	66	484	9	6
72	16	589	0	6	71	41	599	1	0	70	65	495	1	6
72	15	591	18	6	71	40	599	17	0	70	64	505	3	0
72	14	594	13	0	71	39	600	11	0	70	63	514	14	6
72	13	597	1	0	71	38	601	4	0	70	62	523	17	0
72	12	599	0	0	71	37	601	18	0	70	61	531	17	6
72	11	600	9	6	71	36	602	11	6	70	60	538	16	6
72	10	601	12	0	71	35	603	4	0	70	59	544	16	0
72	9	602	7	0	71	34	603	15	0	70	58	550	6	6
72	8	602	15	6	71	33	604	2	6	70	57	555	9	6
72	7	602	16	0	71	32	604	7	6	70	56	560	10	6
72	6	602	5	0	71	31	604	10	0	70	55	565	13	6
72	5	600	18	6	71	30	604	12	6	70	54	570	17	0
72	4	598	15	0	71	29	604	14	0	70	53	576	3	0
72	3	595	12	0	71	28	604	14	0	70	52	581	11	6
72	2	591	7	6	71	27	604	12	6	70	51	586	19	6
72	1	586	2	6	71	26	604	9	0	70	50	592	13	0
72	0	581	0	0	71	25	603	14	0	70	49	598	0	6
					71	24	602	19	0	70	48	602	19	6
					71	23	602	6	0	70	47	607	7	6
71	71	423	13	6	71	22	601	17	6	70	46	611	4	0
71	70	433	9	0	71	21	601	16	6	70	45	614	3	6
71	69	443	5	6	71	20	602	18	0	70	44	616	12	6
71	68	453	0	0	71	19	604	10	6	70	43	618	12	6
71	67	462	9	6	71	18	606	12	6	70	42	620	4	6
71	66	471	13	6	71	17	609	6	0	70	41	621	11	6
71	65	481	14	0	71	16	612	5	0	70	40	622	10	6
71	64	491	3	6	71	15	615	6	0	70	39	623	7	6
71	63	500	3	6	71	14	618	4	6	70	38	624	2	6
71	62	508	14	6	71	13	620	15	6	70	37	624	18	0
71	61	516	4	6	71	12	622	17	6	70	36	625	13	0
71	60	522	13	6	71	11	624	10	6	70	35	626	7	6
71	59	528	4	0	71	10	625	15	0	70	34	626	19	0
71	58	533	5	6	71	9	626	12	6	70	33	627	8	0
71	57	538	0	6	71	8	627	3	0	70	32	627	13	6
71	56	542	13	0	71	7	627	5	0	70	31	627	17	0
71	55	547	8	6	71	6	626	15	0	70	30	627	19	6
71	54	552	4	6	71	5	625	8	6	70	29	628	1	0
71	53	557	3	0	71	4	623	3	6	70	28	628	1	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
70	27	628	0	6	69	50	613	2	0	69	1	659	5	6
70	26	627	17	0	69	49	618	17	0	69	0	653	6	0
70	25	627	1	6	69	48	624	3	6					
70	24	626	5	6	69	47	628	18	0					
70	23	625	12	6	69	46	633	1	0	68	68	487	16	6
70	22	625	3	0	69	45	636	5	6	68	67	499	2	0
70	21	625	2	0	69	44	639	0	0	68	66	510	2	0
70	20	626	4	0	69	43	641	4	6	68	65	521	19	0
70	19	627	17	6	69	42	643	0	6	68	64	533	4	6
70	18	630	2	0	69	41	644	11	6	68	63	544	0	0
70	17	632	17	0	69	40	645	13	6	68	62	554	5	6
70	16	635	19	0	69	39	646	12	6	68	61	563	8	6
70	15	639	3	6	69	38	647	10	6	68	60	571	8	0
70	14	642	4	6	69	37	648	8	0	68	59	578	7	0
70	13	644	19	6	69	36	649	5	0	68	58	584	15	6
70	12	647	4	6	69	35	650	1	0	68	57	590	16	0
70	11	649	0	0	69	34	650	14	0	68	56	596	14	0
70	10	650	7	6	69	33	651	3	6	68	55	602	13	0
70	9	651	7	0	69	32	651	10	0	68	54	608	13	0
70	8	652	0	0	69	31	651	14	0	68	53	614	15	0
70	7	652	3	6	69	30	651	17	0	68	52	620	19	6
70	6	651	14	6	69	29	651	19	0	68	51	627	3	0
70	5	650	7	6	69	28	652	0	0	68	50	633	13	0
70	4	648	1	6	69	27	651	19	0	68	49	639	16	0
70	3	644	14	0	69	26	651	15	6	68	48	645	10	0
70	2	640	2	0	69	25	650	19	6	68	47	650	11	6
70	1	634	7	0	69	24	650	3	0	68	46	655	1	0
70	0	628	13	0	69	23	649	9	6	68	45	658	11	6
					69	22	648	19	6	68	44	661	11	0
					69	21	648	18	6	68	43	664	0	6
69	69	465	7	0	69	20	650	1	0	68	42	666	0	6
69	68	476	5	6	69	19	651	15	6	68	41	667	15	6
69	67	486	19	0	69	18	654	1	6	68	40	669	0	6
69	66	497	7	0	69	17	656	19	0	68	39	670	3	0
69	65	508	11	0	69	16	660	3	6	68	38	671	3	0
69	64	519	4	6	69	15	663	11	6	68	37	672	3	0
69	63	529	8	0	69	14	666	16	0	68	36	673	2	0
69	62	539	2	0	69	13	669	14	0	68	35	673	19	6
69	61	547	13	6	69	12	672	2	6	68	34	674	14	6
69	60	555	2	6	69	11	674	1	0	68	33	675	5	0
69	59	561	11	6	69	10	675	11	6	68	32	675	12	6
69	58	567	11	0	69	9	676	13	6	68	31	675	17	6
69	57	573	3	0	69	8	677	8	6	68	30	676	1	0
69	56	578	12	0	69	7	677	13	0	68	29	676	3	6
69	55	584	3	0	69	6	677	5	0	68	28	676	4	6
69	54	589	15	0	69	5	675	18	6	68	27	676	3	6
69	53	595	8	6	69	4	673	11	6	68	26	676	0	6
69	52	601	4	6	69	3	670	1	6	68	25	675	4	0
69	51	607	0	6	69	2	665	6	0	68	24	674	7	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
68	23	673 12 6	67	44	684 2 0	66	64	560 9 0
68	22	673 2 6	67	43	686 16 6	66	63	572 9 0
68	21	673 1 0	67	42	689 1 0	66	62	583 19 0
68	20	674 4 0	67	41	691 0 0	66	61	594 5 0
68	19	676 0 0	67	40	692 8 6	66	60	603 6 0
68	18	678 8 0	67	39	693 14 0	66	59	611 5 0
68	17	681 8 0	67	38	694 17 0	66	58	618 12 6
68	16	684 15 0	67	37	695 19 6	66	57	625 11 6
68	15	688 6 0	67	36	697 0 6	66	56	632 7 0
68	14	691 14 6	67	35	698 0 6	66	55	639 4 0
68	13	694 16 0	67	34	698 16 6	66	54	646 1 6
68	12	697 7 0	67	33	699 9 0	66	53	653 0 6
68	11	699 9 0	67	32	699 17 6	66	52	660 2 0
68	10	701 2 0	67	31	700 3 0	66	51	667 2 0
68	9	702 6 6	67	30	700 7 6	66	50	674 9 6
68	8	703 3 6	67	29	700 10 6	66	49	681 9 0
68	7	703 10 0	67	28	700 12 0	66	48	687 19 0
68	6	703 3 0	67	27	700 11 0	66	47	693 15 6
68	5	701 16 6	67	26	700 8 0	66	46	698 19 0
68	4	699 8 6	67	25	699 11 0	66	45	703 2 0
68	3	695 16 6	67	24	698 13 6	66	44	706 13 0
68	2	690 17 6	67	23	697 18 6	66	43	709 12 0
68	1	684 12 0	67	22	697 8 0	66	42	712 1 6
68	0	678 6 6	67	21	697 6 0	66	41	714 4 6
			67	20	698 10 0	66	40	715 17 0
			67	19	700 7 0	66	39	717 5 6
67	67	510 19 6	67	18	702 17 0	66	38	718 11 6
67	66	522 11 6	67	17	705 19 6	66	37	719 17 0
67	65	535 1 0	67	16	709 9 6	66	36	721 0 6
67	64	546 19 6	67	15	713 4 0	66	35	722 2 6
67	63	558 7 0	67	14	716 15 6	66	34	723 0 6
67	62	569 4 6	67	13	720 0 6	66	33	723 14 6
67	61	578 19 0	67	12	722 15 0	66	32	724 4 0
67	60	587 9 0	67	11	724 19 6	66	31	724 11 0
67	59	594 18 0	67	10	726 15 6	66	30	724 16 0
67	58	601 16 0	67	9	728 2 6	66	29	724 19 6
67	57	608 6 0	67	8	729 1 6	66	28	725 1 6
67	56	614 12 0	67	7	729 10 0	66	27	725 1 0
67	55	621 0 6	67	6	729 4 0	66	26	724 18 0
67	54	627 9 0	67	5	727 18 0	66	25	724 0 6
67	53	633 19 0	67	4	725 9 6	66	24	723 3 0
67	52	640 12 0	67	3	721 15 0	66	23	722 7 0
67	51	647 4 0	67	2	716 12 6	66	22	721 16 0
67	50	654 2 0	67	1	710 2 0	66	21	721 14 0
67	49	660 13 6	67	0	703 11 0	66	20	722 18 6
67	48	666 15 0				66	19	724 17 0
67	47	672 4 0				66	18	727 8 6
67	46	677 0 6	66	66	534 16 0	66	17	730 13 6
67	45	680 17 0	66	65	547 18 0	66	16	734 6 6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
66	15	738	4	0	65	34	748	18	0	64	52	701	5	0
66	14	741	19	6	65	33	749	13	6	64	51	709	4	0
66	13	745	7	6	65	32	750	5	0	64	50	717	9	6
66	12	748	5	6	65	31	750	12	6	64	49	725	8	0
66	11	750	13	0	65	30	750	18	6	64	48	732	15	6
66	10	752	11	6	65	29	751	3	0	64	47	739	8	6
66	9	754	1	0	65	28	751	5	6	64	46	745	8	0
66	8	755	3	0	65	27	751	5	6	64	45	750	5	0
66	7	755	13	0	65	26	751	2	6	64	44	754	8	0
66	6	755	8	6	65	25	750	4	6	64	43	757	19	0
66	5	754	2	6	65	24	749	6	0	64	42	760	19	0
66	4	751	13	0	65	23	748	10	0	64	41	763	11	0
66	3	747	16	6	65	22	747	18	6	64	40	765	12	0
66	2	742	10	6	65	21	747	16	0	64	39	767	7	6
66	1	735	15	0	65	20	749	1	6	64	38	769	0	0
66	0	728	18	6	65	19	751	1	0	64	37	770	12	0
					65	18	753	14	6	64	36	772	1	0
					65	17	757	2	6	64	35	773	8	0
65	65	561	13	6	65	16	760	18	6	64	34	774	10	6
65	64	574	17	6	65	15	765	0	0	64	33	775	8	0
65	63	587	11	0	65	14	768	18	6	64	32	776	1	0
65	62	599	13	6	65	13	772	10	6	64	31	776	10	0
65	61	610	12	0	65	12	775	12	0	64	30	776	17	0
65	60	620	4	6	65	11	778	2	6	64	29	777	2	0
65	59	628	14	0	65	10	780	4	0	64	28	777	5	0
65	58	636	12	6	65	9	781	16	6	64	27	777	5	6
65	57	644	1	0	65	8	783	0	0	64	26	777	3	0
65	56	651	6	0	65	7	783	12	0	64	25	776	5	0
65	55	658	12	6	65	6	783	9	0	64	24	775	6	0
65	54	665	19	0	65	5	782	3	6	64	23	774	9	0
65	53	673	7	6	65	4	779	13	0	64	22	773	17	0
65	52	680	18	0	65	3	775	14	6	64	21	773	14	6
65	51	688	8	0	65	2	770	5	0	64	20	775	1	0
65	50	696	4	0	65	1	763	4	0	64	19	777	1	6
65	49	703	13	0	65	0	756	1	6	64	18	779	17	0
65	48	710	11	0						64	17	783	7	6
65	47	716	16	0						64	16	787	7	0
65	46	722	7	0	64	64	588	14	6	64	15	791	11	6
65	45	726	17	0	64	63	602	1	0	64	14	795	14	0
65	44	730	14	0	64	62	614	16	6	64	13	799	10	0
65	43	733	19	0	64	61	626	7	6	64	12	802	14	6
65	42	736	13	6	64	60	636	11	6	64	11	805	8	6
65	41	739	1	0	64	59	645	12	6	64	10	807	13	0
65	40	740	17	6	64	58	654	1	0	64	9	809	8	0
65	39	742	9	6	64	57	662	0	0	64	8	810	14	0
65	38	743	18	6	64	56	669	15	0	64	7	811	8	0
65	37	745	7	0	64	55	677	11	0	64	6	811	6	0
65	36	746	13	6	64	54	685	7	0	64	5	810	1	0
65	35	747	17	6	64	53	693	4	6	64	4	807	10	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
64	3	803	9	6	63	20	800	17	0	62	36	822	1	0
64	2	797	16	0	63	19	802	19	0	62	35	823	13	6
64	1	790	10	0	63	18	805	16	6	62	34	825	1	6
64	0	783	1	6	63	17	809	9	6	62	33	826	3	6
					63	16	813	12	0	62	32	827	0	0
					63	15	818	0	6	62	31	827	12	0
63	63	616	0	6	63	14	822	6	6	62	30	828	1	6
63	62	629	9	6	63	13	826	6	0	62	29	828	9	0
63	61	641	12	6	63	12	829	14	6	62	28	828	13	6
63	60	652	9	0	63	11	832	12	0	62	27	828	15	0
63	59	662	1	0	63	10	834	19	0	62	26	828	13	6
63	58	671	0	6	63	9	836	17	0	62	25	827	14	6
63	57	679	9	6	63	8	838	5	6	62	24	826	14	6
63	56	687	14	0	63	7	839	1	6	62	23	825	17	0
63	55	696	0	0	63	6	839	0	6	62	22	825	4	0
63	54	704	6	0	63	5	837	16	0	62	21	825	1	0
63	53	712	13	0	63	4	835	4	0	62	20	826	9	0
63	52	721	3	0	63	3	831	2	0	62	19	828	12	6
63	51	729	12	0	63	2	825	5	0	62	18	831	11	6
63	50	738	7	6	63	1	817	13	6	62	17	835	7	6
63	49	746	15	6	63	0	809	19	6	62	16	839	13	0
63	48	754	12	0						62	15	844	5	0
63	47	761	14	0						62	14	848	15	0
63	46	768	1	6	62	62	643	11	0	62	13	852	18	6
63	45	773	5	6	62	61	656	7	0	62	12	856	10	0
63	44	777	16	0	62	60	667	15	0	62	11	859	11	0
63	43	781	13	0	62	59	677	18	6	62	10	862	1	6
63	42	784	18	0	62	58	687	9	0	62	9	864	2	0
63	41	787	15	6	62	57	696	8	6	62	8	865	13	0
63	40	790	0	6	62	56	705	3	6	62	7	866	11	0
63	39	792	0	6	62	55	713	19	0	62	6	866	11	6
63	38	793	16	6	62	54	722	15	0	62	5	865	7	6
63	37	795	11	6	62	53	731	12	6	62	4	862	15	0
63	36	797	4	0	62	52	740	12	0	62	3	858	11	0
63	35	798	13	6	62	51	749	10	6	62	2	852	10	6
63	34	799	18	6	62	50	758	16	0	62	1	844	14	6
63	33	800	18	6	62	49	767	14	0	62	0	836	14	6
63	32	801	13	0	62	48	776	0	0					
63	31	802	3	0	62	47	783	11	0					
63	30	802	11	6	62	46	790	7	0	61	61	669	15	6
63	29	802	18	0	62	45	795	19	0	61	60	681	15	6
63	28	803	1	6	62	44	800	16	0	61	59	692	10	0
63	27	803	2	6	62	43	804	19	6	61	58	702	11	0
63	26	803	0	0	62	42	808	10	6	61	57	712	1	0
63	25	802	1	6	62	41	811	13	0	61	56	721	6	0
63	24	801	2	6	62	40	814	3	0	61	55	730	12	0
63	23	800	5	0	62	39	816	7	0	61	54	739	17	6
63	22	799	12	6	62	38	818	7	0	61	53	749	5	0
63	21	799	10	0	62	37	820	5	6	61	52	758	14	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
61	51	768	3	0	61	2	878	12	6	60	16	887	19	6
61	50	777	18	0	61	1	870	11	6	60	15	892	18	6
61	49	787	5	6	61	0	862	6	6	60	14	897	15	6
61	48	796	1	0						60	13	902	6	0
61	47	804	1	0						60	12	906	5	0
61	46	811	5	6	60	60	694	6	6	60	11	909	12	0
61	45	817	5	6	60	59	705	12	0	60	10	912	9	0
61	44	822	10	0	60	58	716	4	0	60	9	914	14	6
61	43	827	0	0	60	57	726	4	0	60	8	916	11	0
61	42	830	17	0	60	56	735	19	0	60	7	917	13	0
61	41	834	5	0	60	55	745	15	0	60	6	917	16	6
61	40	836	19	6	60	54	755	10	6	60	5	916	13	6
61	39	839	8	0	60	53	765	7	0	60	4	914	0	6
61	38	841	12	0	60	52	775	6	6	60	3	909	13	0
61	37	843	14	0	60	51	785	4	6	60	2	903	6	6
61	36	845	13	0	60	50	795	9	6	60	1	895	1	0
61	35	847	9	0	60	49	805	6	6	60	0	886	11	0
61	34	848	19	6	60	48	814	11	6					
61	33	850	4	0	60	47	823	0	6					
61	32	851	2	6	60	46	830	13	6	59	59	717	8	6
61	31	851	16	0	60	45	837	1	6	59	58	728	10	6
61	30	852	7	6	60	44	842	13	0	59	57	739	0	6
61	29	852	16	0	60	43	847	9	6	59	56	749	5	6
61	28	853	1	6	60	42	851	12	6	59	55	759	11	0
61	27	853	4	0	60	41	855	6	6	59	54	769	16	0
61	26	853	2	6	60	40	858	6	0	59	53	780	2	6
61	25	852	3	6	60	39	860	19	0	59	52	790	11	6
61	24	851	3	6	60	38	863	7	0	59	51	800	18	6
61	23	850	5	6	60	37	865	13	0	59	50	811	13	6
61	22	849	12	0	60	36	867	15	6	59	49	822	0	0
61	21	849	9	0	60	35	869	15	0	59	48	831	14	0
61	20	850	17	6	60	34	871	8	0	59	47	840	12	0
61	19	853	2	6	60	33	872	15	0	59	46	848	13	6
61	18	856	3	6	60	32	873	16	0	59	45	855	9	0
61	17	860	1	6	60	31	874	11	6	59	44	861	8	0
61	16	864	10	6	60	30	875	4	6	59	43	866	11	6
61	15	869	6	0	60	29	875	14	6	59	42	871	0	6
61	14	873	19	6	60	28	876	1	0	59	41	875	0	0
61	13	878	6	6	60	27	876	4	0	59	40	878	4	6
61	12	882	2	0	60	26	876	3	6	59	39	881	2	6
61	11	885	6	0	60	25	875	4	6	59	38	883	14	6
61	10	887	19	6	60	24	874	4	0	59	37	886	5	0
61	9	890	3	0	60	23	873	5	6	59	36	888	11	0
61	8	891	16	6	60	22	872	12	0	59	35	890	13	6
61	7	892	16	6	60	21	872	9	0	59	34	892	10	0
61	6	892	18	6	60	20	873	18	6	59	33	893	19	6
61	5	891	15	0	60	19	876	4	6	59	32	895	2	6
61	4	889	2	0	60	18	879	7	6	59	31	896	0	6
61	3	884	16	0	60	17	883	8	0	59	30	896	15	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
59	29	897 6 0	58	41	893 19 0	57	52	818 18 6
59	28	897 14 0	58	40	897 9 0	57	51	830 4 6
59	27	897 18 6	58	39	900 11 6	57	50	841 18 6
59	26	897 18 6	58	38	903 8 6	57	49	853 3 6
59	25	896 19 6	58	37	906 2 6	57	48	863 16 0
59	24	895 19 0	58	36	908 12 6	57	47	873 11 6
59	23	895 0 6	58	35	910 18 6	57	46	882 10 0
59	22	894 6 6	58	34	912 18 0	57	45	890 1 0
59	21	894 3 6	58	33	914 10 6	57	44	896 15 0
59	20	895 13 6	58	32	915 16 0	57	43	902 12 6
59	19	898 0 6	58	31	916 16 0	57	42	907 14 6
59	18	901 5 6	58	30	917 12 6	57	41	912 6 0
59	17	905 8 0	58	29	918 5 0	57	40	916 1 0
59	16	910 2 6	58	28	918 14 6	57	39	919 8 6
59	15	915 4 6	58	27	919 0 0	57	38	922 10 0
59	14	920 5 0	58	26	919 0 6	57	37	925 8 6
59	13	924 19 0	58	25	918 2 0	57	36	928 2 6
59	12	929 1 0	58	24	917 1 6	57	35	930 12 0
59	11	932 11 6	58	23	916 3 0	57	34	932 15 0
59	10	935 11 0	58	22	915 9 0	57	33	934 10 6
59	9	938 0 0	58	21	915 6 0	57	32	935 18 6
59	8	939 18 6	58	20	916 16 6	57	31	937 0 6
59	7	941 2 6	58	19	919 5 0	57	30	937 19 0
59	6	941 8 0	58	18	922 11 0	57	29	938 13 6
59	5	940 6 0	58	17	926 16 0	57	28	939 4 6
59	4	937 12 6	58	16	931 13 6	57	27	939 11 0
59	3	933 3 6	58	15	936 18 6	57	26	939 13 0
59	2	926 14 6	58	14	942 2 0	57	25	938 14 6
59	1	918 5 0	58	13	946 19 0	57	24	937 14 0
59	0	909 10 0	58	12	951 4 6	57	23	936 15 6
			58	11	954 18 0	57	22	936 1 6
			58	10	958 0 6	57	21	935 18 6
58	58	740 2 6	58	9	960 12 0	57	20	937 10 0
58	57	751 2 6	58	8	962 13 6	57	19	939 19 6
58	56	761 17 6	58	7	963 19 6	57	18	943 7 6
58	55	772 12 6	58	6	964 6 6	57	17	947 14 6
58	54	783 7 0	58	5	963 5 6	57	16	952 14 6
58	53	794 3 0	58	4	960 11 6	57	15	958 2 6
58	52	805 1 0	58	3	956 1 6	57	14	963 9 6
58	51	815 18 0	58	2	949 10 0	57	13	968 9 6
58	50	827 2 0	58	1	940 16 6	57	12	972 18 0
58	49	837 18 0	58	0	931 17 0	57	11	976 14 6
58	48	848 1 6				57	10	980 0 0
58	47	857 8 0				57	9	982 14 0
58	46	865 18 0	57	57	762 12 6	57	8	984 18 0
58	45	873 1 6	57	56	773 17 0	57	7	986 6 6
58	44	879 7 6	57	55	785 1 6	57	6	986 15 0
58	43	884 18 0	57	54	796 5 6	57	5	985 14 6
58	42	889 13 6	57	53	807 10 6	57	4	983 1 0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £ s. d.
57	3	978 10 0	56	13	989 17 6	55	22	977 7 0
57	2	971 15 6	56	12	994 9 6	55	21	977 4 6
57	1	962 18 6	56	11	998 9 0	55	20	978 17 6
57	0	953 14 6	56	10	1,001 17 6	55	19	981 9 6
			56	9	1,004 14 0	55	18	985 0 6
			56	8	1,007 0 0	55	17	989 12 6
56	56	785 10 6	56	7	1,008 11 0	55	16	994 17 6
56	55	797 5 0	56	6	1,009 1 0	55	15	1,000 11 6
56	54	808 18 0	56	5	1,008 1 6	55	14	1,006 4 6
56	53	820 13 0	56	4	1,005 8 0	55	13	1,011 11 6
56	52	832 10 0	56	3	1,000 16 0	55	12	1,016 6 0
56	51	844 5 6	56	2	993 19 6	55	11	1,020 8 6
56	50	856 9 0	56	1	984 18 6	55	10	1,024 0 0
56	49	868 3 6	56	0	975 10 6	55	9	1,026 19 6
56	48	879 5 0				55	8	1,029 8 0
56	47	889 9 6				55	7	1,031 1 0
56	46	898 16 6	55	55	809 8 6	55	6	1,031 13 0
56	45	906 15 6	55	54	821 11 6	55	5	1,030 14 6
56	44	913 17 0	55	53	833 15 6	55	4	1,028 1 0
56	43	920 1 6	55	52	846 2 6	55	3	1,023 7 6
56	42	925 10 0	55	51	858 7 6	55	2	1,016 9 0
56	41	930 7 6	55	50	871 0 6	55	1	1,007 4 6
56	40	934 8 6	55	49	883 4 6	55	0	997 12 0
56	39	938 1 0	55	48	894 15 6			
56	38	941 7 6	55	47	905 9 0			
56	37	944 10 6	55	46	915 4 6	54	54	834 4 0
56	36	947 8 6	55	45	923 12 0	54	53	846 17 6
56	35	950 2 0	55	44	931 1 0	54	52	859 14 0
56	34	952 8 0	55	43	937 12 6	54	51	872 9 0
56	33	954 6 6	55	42	943 8 0	54	50	885 11 6
56	32	955 17 6	55	41	948 11 6	54	49	898 5 6
56	31	957 2 0	55	40	952 18 6	54	48	910 5 6
56	30	958 2 6	55	39	956 16 6	54	47	921 8 6
56	29	958 19 0	55	38	960 8 0	54	46	931 12 6
56	28	959 11 6	55	37	963 15 6	54	45	940 8 0
56	27	959 19 6	55	36	966 18 0	54	44	948 5 0
56	26	960 2 0	55	35	969 15 0	54	43	955 4 0
56	25	959 4 6	55	34	972 5 0	54	42	961 6 0
56	24	958 4 6	55	33	974 7 0	54	41	966 16 6
56	23	957 5 6	55	32	976 0 6	54	40	971 9 0
56	22	956 11 6	55	31	977 7 6	54	39	975 13 0
56	21	956 9 0	55	30	978 10 0	54	38	979 9 6
56	20	958 1 0	55	29	979 8 6	54	37	983 2 0
56	19	960 11 6	55	28	980 3 0	54	36	986 9 0
56	18	964 1 6	55	27	980 12 0	54	35	989 10 6
56	17	968 10 6	55	26	980 16 0	54	34	992 4 0
56	16	973 13 0	55	25	979 19 0	54	33	994 9 0
56	15	979 4 0	55	24	978 19 6	54	32	996 6 0
56	14	984 14 0	55	23	978 0 6	54	31	997 15 6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
54	30	999	0	6	53	37	1,002	12	6	52	43	990	17	0
54	29	1,000	1	0	53	36	1,006	4	0	52	42	997	13	6
54	28	1,000	17	0	53	35	1,009	10	0	52	41	1,003	17	6
54	27	1,001	8	0	53	34	1,012	7	6	52	40	1,009	2	6
54	26	1,001	13	6	53	33	1,014	16	6	52	39	1,013	18	0
54	25	1,000	17	0	53	32	1,016	16	0	52	38	1,018	5	6
54	24	999	17	6	53	31	1,018	8	6	52	37	1,022	8	6
54	23	998	19	6	53	30	1,019	16	6	52	36	1,026	5	0
54	22	998	5	6	53	29	1,020	19	0	52	35	1,029	15	0
54	21	998	3	6	53	28	1,021	17	0	52	34	1,032	17	0
54	20	999	17	6	53	27	1,022	9	6	52	33	1,035	9	6
54	19	1,002	11	0	53	26	1,022	16	6	52	32	1,037	13	0
54	18	1,006	4	0	53	25	1,022	0	6	52	31	1,039	8	0
54	17	1,010	18	0	53	24	1,021	2	0	52	30	1,040	19	0
54	16	1,016	5	6	53	23	1,020	4	0	52	29	1,042	4	0
54	15	1,022	2	6	53	22	1,019	10	6	52	28	1,043	4	0
54	14	1,027	19	0	53	21	1,019	8	6	52	27	1,043	18	6
54	13	1,033	9	0	53	20	1,021	4	0	52	26	1,044	6	6
54	12	1,038	7	0	53	19	1,023	18	6	52	25	1,043	12	0
54	11	1,042	12	6	53	18	1,027	13	6	52	24	1,042	13	6
54	10	1,046	6	6	53	17	1,032	10	0	52	23	1,041	16	0
54	9	1,049	8	6	53	16	1,038	0	6	52	22	1,041	3	0
54	8	1,052	0	0	53	15	1,044	0	6	52	21	1,041	2	0
54	7	1,053	15	0	53	14	1,050	0	6	52	20	1,042	18	0
54	6	1,054	8	6	53	13	1,055	13	6	52	19	1,045	14	6
54	5	1,053	11	0	53	12	1,060	14	6	52	18	1,049	11	6
54	4	1,050	17	6	53	11	1,065	3	6	52	17	1,054	10	0
54	3	1,046	3	6	53	10	1,069	0	0	52	16	1,060	3	6
54	2	1,039	2	6	53	9	1,072	5	0	52	15	1,066	7	0
54	1	1,029	14	0	53	8	1,074	19	0	52	14	1,072	10	0
54	0	1,019	17	6	53	7	1,076	16	0	52	13	1,078	6	6
					53	6	1,077	11	6	52	12	1,083	11	0
					53	5	1,076	15	0	52	11	1,088	2	6
53	53	860	1	6	53	4	1,074	1	6	52	10	1,092	2	6
53	52	873	7	6	53	3	1,069	6	6	52	9	1,095	10	0
53	51	886	12	0	53	2	1,062	3	0	52	8	1,098	6	0
53	50	900	4	6	53	1	1,052	11	0	52	7	1,100	5	6
53	49	913	8	0	53	0	1,042	10	0	52	6	1,101	3	0
53	48	925	18	0						52	5	1,100	7	6
53	47	937	10	0						52	4	1,097	14	0
53	46	948	3	0	52	52	887	3	6	52	3	1,092	18	0
53	45	957	7	0	52	51	900	17	6	52	2	1,085	12	0
53	44	965	12	0	52	50	915	0	6	52	1	1,075	16	6
53	43	972	18	6	52	49	928	14	0	52	0	1,065	11	0
53	42	979	7	6	52	48	941	13	6					
53	41	985	4	6	52	47	953	15	0					
53	40	990	3	6	52	46	964	17	6	51	51	915	2	0
53	39	994	13	0	52	45	974	10	0	51	50	929	15	0
53	38	998	15	0	52	44	983	3	0	51	49	943	18	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
51	48	957	8	6	50	50	944	18	0	50	1	1,123	10	6
51	47	969	19	6	50	49	959	12	0	50	0	1,112	16	6
51	46	981	11	0	50	48	973	12	0					
51	45	991	12	6	50	47	986	13	0					
51	44	1,000	13	6	50	46	998	14	6	49	49	974	16	6
51	43	1,008	15	6	50	45	1,009	4	6	49	48	989	6	6
51	42	1,015	19	6	50	44	1,018	14	6	49	47	1,002	17	6
51	41	1,022	10	6	50	43	1,027	4	6	49	46	1,015	8	6
51	40	1,028	2	0	50	42	1,034	16	0	49	45	1,026	8	0
51	39	1,033	3	6	50	41	1,041	14	0	49	44	1,036	6	6
51	38	1,037	16	6	50	40	1,047	12	0	49	43	1,045	4	6
51	37	1,042	5	0	50	39	1,053	0	0	49	42	1,053	4	0
51	36	1,046	6	6	50	38	1,057	19	0	49	41	1,060	9	6
51	35	1,050	1	6	50	37	1,062	13	0	49	40	1,066	14	6
51	34	1,053	8	0	50	36	1,067	0	0	49	39	1,072	8	6
51	33	1,056	4	6	50	35	1,071	0	6	49	38	1,077	14	0
51	32	1,058	11	0	50	34	1,074	11	0	49	37	1,082	13	6
51	31	1,060	9	6	50	33	1,077	12	0	49	36	1,087	6	0
51	30	1,062	3	0	50	32	1,080	2	6	49	35	1,091	11	6
51	29	1,063	11	0	50	31	1,082	4	6	49	34	1,095	7	0
51	28	1,064	13	0	50	30	1,084	0	6	49	33	1,098	12	0
51	27	1,065	9	6	50	29	1,085	11	0	49	32	1,101	6	6
51	26	1,065	19	0	50	28	1,086	16	0	49	31	1,103	12	0
51	25	1,065	5	6	50	27	1,087	14	0	49	30	1,105	11	6
51	24	1,064	8	0	50	26	1,088	6	0	49	29	1,107	5	0
51	23	1,063	11	0	50	25	1,087	13	0	49	28	1,108	12	0
51	22	1,062	18	6	50	24	1,086	16	6	49	27	1,109	12	6
51	21	1,062	17	6	50	23	1,086	0	0	49	26	1,110	6	0
51	20	1,064	15	6	50	22	1,085	8	0	49	25	1,109	14	6
51	19	1,067	13	0	50	21	1,085	8	0	49	24	1,108	19	0
51	18	1,071	12	6	50	20	1,087	7	0	49	23	1,108	3	6
51	17	1,076	13	6	50	19	1,090	6	6	49	22	1,107	12	0
51	16	1,082	10	0	50	18	1,094	8	0	49	21	1,107	12	6
51	15	1,088	16	6	50	17	1,099	12	0	49	20	1,109	13	0
51	14	1,095	3	0	50	16	1,105	11	6	49	19	1,112	14	6
51	13	1,101	3	0	50	15	1,112	1	6	49	18	1,116	18	0
51	12	1,106	10	6	50	14	1,118	11	6	49	17	1,122	4	6
51	11	1,111	5	6	50	13	1,124	15	0	49	16	1,128	7	6
51	10	1,115	8	0	50	12	1,130	6	0	49	15	1,135	1	0
51	9	1,118	18	6	50	11	1,135	4	0	49	14	1,141	14	6
51	8	1,121	17	6	50	10	1,139	10	0	49	13	1,148	1	6
51	7	1,123	19	0	50	9	1,143	3	0	49	12	1,153	16	0
51	6	1,124	18	0	50	8	1,146	4	6	49	11	1,158	17	0
51	5	1,124	3	6	50	7	1,148	8	6	49	10	1,163	6	0
51	4	1,121	10	6	50	6	1,149	9	0	49	9	1,167	2	0
51	3	1,116	13	0	50	5	1,148	15	6	49	8	1,170	6	0
51	2	1,109	5	0	50	4	1,146	2	6	49	7	1,172	12	6
51	1	1,099	5	6	50	3	1,141	4	0	49	6	1,173	15	0
51	0	1,088	16	0	50	2	1,133	14	0	49	5	1,173	2	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
49	4	1,170	9	6	48	6	1,197	9	6	47	7	1,218	19	6
49	3	1,165	10	0	48	5	1,196	18	0	47	6	1,220	5	6
49	2	1,157	17	6	48	4	1,194	5	0	47	5	1,219	15	0
49	1	1,147	10	6	48	3	1,189	4	6	47	4	1,217	2	6
49	0	1,136	12	0	48	2	1,181	9	6	47	3	1,212	1	6
					48	1	1,170	19	0	47	2	1,204	4	0
					48	0	1,159	16	0	47	1	1,193	10	0
48	48	1,004	7	0						47	0	1,182	3	0
48	47	1,018	7	6										
48	46	1,031	8	6	47	47	1,032	18	6					
48	45	1,042	16	6	47	46	1,046	8	6	46	46	1,060	7	6
48	44	1,053	4	0	47	45	1,058	6	0	46	45	1,072	14	0
48	43	1,062	10	6	47	44	1,069	1	6	46	44	1,083	18	6
48	42	1,070	17	6	47	43	1,078	16	6	46	43	1,094	1	0
48	41	1,078	10	0	47	42	1,087	11	0	46	42	1,103	4	0
48	40	1,085	2	0	47	41	1,095	11	6	46	41	1,111	11	6
48	39	1,091	3	0	47	40	1,102	10	6	46	40	1,118	17	6
48	38	1,096	14	6	47	39	1,108	17	6	46	39	1,125	11	0
48	37	1,102	0	0	47	38	1,114	15	6	46	38	1,131	15	0
48	36	1,106	18	0	47	37	1,120	7	0	46	37	1,137	13	0
48	35	1,111	8	6	47	36	1,125	10	6	46	36	1,143	2	0
48	34	1,115	9	0	47	35	1,130	6	6	46	35	1,148	3	6
48	33	1,118	18	6	47	34	1,134	12	0	46	34	1,152	14	0
48	32	1,121	17	0	47	33	1,138	6	0	46	33	1,156	12	6
48	31	1,124	6	6	47	32	1,141	9	0	46	32	1,159	19	6
48	30	1,126	9	6	47	31	1,144	2	0	46	31	1,162	16	6
48	29	1,128	5	6	47	30	1,146	8	0	46	30	1,165	6	6
48	28	1,129	15	6	47	29	1,148	7	6	46	29	1,167	9	6
48	27	1,130	18	6	47	28	1,150	0	6	46	28	1,169	5	0
48	26	1,131	14	0	47	27	1,151	5	6	46	27	1,170	13	0
48	25	1,131	3	6	47	26	1,152	3	6	46	26	1,171	13	0
48	24	1,130	9	0	47	25	1,151	14	6	46	25	1,171	5	6
48	23	1,129	14	6	47	24	1,151	1	0	46	24	1,170	13	6
48	22	1,129	4	0	47	23	1,150	7	6	46	23	1,170	1	0
48	21	1,129	5	0	47	22	1,149	18	0	46	22	1,169	12	6
48	20	1,131	7	0	47	21	1,150	0	0	46	21	1,169	15	6
48	19	1,134	10	6	47	20	1,152	3	6	46	20	1,172	0	6
48	18	1,138	16	0	47	19	1,155	8	6	46	19	1,175	7	6
48	17	1,144	5	6	47	18	1,159	16	6	46	18	1,179	18	0
48	16	1,150	11	6	47	17	1,165	9	0	46	17	1,185	13	0
48	15	1,157	8	6	47	16	1,171	18	0	46	16	1,192	5	0
48	14	1,164	6	0	47	15	1,178	18	6	46	15	1,199	9	0
48	13	1,170	16	6	47	14	1,185	19	6	46	14	1,206	13	0
48	12	1,176	14	6	47	13	1,192	13	6	46	13	1,213	11	0
48	11	1,181	19	0	47	12	1,198	14	6	46	12	1,219	15	6
48	10	1,186	10	6	47	11	1,204	2	6	46	11	1,225	6	6
48	9	1,190	9	6	47	10	1,208	17	6	46	10	1,230	4	6
48	8	1,193	16	6	47	9	1,212	19	0	46	9	1,234	9	0
48	7	1,196	5	0	47	8	1,216	8	6	46	8	1,238	0	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
46	7	1,240	14	0	45	6	1,262	4	0	44	4	1,278	4	6
46	6	1,242	2	0	45	5	1,261	15	6	44	3	1,273	1	6
46	5	1,241	12	6	45	4	1,259	3	6	44	2	1,264	19	0
46	4	1,239	0	6	45	3	1,254	1	0	44	1	1,253	15	6
46	3	1,233	18	6	45	2	1,246	0	6	44	0	1,241	18	0
46	2	1,225	19	0	45	1	1,235	0	0					
46	1	1,215	1	6	45	0	1,223	5	6					
46	0	1,203	11	0						43	43	1,131	7	0
										43	42	1,141	12	0
					44	44	1,109	2	0	43	41	1,151	1	0
45	45	1,085	9	0	44	43	1,120	0	6	43	40	1,159	7	0
45	44	1,097	1	6	44	42	1,129	18	6	43	39	1,167	0	6
45	43	1,107	12	6	44	41	1,139	0	6	43	38	1,174	3	0
45	42	1,117	2	6	44	40	1,147	0	0	43	37	1,180	18	0
45	41	1,125	17	6	44	39	1,154	7	0	43	36	1,187	4	0
45	40	1,133	10	0	44	38	1,161	3	0	43	35	1,193	1	6
45	39	1,140	10	6	44	37	1,167	12	6	43	34	1,198	7	0
45	38	1,147	0	6	44	36	1,173	13	0	43	33	1,203	0	0
45	37	1,153	4	6	44	35	1,179	5	0	43	32	1,207	0	0
45	36	1,158	19	0	44	34	1,184	6	0	43	31	1,210	9	0
45	35	1,164	6	0	44	33	1,188	14	0	43	30	1,213	10	0
45	34	1,169	1	6	44	32	1,192	9	6	43	29	1,216	3	0
45	33	1,173	5	0	44	31	1,195	14	6	43	28	1,218	8	0
45	32	1,176	16	0	44	30	1,198	12	0	43	27	1,220	4	6
45	31	1,179	17	0	44	29	1,201	1	6	43	26	1,221	11	6
45	30	1,182	10	6	44	28	1,203	3	0	43	25	1,221	10	0
45	29	1,184	17	0	44	27	1,204	16	6	43	24	1,221	2	6
45	28	1,186	15	6	44	26	1,206	1	0	43	23	1,220	14	0
45	27	1,188	6	0	44	25	1,205	18	0	43	22	1,220	9	0
45	26	1,189	8	6	44	24	1,205	8	6	43	21	1,220	16	0
45	25	1,189	3	0	44	23	1,204	18	6	43	20	1,223	6	0
45	24	1,188	12	0	44	22	1,204	12	0	43	19	1,226	18	6
45	23	1,188	1	0	44	21	1,204	18	0	43	18	1,231	15	6
45	22	1,187	13	6	44	20	1,207	6	0	43	17	1,237	18	6
45	21	1,187	17	6	44	19	1,210	17	0	43	16	1,244	19	6
45	20	1,190	4	6	44	18	1,215	11	6	43	15	1,252	12	6
45	19	1,193	13	0	44	17	1,221	12	0	43	14	1,260	6	6
45	18	1,198	6	0	44	16	1,228	10	0	43	13	1,267	13	6
45	17	1,204	3	6	44	15	1,236	0	0	43	12	1,274	7	6
45	16	1,210	18	6	44	14	1,243	11	0	43	11	1,280	7	6
45	15	1,218	5	6	44	13	1,250	15	0	43	10	1,285	14	0
45	14	1,225	13	0	44	12	1,257	6	0	43	9	1,290	6	6
45	13	1,232	14	0	44	11	1,263	3	0	43	8	1,294	6	0
45	12	1,239	2	0	44	10	1,268	6	6	43	7	1,297	5	6
45	11	1,244	16	0	44	9	1,272	16	6	43	6	1,298	19	0
45	10	1,249	17	0	44	8	1,276	13	6	43	5	1,298	13	6
45	9	1,254	4	0	44	7	1,279	11	0	43	4	1,296	2	6
45	8	1,257	18	6	44	6	1,281	3	0	43	3	1,290	19	0
45	7	1,260	14	0	44	5	1,280	16	0	43	2	1,282	15	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
43	1	1,271	9	6	41	41	1,172	2	6	40	35	1,228	7	0
43	0	1,259	9	0	41	40	1,181	1	6	40	34	1,234	7	6
					41	39	1,189	7	6	40	33	1,239	14	6
					41	38	1,197	2	0	40	32	1,244	7	6
42	42	1,152	4	0	41	37	1,204	8	6	40	31	1,248	8	6
42	41	1,162	0	0	41	36	1,211	6	0	40	30	1,252	1	0
42	40	1,170	12	6	41	35	1,217	13	6	40	29	1,255	5	0
42	39	1,178	12	0	41	34	1,223	9	6	40	28	1,257	19	6
42	38	1,186	0	6	41	33	1,228	11	6	40	27	1,260	5	0
42	37	1,193	1	6	41	32	1,233	0	6	40	26	1,262	0	6
42	36	1,199	13	6	41	31	1,236	17	6	40	25	1,262	5	6
42	35	1,205	16	0	41	30	1,240	6	0	40	24	1,262	4	0
42	34	1,211	6	6	41	29	1,243	6	6	40	23	1,262	0	6
42	33	1,216	4	0	41	28	1,245	17	6	40	22	1,262	0	0
42	32	1,220	8	6	41	27	1,248	0	0	40	21	1,262	11	6
42	31	1,224	1	6	41	26	1,249	12	6	40	20	1,265	6	6
42	30	1,227	6	6	41	25	1,249	15	6	40	19	1,269	5	6
42	29	1,230	3	0	41	24	1,249	12	0	40	18	1,274	9	0
42	28	1,232	11	0	41	23	1,249	6	6	40	17	1,280	19	0
42	27	1,234	10	6	41	22	1,249	4	6	40	16	1,288	8	0
42	26	1,236	0	6	41	21	1,249	14	0	40	15	1,296	9	6
42	25	1,236	1	0	41	20	1,252	7	6	40	14	1,304	12	0
42	24	1,235	15	6	41	19	1,256	4	6	40	13	1,312	8	0
42	23	1,235	8	6	41	18	1,261	6	0	40	12	1,319	10	6
42	22	1,235	5	0	41	17	1,267	13	6	40	11	1,325	18	6
42	21	1,235	13	0	41	16	1,274	19	6	40	10	1,331	12	6
42	20	1,238	4	6	41	15	1,282	18	6	40	9	1,336	12	6
42	19	1,241	19	6	41	14	1,290	18	6	40	8	1,340	19	0
42	18	1,246	18	6	41	13	1,298	11	6	40	7	1,344	5	6
42	17	1,253	4	0	41	12	1,305	11	0	40	6	1,346	4	0
42	16	1,260	7	6	41	11	1,311	16	6	40	5	1,346	2	0
42	15	1,268	3	0	41	10	1,317	8	6	40	4	1,343	13	0
42	14	1,276	0	6	41	9	1,322	6	0	40	3	1,338	9	0
42	13	1,283	10	6	41	8	1,326	10	0	40	2	1,330	2	0
42	12	1,290	7	6	41	7	1,329	14	6	40	1	1,318	10	6
42	11	1,296	10	0	41	6	1,331	11	6	40	0	1,306	2	0
42	10	1,301	19	0	41	5	1,331	8	0					
42	9	1,306	14	6	41	4	1,328	18	6					
42	8	1,310	16	0	41	3	1,323	14	6	39	39	1,207	16	0
42	7	1,313	18	0	41	2	1,315	8	6	39	38	1,216	2	0
42	6	1,315	13	6	41	1	1,303	18	6	39	37	1,224	0	0
42	5	1,315	9	0	41	0	1,291	12	6	39	36	1,231	8	0
42	4	1,312	18	6						39	35	1,238	6	0
42	3	1,307	15	0						39	34	1,244	11	6
42	2	1,299	10	0	40	40	1,190	7	0	39	33	1,250	3	0
42	1	1,288	2	0	40	39	1,198	18	6	39	32	1,255	0	6
42	0	1,275	18	6	40	38	1,206	19	0	39	31	1,259	5	6
					40	37	1,214	11	6	39	30	1,263	2	0
					40	36	1,221	14	0	39	29	1,266	9	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
39	28	1,269	7	6	38	20	1,289	6	0	37	11	1,364	10	6
39	27	1,271	16	0	38	19	1,293	8	6	37	10	1,370	12	0
39	26	1,273	14	0	38	18	1,298	16	6	37	9	1,375	19	0
39	25	1,274	1	6	38	17	1,305	11	6	37	8	1,380	12	0
39	24	1,274	2	0	38	16	1,313	5	6	37	7	1,384	4	0
39	23	1,274	0	6	38	15	1,321	12	6	37	6	1,386	8	0
39	22	1,274	2	0	38	14	1,330	0	6	37	5	1,386	10	0
39	21	1,274	15	0	38	13	1,338	2	0	37	4	1,384	3	0
39	20	1,277	12	0	38	12	1,345	9	6	37	3	1,378	19	6
39	19	1,281	12	6	38	11	1,352	2	6	37	2	1,370	10	0
39	18	1,286	18	6	38	10	1,358	1	6	37	1	1,358	13	6
39	17	1,293	11	0	38	9	1,363	6	0	37	0	1,345	19	6
39	16	1,301	2	6	38	8	1,367	17	0					
39	15	1,309	6	6	38	7	1,371	7	0					
39	14	1,317	12	0	38	6	1,373	9	6	36	36	1,257	7	6
39	13	1,325	10	6	38	5	1,373	10	0	36	35	1,265	0	6
39	12	1,332	15	6	38	4	1,371	2	6	36	34	1,272	0	0
39	11	1,339	6	0	38	3	1,365	18	6	36	33	1,278	5	0
39	10	1,345	3	0	38	2	1,357	10	0	36	32	1,283	15	6
39	9	1,350	5	6	38	1	1,345	15	0	36	31	1,288	13	0
39	8	1,354	14	0	38	0	1,333	2	6	36	30	1,293	1	0
39	7	1,358	2	0						36	29	1,296	19	0
39	6	1,360	2	6						36	28	1,300	7	0
39	5	1,360	2	0	37	37	1,241	5	6	36	27	1,303	5	0
39	4	1,357	13	6	37	36	1,249	4	0	36	26	1,305	12	0
39	3	1,352	10	0	37	35	1,256	12	0	36	25	1,306	7	0
39	2	1,344	2	0	37	34	1,263	7	0	36	24	1,306	14	0
39	1	1,332	8	6	37	33	1,269	7	6	36	23	1,306	18	6
39	0	1,319	18	0	37	32	1,274	13	6	36	22	1,307	5	6
					37	31	1,279	7	0	36	21	1,308	4	0
					37	30	1,283	11	0	36	20	1,311	7	0
38	38	1,224	13	6	37	29	1,287	5	6	36	19	1,315	14	6
38	37	1,232	17	0	37	28	1,290	10	6	36	18	1,321	7	0
38	36	1,240	10	0	37	27	1,293	5	0	36	17	1,328	6	6
38	35	1,247	13	6	37	26	1,295	9	0	36	16	1,336	5	6
38	34	1,254	3	6	37	25	1,296	1	6	36	15	1,344	18	0
38	33	1,259	19	6	37	24	1,296	6	6	36	14	1,353	11	6
38	32	1,265	1	6	37	23	1,296	9	0	36	13	1,361	18	0
38	31	1,269	10	6	37	22	1,296	14	0	36	12	1,369	10	6
38	30	1,273	11	0	37	21	1,297	10	6	36	11	1,376	8	6
38	29	1,277	1	6	37	20	1,300	11	6	36	10	1,382	12	0
38	28	1,280	3	0	37	19	1,304	16	6	36	9	1,388	1	0
38	27	1,282	14	6	37	18	1,310	7	0	36	8	1,392	16	6
38	26	1,284	16	0	37	17	1,317	4	0	36	7	1,396	10	6
38	25	1,285	6	0	37	16	1,325	0	6	36	6	1,398	16	0
38	24	1,285	8	6	37	15	1,333	10	0	36	5	1,398	19	0
38	23	1,285	8	6	37	14	1,342	1	0	36	4	1,396	13	0
38	22	1,285	12	0	37	13	1,350	5	0	36	3	1,391	9	6
38	21	1,286	6	6	37	12	1,357	15	0	36	2	1,383	0	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
36	1	1,371	2	0	34	28	1,318	5	0	33	15	1,375	6	6
36	0	1,358	6	0	34	27	1,321	9	0	33	14	1,384	8	0
					34	26	1,324	2	0	33	13	1,393	2	0
					34	25	1,325	2	0	33	12	1,401	2	0
35	35	1,272	18	0	34	24	1,325	14	0	33	11	1,408	7	0
35	34	1,280	2	6	34	23	1,326	2	6	33	10	1,414	17	0
35	33	1,286	12	0	34	22	1,326	13	6	33	9	1,420	12	6
35	32	1,292	6	6	34	21	1,327	16	0	33	8	1,425	13	6
35	31	1,297	8	0	34	20	1,331	3	6	33	7	1,429	13	0
35	30	1,302	0	0	34	19	1,335	15	0	33	6	1,432	3	0
35	29	1,306	1	6	34	18	1,341	12	6	33	5	1,432	10	0
35	28	1,309	13	0	34	17	1,348	17	0	33	4	1,430	6	0
35	27	1,312	14	0	34	16	1,357	1	0	33	3	1,425	3	6
35	26	1,315	4	0	34	15	1,365	18	6	33	2	1,416	12	6
35	25	1,316	1	6	34	14	1,374	17	6	33	1	1,404	11	6
35	24	1,316	11	0	34	13	1,383	9	0	33	0	1,391	11	0
35	23	1,316	17	6	34	12	1,391	6	6					
35	22	1,317	6	6	34	11	1,398	9	0					
35	21	1,318	7	0	34	10	1,404	17	6					
35	20	1,321	12	6	34	9	1,410	10	6	32	32	1,313	12	6
35	19	1,326	1	6	34	8	1,415	10	0	32	31	1,319	5	6
35	18	1,331	16	6	34	7	1,419	7	6	32	30	1,324	8	6
35	17	1,338	18	6	34	6	1,421	16	0	32	29	1,329	0	6
35	16	1,347	0	6	34	5	1,422	2	0	32	28	1,333	2	0
35	15	1,355	15	0	34	4	1,419	17	0	32	27	1,336	12	6
35	14	1,364	11	6	34	3	1,414	14	0	32	26	1,339	11	6
35	13	1,373	0	6	34	2	1,406	3	6	32	25	1,340	16	6
35	12	1,380	15	6	34	1	1,394	3	6	32	24	1,341	13	0
35	11	1,387	16	0	34	0	1,381	4	6	32	23	1,342	6	6
35	10	1,394	2	0						32	22	1,343	1	6
35	9	1,399	13	0						32	21	1,344	8	0
35	8	1,404	10	0	33	33	1,301	3	0	32	20	1,348	0	0
35	7	1,408	6	0	33	32	1,307	6	0	32	19	1,352	15	6
35	6	1,410	13	0	33	31	1,312	15	0	32	18	1,358	17	6
35	5	1,410	17	6	33	30	1,317	14	6	32	17	1,366	7	0
35	4	1,408	12	0	33	29	1,322	3	0	32	16	1,374	16	0
35	3	1,403	9	0	33	28	1,326	1	6	32	15	1,383	18	6
35	2	1,394	19	0	33	27	1,329	8	6	32	14	1,393	2	6
35	1	1,382	19	6	33	26	1,332	4	6	32	13	1,401	19	0
35	0	1,370	2	0	33	25	1,333	7	0	32	12	1,410	1	6
					33	24	1,334	1	0	32	11	1,417	8	6
					33	23	1,334	12	6	32	10	1,424	1	0
					33	22	1,335	5	6	32	9	1,429	18	0
34	34	1,287	11	6	33	21	1,336	9	6	32	8	1,435	1	0
34	33	1,294	5	0	33	20	1,339	19	6	32	7	1,439	2	0
34	32	1,300	4	0	33	19	1,344	13	0	32	6	1,441	14	0
34	31	1,305	9	6	33	18	1,350	12	6	32	5	1,442	2	0
34	30	1,310	5	0	33	17	1,358	0	0	32	4	1,439	19	0
34	29	1,314	10	0	33	16	1,366	6	6	32	3	1,434	16	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
32	2	1,426	5	6	30	20	1,362	1	6	29	3	1,459	18	0
32	1	1,414	3	6	30	19	1,367	2	0	29	2	1,451	6	6
32	0	1,401	2	0	30	18	1,373	8	0	29	1	1,439	3	0
					30	17	1,381	2	6	29	0	1,425	18	6
					30	16	1,389	16	0					
31	31	1,325	2	0	30	15	1,399	3	6					
31	30	1,330	8	6	30	14	1,408	12	0	28	28	1,355	4	6
31	29	1,335	4	0	30	13	1,417	13	6	28	27	1,359	6	6
31	28	1,339	9	0	30	12	1,426	0	6	28	26	1,362	16	6
31	27	1,343	2	6	30	11	1,433	11	6	28	25	1,364	12	0
31	26	1,346	4	0	30	10	1,440	8	0	28	24	1,365	18	0
31	25	1,347	12	0	30	9	1,446	9	6	28	23	1,367	0	6
31	24	1,348	10	6	30	8	1,451	16	0	28	22	1,368	4	0
31	23	1,349	6	0	30	7	1,456	0	6	28	21	1,369	18	6
31	22	1,350	3	6	30	6	1,458	15	0	28	20	1,373	19	0
31	21	1,351	12	0	30	5	1,459	5	6	28	19	1,379	3	6
31	20	1,355	6	0	30	4	1,457	4	0	28	18	1,385	14	0
31	19	1,360	4	0	30	3	1,452	2	0	28	17	1,393	13	0
31	18	1,366	8	0	30	2	1,443	11	0	28	16	1,402	11	6
31	17	1,374	0	0	30	1	1,431	7	6	28	15	1,412	3	6
31	16	1,382	11	6	30	0	1,418	4	6	28	14	1,421	16	6
31	15	1,391	16	6						28	13	1,431	2	6
31	14	1,401	2	6						28	12	1,439	13	6
31	13	1,410	2	0	29	29	1,345	19	6	28	11	1,447	9	0
31	12	1,418	6	6	29	28	1,350	10	6	28	10	1,454	9	6
31	11	1,425	15	6	29	27	1,354	9	6	28	9	1,460	14	0
31	10	1,432	10	0	29	26	1,357	17	0	28	8	1,466	4	0
31	9	1,438	9	0	29	25	1,359	10	0	28	7	1,470	12	0
31	8	1,443	14	0	29	24	1,360	13	6	28	6	1,473	9	6
31	7	1,447	16	6	29	23	1,361	13	6	28	5	1,474	2	0
31	6	1,450	10	0	29	22	1,362	15	0	28	4	1,472	2	6
31	5	1,450	19	0	29	21	1,364	7	6	28	3	1,467	1	6
31	4	1,448	17	0	29	20	1,368	6	0	28	2	1,458	10	0
31	3	1,443	15	0	29	19	1,373	8	6	28	1	1,446	6	0
31	2	1,435	3	6	29	18	1,379	17	0	28	0	1,433	1	0
31	1	1,423	1	0	29	17	1,387	13	6					
31	0	1,409	18	6	29	16	1,396	9	6					
					29	15	1,405	19	6	27	27	1,363	11	6
					29	14	1,415	10	0	27	26	1,367	4	6
30	30	1,335	18	6	29	13	1,424	14	0	27	25	1,369	2	0
30	29	1,340	17	0	29	12	1,433	3	0	27	24	1,370	10	6
30	28	1,345	5	0	29	11	1,440	16	0	27	23	1,371	15	0
30	27	1,349	1	6	29	10	1,447	14	6	27	22	1,373	1	0
30	26	1,352	6	0	29	9	1,453	17	6	27	21	1,374	17	6
30	25	1,353	16	6	29	8	1,459	6	0	27	20	1,379	0	0
30	24	1,354	17	6	29	7	1,463	12	0	27	19	1,384	6	6
30	23	1,355	15	6	29	6	1,466	8	0	27	18	1,390	19	6
30	22	1,356	15	0	29	5	1,466	19	6	27	17	1,399	0	0
30	21	1,358	5	6	29	4	1,464	19	0	27	16	1,408	1	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
27	15	1,417	15	0	25	23	1,378	4	0	24	1	1,466	3	6
27	14	1,427	10	6	25	22	1,379	14	0	24	0	1,452	18	0
27	13	1,436	18	6	25	21	1,381	14	6					
27	12	1,445	12	0	25	20	1,386	1	0					
27	11	1,453	9	0	25	19	1,391	11	6	23	23	1,381	14	0
27	10	1,460	11	6	25	18	1,398	8	6	23	22	1,383	7	6
27	9	1,466	18	0	25	17	1,406	13	6	23	21	1,385	12	0
27	8	1,472	9	6	25	16	1,415	18	0	23	20	1,390	2	6
27	7	1,476	19	0	25	15	1,425	16	6	23	19	1,395	17	0
27	6	1,479	18	0	25	14	1,435	15	6	23	18	1,402	17	0
27	5	1,480	11	6	25	13	1,445	7	6	23	17	1,411	5	6
27	4	1,478	13	0	25	12	1,454	4	6	23	16	1,420	14	0
27	3	1,473	12	6	25	11	1,462	5	6	23	15	1,430	15	6
27	2	1,465	1	6	25	10	1,469	11	6	23	14	1,440	18	6
27	1	1,452	16	6	25	9	1,476	1	0	23	13	1,450	14	0
27	0	1,439	11	6	25	8	1,481	16	0	23	12	1,459	14	0
					25	7	1,486	8	0	23	11	1,467	18	6
					25	6	1,489	9	6	23	10	1,475	7	0
26	26	1,370	19	6	25	5	1,490	6	0	23	9	1,482	0	0
26	25	1,373	0	0	25	4	1,488	8	6	23	8	1,487	17	6
26	24	1,374	10	6	25	3	1,483	9	6	23	7	1,492	12	6
26	23	1,375	17	0	25	2	1,474	19	0	23	6	1,495	16	6
26	22	1,377	5	0	25	1	1,462	14	0	23	5	1,496	15	0
26	21	1,379	3	6	25	0	1,449	8	6	23	4	1,494	19	6
26	20	1,383	8	0						23	3	1,490	2	0
26	19	1,388	17	0						23	2	1,481	12	6
26	18	1,395	11	6	24	24	1,378	10	6	23	1	1,469	8	0
26	17	1,403	14	6	24	23	1,380	1	0	23	0	1,456	2	6
26	16	1,412	17	6	24	22	1,381	13	0					
26	15	1,422	14	0	24	21	1,383	15	6					
26	14	1,432	11	6	24	20	1,388	4	0	22	22	1,385	3	6
26	13	1,442	1	6	24	19	1,393	16	6	22	21	1,387	9	6
26	12	1,450	16	6	24	18	1,400	15	0	22	20	1,392	1	6
26	11	1,458	16	0	24	17	1,409	1	6	22	19	1,397	18	0
26	10	1,466	0	0	24	16	1,418	8	0	22	18	1,405	0	0
26	9	1,472	8	6	24	15	1,428	8	6	22	17	1,413	10	0
26	8	1,478	2	0	24	14	1,438	9	6	22	16	1,423	0	0
26	7	1,482	12	6	24	13	1,448	3	0	22	15	1,433	4	0
26	6	1,485	13	0	24	12	1,457	1	6	22	14	1,443	8	6
26	5	1,486	8	0	24	11	1,465	4	6	22	13	1,453	5	6
26	4	1,484	9	6	24	10	1,472	11	6	22	12	1,462	7	0
26	3	1,479	10	0	24	9	1,479	3	0	22	11	1,470	13	0
26	2	1,470	19	0	24	8	1,484	19	6	22	10	1,478	3	6
26	1	1,458	14	0	24	7	1,489	13	0	22	9	1,484	17	6
26	0	1,445	8	6	24	6	1,492	15	6	22	8	1,490	16	6
					24	5	1,493	13	0	22	7	1,495	13	0
					24	4	1,491	16	6	22	6	1,498	18	0
25	25	1,375	2	6	24	3	1,486	18	6	22	5	1,499	17	6
25	24	1,376	15	6	24	2	1,478	8	0	22	4	1,498	3	0

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
22	3	1,493	6	6
22	2	1,484	17	6
22	1	1,472	13	0
22	0	1,459	7	6
21	21	1,389	17	6
21	20	1,394	11	6
21	19	1,400	9	6
21	18	1,407	13	6
21	17	1,416	5	6
21	16	1,425	17	0
21	15	1,436	2	6
21	14	1,446	9	0
21	13	1,456	7	6
21	12	1,465	11	0
21	11	1,473	18	6
21	10	1,481	10	6
21	9	1,488	6	0
21	8	1,494	6	6
21	7	1,499	4	6
21	6	1,502	11	0
21	5	1,503	11	0
21	4	1,501	17	6
21	3	1,497	1	6
21	2	1,488	13	0
21	1	1,476	9	0
21	0	1,463	3	6
20	20	1,399	7	6
20	19	1,405	7	6
20	18	1,412	13	6
20	17	1,421	7	6
20	16	1,431	1	6
20	15	1,441	9	0
20	14	1,451	17	6
20	13	1,461	18	6
20	12	1,471	3	6
20	11	1,479	13	0
20	10	1,487	6	6
20	9	1,494	4	0
20	8	1,500	6	0
20	7	1,505	5	0
20	6	1,508	13	0
20	5	1,509	14	6
20	4	1,508	2	0
20	3	1,503	6	6
20	2	1,494	18	0
20	1	1,482	13	6
20	0	1,469	8	0
19	19	1,411	9	6
19	18	1,418	17	6
19	17	1,427	14	0
19	16	1,437	10	0
19	15	1,448	0	0
19	14	1,458	10	6
19	13	1,468	14	0
19	12	1,478	1	6
19	11	1,486	12	6
19	10	1,494	8	6
19	9	1,501	7	6
19	8	1,507	11	6
19	7	1,512	12	0
19	6	1,516	1	0
19	5	1,517	4	0
19	4	1,515	12	0
19	3	1,510	17	0
19	2	1,502	8	6
19	1	1,490	3	6
19	0	1,476	17	0
18	18	1,426	8	0
18	17	1,435	6	6
18	16	1,445	5	6
18	15	1,455	18	0
18	14	1,466	11	0
18	13	1,476	16	6
18	12	1,486	6	6
18	11	1,495	0	0
18	10	1,502	17	6
18	9	1,509	19	0
18	8	1,516	4	6
18	7	1,521	7	0
18	6	1,524	17	6
18	5	1,526	1	6
18	4	1,524	10	6
18	3	1,519	15	6
18	2	1,511	7	0
18	1	1,499	1	6
18	0	1,485	14	0
17	17	1,444	8	0
17	16	1,454	9	6
17	15	1,465	4	6
17	14	1,476	0	6
17	13	1,486	9	0
17	12	1,496	1	6
17	11	1,504	17	0
17	10	1,512	17	6
17	9	1,520	0	6
17	8	1,526	8	6
17	7	1,531	12	6
17	6	1,535	5	0
17	5	1,536	10	0
17	4	1,534	19	6
17	3	1,530	5	0
17	2	1,521	16	0
17	1	1,509	9	6
17	0	1,496	1	0
16	16	1,464	14	0
16	15	1,475	12	0
16	14	1,486	11	0
16	13	1,497	2	0
16	12	1,506	17	6
16	11	1,515	16	0
16	10	1,523	18	6
16	9	1,531	4	0
16	8	1,537	14	0
16	7	1,543	0	0
16	6	1,546	14	0
16	5	1,548	0	0
16	4	1,546	10	6
16	3	1,541	16	0
16	2	1,533	6	6
16	1	1,520	19	0
16	0	1,507	9	0
15	15	1,486	13	0
15	14	1,497	15	6
15	13	1,508	9	6
15	12	1,518	7	6
15	11	1,527	9	0
15	10	1,535	14	0
15	9	1,543	2	0
15	8	1,549	14	6
15	7	1,555	2	6
15	6	1,558	18	0
15	5	1,560	5	6
15	4	1,558	17	0
15	3	1,554	2	6
15	2	1,545	12	6

TABLE II.—*continued.*

Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.	Ages of the Elder Lives.	Ages of the Younger Lives.	Values of the Annuities. £	s.	d.
15	1	1,533	3	6	11	11	1,570	11	6	7	7	1,631	11	0
15	0	1,519	12	0	11	10	1,579	7	6	7	6	1,636	1	0
					11	9	1,587	5	6	7	5	1,638	0	0
					11	8	1,594	7	0	7	4	1,636	19	6
14	14	1,509	0	6	11	7	1,600	3	6	7	3	1,632	9	0
14	13	1,519	18	0	11	6	1,604	6	6	7	2	1,623	18	0
14	12	1,529	19	0	11	5	1,605	19	6	7	1	1,611	3	0
14	11	1,539	3	0	11	4	1,604	14	6	7	0	1,597	2	0
14	10	1,547	11	0	11	3	1,600	1	6					
14	9	1,555	1	6	11	2	1,591	10	0					
14	8	1,561	16	0	11	1	1,578	16	6	6	6	1,640	12	6
14	7	1,567	6	6	11	0	1,564	11	6	6	5	1,642	13	0
14	6	1,571	3	6						6	4	1,641	14	0
14	5	1,572	12	6						6	3	1,637	4	6
14	4	1,571	4	6						6	2	1,628	14	0
14	3	1,566	10	6	10	10	1,588	6	0	6	1	1,615	19	0
14	2	1,558	0	0	10	9	1,596	6	6	6	0	1,601	18	6
14	1	1,545	10	0	10	8	1,603	10	0					
14	0	1,531	16	6	10	7	1,609	9	0					
					10	6	1,613	13	6					
					10	5	1,615	8	0	5	5	1,644	15	0
13	13	1,530	18	6	10	4	1,614	4	0	5	4	1,643	17	0
13	12	1,541	2	6	10	3	1,609	11	6	5	3	1,639	8	6
13	11	1,550	9	6	10	2	1,601	0	0	5	2	1,630	19	0
13	10	1,559	0	0	10	1	1,588	6	0	5	1	1,618	5	0
13	9	1,566	13	0	10	0	1,574	7	0	5	0	1,604	4	6
13	8	1,573	10	0										
13	7	1,579	2	0										
13	6	1,583	1	6						4	4	1,643	0	0
13	5	1,584	11	6	9	9	1,604	9	6	4	3	1,638	13	0
13	4	1,583	4	6	9	8	1,611	15	6	4	2	1,630	4	6
13	3	1,578	11	0	9	7	1,617	16	0	4	1	1,617	11	6
13	2	1,569	19	6	9	6	1,622	2	6	4	0	1,603	12	6
13	1	1,557	8	6	9	5	1,623	18	6					
13	0	1,543	13	6	9	4	1,622	15	6					
					9	3	1,618	4	0	3	3	1,634	7	6
					9	2	1,609	12	0	3	2	1,626	0	6
12	12	1,551	9	6	9	1	1,596	17	6	3	1	1,613	9	6
12	11	1,560	19	6	9	0	1,582	18	0	3	0	1,599	11	6
12	10	1,569	12	6										
12	9	1,577	8	0										
12	8	1,584	7	6	8	8	1,619	3	6	2	2	1,617	16	0
12	7	1,590	1	6	8	7	1,625	6	0	2	1	1,605	7	0
12	6	1,594	2	6	8	6	1,629	14	6	2	0	1,591	11	6
12	5	1,595	14	6	8	5	1,631	12	0					
12	4	1,594	8	0	8	4	1,630	10	0	1	1	1,593	1	0
12	3	1,589	15	0	8	3	1,625	19	0	1	0	1,579	9	0
12	2	1,581	3	6	8	2	1,617	7	6					
12	1	1,568	11	0	8	1	1,604	12	6					
12	0	1,554	14	6	8	0	1,590	12	6	Birth	Birth	1,566	0	0

TABLE III.

The Values of an Annuity of £100 per Annum, for any Number of Years, not exceeding 95.

Years.	Values. £	s.	d.	Years.	Values. £	s.	d.
1	96	3	0	49	2,134	2	6
2	188	12	0	50	2,148	4	0
3	277	10	0	51	2,161	14	6
4	362	19	6	52	2,174	15	0
5	445	3	6	53	2,187	5	0
6	524	4	0	54	2,199	5	6
7	600	4	0	55	2,210	17	0
8	673	5	0	56	2,221	19	6
9	743	10	6	57	2,232	13	0
10	811	1	6	58	2,242	19	0
11	876	0	6	59	2,252	16	6
12	938	10	0	60	2,262	6	6
13	998	11	0	61	2,271	9	6
14	1,056	6	0	62	2,280	5	6
15	1,111	16	6	63	2,288	14	6
16	1,165	4	6	64	2,296	17	0
17	1,216	11	0	65	2,304	13	0
18	1,265	18	6	66	2,312	3	6
19	1,313	7	6	67	2,319	8	0
20	1,359	0	6	68	2,326	7	0
21	1,402	18	0	69	2,333	0	6
22	1,445	2	0	70	2,339	9	0
23	1,485	13	6	71	2,345	12	6
24	1,524	13	6	72	2,351	11	0
25	1,562	4	0	73	2,357	5	0
26	1,598	5	6	74	2,362	15	0
27	1,632	19	0	75	2,368	0	6
28	1,666	6	0	76	2,373	2	0
29	1,698	7	0	77	2,377	19	6
30	1,729	4	0	78	2,382	13	6
31	1,758	16	6	79	2,387	4	0
32	1,787	7	0	80	2,391	10	6
33	1,814	15	0	81	2,395	14	0
34	1,841	2	0	82	2,399	14	0
35	1,866	9	0	83	2,403	11	6
36	1,890	16	6	84	2,407	5	6
37	1,914	5	0	85	2,410	17	0
38	1,936	15	6	86	2,414	5	6
39	1,958	8	6	87	2,417	11	6
40	1,979	5	6	88	2,420	14	6
41	1,999	6	0	89	2,423	15	6
42	2,018	11	0	90	2,426	14	6
43	2,037	1	6	91	2,429	10	6
44	2,054	17	6	92	2,432	5	0
45	2,072	0	0	93	2,434	17	0
46	2,088	9	0	94	2,437	7	0
47	2,104	5	6	95	2,439	15	6
48	2,119	10	0				

RULES

FOR INFERRING

The Value of an Annuity of 100*l.* *per Annum*, held on the longest of Two Lives:

Also, The Value of an Annuity of 100*l.* *per Annum*, held on the joint Continuance of Three Lives:

Also, The Value of an Annuity of 100*l.* *per Annum* held on the longest of Three Lives.

RULE for determining the Value of an Annuity of 100*l.* *per Annum*, held on the longest of Two Lives.

THE Values of an Annuity of 100*l.* *per Annum* held on each of the single Lives, to be added together, (from Table I.,) and from this Sum the Value of an Annuity held on the joint Continuance of the Two Lives (from Table II.) to be subtracted; the Result is the Value of an Annuity of 100*l.* *per Annum*, held on the longest of the Two Lives.

RULE for determining the Value of an Annuity of 100*l.* *per Annum*, held on the joint Continuance of Three Lives.

THE Value of an Annuity of 100*l.* *per Annum* on the joint Continuance of the Two elder Lives is to be found from Table II. The Age of a single Life of the same (or nearest) Value, with the Annuity on the said joint Lives, to be found from Table I. The Value of an Annuity of 100*l.* *per Annum* on the joint Continuance of this Life and the younger Life from Table II., Five Pounds being deducted from this Sum, the Remainder is the Value of an Annuity of 100*l.* *per Annum* held on the joint Continuance of the Three Lives.

RULE for determining the Value of an Annuity of 100*l.* *per Annum*, held on the longest of Three Lives.

THE Values of an Annuity of 100*l.* *per Annum* for each of the Three single Lives to be extracted from Table I., and to be added together. The Value of an Annuity of 100*l.* *per Annum* on the joint Continuance of the Two youngest Lives, also the Value of an Annuity of 100*l.* *per Annum* on the joint Continuance of the Two eldest Lives, also the Value of an Annuity of 100*l.* *per Annum* on the joint Continuance of the oldest Life and the youngest Life, (all found by Table II.,) to be subtracted from the Sum or Addition of the Annuities on the Three single Lives: To the Result is to be added the Value of an Annuity of 100*l.* *per Annum* held on the joint Continuance of the Three Lives; the Amount is the Value of an Annuity of 100*l.* *per Annum* on the longest of the Three Lives.

FURTHER RULE.

And in all Cases where the Annuity shall be for more than Three Lives, the same shall be valued as an Annuity for the Three youngest of such Lives: And where the Annuity shall be given for a longer Term of Years than Ninety-five Years, or in perpetuity, the same shall be valued as an Annuity for Ninety-five Years only.

CAP. LII.

An Act to extend the Time for constructing a new Street from *Spitalfields* to *Shoreditch*, and to amend the Acts relating thereto. [4th *August* 1853.]

'WHEREAS by the Thirty-fourth Chapter of the Statutes made in the Ninth and Tenth Years of Her present Majesty, certain Powers were vested in the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to enable them to construct a new Street from *Spitalfields* to *Shoreditch* in the County of *Middlesex*, and by the said Act the said Commissioners were authorized to purchase and take certain Hereditaments in the Schedule to the said Act mentioned: And whereas the Powers of the said Act were enlarged by another Act, being Chapter One hundred and nine of the Statutes passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty: And whereas under and by virtue of the Provisions of the Forty-second Chapter of the Statutes made in the Session of Parliament held in the Fourteenth and Fifteenth Years of Her said Majesty, the Commissioners of Her Majesty's Works and Public Buildings are now substituted for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Purposes of the said recited Acts: And whereas the Hereditaments mentioned in the Schedule to this Act are Part of the Hereditaments which by the said Two first-recited Acts were authorized to be purchased for the Purpose of such new Street, but which have not yet been purchased; and it is expedient that the Time for purchasing or taking the same should be extended, and that the Commissioners of Her Majesty's Works and Public Buildings should have such further Powers as are after

9 & 10 Vict. c. 34.

13 & 14 Vict. c. 109.

14 & 15 Vict. c. 42.

'after mentioned:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to purchase Hereditaments mentioned in the Schedule.

I. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of the said Two first-recited Acts and this Act, to purchase and take all such of the Hereditaments comprised in the Schedule to this Act, or any Estate or Interest therein as in their Opinion may be necessary for making the said Street and otherwise carrying into effect the Provisions of the said Two first-recited Acts; and such Hereditaments may be purchased out of such Funds and in all respects as by the said Two first-recited Acts is provided, so that no such Purchase shall be made after the Period of Three Years to be computed from the First Day of *July* One thousand eight hundred and fifty-three; and all and singular the Powers and Authorities by the said Two first-recited Acts granted to or vested in the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and their Successors, to purchase, take, and use any Hereditaments or Parts thereof or Rights or Interests therein required for the Purposes of the said last-mentioned Acts, and the new Street and Improvements thereby authorized to be made, and also the Powers for enabling Persons and Bodies to sell and convey, shall remain in force and be exercised by the Commissioners of Her Majesty's Works and Public Buildings for the Time being for the Purposes of this Act.

Commissioners empowered to sell or mortgage the Hereditaments purchased under the Two first-recited Acts and this Act.

II. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings to sell or mortgage the whole or any Part of the Hereditaments which have been purchased or acquired under the Powers of the said Two first-recited Acts or which may be purchased or acquired under this Act; and further that any Purchases of the said Hereditaments may be made out of any Monies in the Hands of the said Commissioners of Her Majesty's Works and Public Buildings applicable to the Purposes of the said Two first-recited Acts; and also that any Monies borrowed on Mortgage under the aforesaid Powers in that Behalf shall be applied for the Purposes of the said Two first-recited Acts at the sole Discretion of the said Commissioners, and any Monies borrowed on Mortgage may be paid off out of the Monies for the Time being at the Disposal of the said Commissioners for the Purposes aforesaid.

Street to be made according to a Plan agreed upon.

III. 'And whereas a Plan showing the Line of the said Street as proposed to be made adjoining to the 'Station of the *Eastern Counties* Railway Company has been signed by the Chairman of the Committee 'of the House of Commons to whom this Act when a Bill was referred:' Be it therefore enacted, That nothing in this or the recited Acts contained shall authorize the said Commissioners to make the said Street otherwise than according to the said last-mentioned Plan, or to take any of the Lands belonging to the *Eastern Counties* Railway Company except such as are shown on the said Plan and marked with the Letter A. as intended to be taken for the Purposes of the said Street, and the said Commissioners shall and they are hereby required to convey to the said Company, free of Expense, the Lands shown on the said Plan and marked with the Letter B. as proposed to be thrown into the Yard or Approach to the Station of the said Company, and which last-mentioned Land shall be given in exchange and as an Equivalent for the Land of the said Company which on the said Plan is shown as intended to form Part of the said Street, and which last-mentioned Land shall be conveyed to the Commissioners, free of Expense, by the said Company.

Plan to be deposited.

IV. That the said last-mentioned Plan shall be deposited and remain at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and the Map or Plan so deposited at the Office of the said Commissioners shall remain at the said Office to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Receipts of Commissioners.

V. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings, or any Two of them, or the Chief Commissioner for the Time being, to give sufficient Discharges for any Monies payable to them under or by virtue of this Act, or the said Two first-recited Acts.

Short Title.

VI. It shall be sufficient for all Purposes to cite this Act as the "*Spitalfields and Shoreditch* New Street Act, 1853."

The SCHEDULE to which this Act refers.

THE PARISH OF CHRISTCHURCH, SPITALFIELDS, IN THE COUNTY OF MIDDLESEX.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Red Lion Street.		
28 & 1 East Street.	Dwelling House, Shop, and Yard.	- - -	- -	James Wing.
29	Dwelling House, Shop, and Yard.	- - -	- - - John Sperling.	Joseph Proudman.
30	Dwelling House, Shop, and Yard.	Sir Isaac Lyon Goldsmid, Charles Heaton Ellis, Sir James Sibbald, David Scott, Montague David Scott, and William James Maxwell, Trustees of the Will of the late Sir David Scott.	- - -	Isaac Lake, jun.
31	Dwelling House, Shop, and Yard.		- - -	Robert John Stainton.
32	Dwelling House, Shop, and Yard.		John Sperling - The Commissioners of Her Majesty's Works.	The Commissioners of Her Majesty's Works.
33	Dwelling House, Shop, and Yard.		- - -	John Law.
34	Dwelling House, Shop, and Yard.	- - -	John Sperling.	Louisa Newton.
35 & 19 Lamb Street.	Dwelling House, Shop, and Yard.	- - -	- - -	John Cook. John Witchalls.
		Brown's Lane.		
1	Dwelling House, Shop, and Yard.	Sarah Jones, Eliza Jones (Executors of Evan Jones), Eliza Jones, Charles Jones, Mary Jones, Louisa Jones, —— Jones, and Charles Jones.	The Commissioners of Her Majesty's Works.	The Commissioners of Her Majesty's Works.
		White Lion Street.		
21	Gateway, Yard, Counting House, Brewery, Stables, &c.	Samuel Betteley -	The Commissioners of Her Majesty's Works.	The Commissioners of Her Majesty's Works.
		Fleur-de-lis Court.		
14 and 15	Dwelling House, Back Premises, Gateway Entrance to Maidenhead Court.	The Commissioners of Her Majesty's Works.	Henry Parry and Morris Parry.	Henry Parry and Morris Parry.
		Maidenhead Court.		
5 6 7	Dwelling Houses with small Back Yards.	The Commissioners of Her Majesty's Works.	Henry Parry and Morris Parry.	Henry Parry and Morris Parry and their weekly Tenants.
8 9 10 11	Dwelling Houses partly taken down.		James Soames and Louis Soames.	James Soames and Louis Soames.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Wheler Street.		
67	Dwelling House and Yard.	- - -	Elizabeth Oliver, Executrix of David Oliver.	George Fleming.
65½	Dwelling House and Yard.	- - -	Elizabeth Oliver, Executrix of David Oliver.	Stephen Lishman.
65	Soap Manufactory, Counting House, Stabling, &c.	The Commissioners of Her Majesty's Works.	James Soames and Louis Soames.	James Soames and Louis Soames.
64	Dwelling House, Yard, &c.	- - -	William John Rickaby Kiddle, Charlotte Elizabeth Witherfield, Arthur Witherfield.	William John Rickaby Kiddle, Charlotte Elizabeth Witherfield, Arthur Witherfield, and their weekly Tenants.
63	Dwelling House, Yard, &c.	- - -	William John Rickaby Kiddle, Charlotte Elizabeth Witherfield, Arthur Witherfield.	William John Rickaby Kiddle, Charlotte Elizabeth Witherfield, Arthur Witherfield, and their weekly Tenants.
	Public Street -	The Commissioners of Paving, &c. for the Parish of Christ Church, Middlesex.		

THE PARISH OF SAINT LEONARD, SHOREDITCH, IN THE COUNTY OF MIDDLESEX.

		Marshall's Buildings.		
1	Dwelling House and Yard.	- - -	- - -	Benjamin Butcher.
2	Dwelling House and Yard.	- - -	- - -	Richard Prescot.
3	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Mary Smith.
4	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Joseph Taylor.
5	Dwelling House and Yard.	- - -	- - -	Thomas Goodwin.
6	Dwelling House and Yard.	- - -	- - -	William Baily.
		Saint Leonard's Place.		
1	Dwelling House and Yard.	- - -	- - -	David Stibbe.
2	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	James Steward.
3	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Charles Roberts.
4	Dwelling House and Yard.	- - -	- - -	Empty.
		Saint John's Place.		
1	Dwelling House and Yard.	- - -	- - -	Robert Hoare.
2	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	William Rayner.
3	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Charles Harding.
4	Dwelling House and Yard.	- - -	- - -	John Wright.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Saint James's Place.			
1	Dwelling House and Yard.	- - -	- - -	Martha Taylor.
2	Dwelling House and Yard.	The Eastern Counties Railway Company, James Briggs Clark.	- - -	Sarah Edwards.
3	Dwelling House and Yard.		- - -	George Myers.
4	Dwelling House and Yard.	- - -	- - -	Richard Hughes.
	Elder Street.			
	Manufactory, Warehouses, Counting-house, Yards, Sheds, Stables, &c. -	The Eastern Counties Railway Company, James Briggs Clark.	Charles Frederick Powell and Miss Elizabeth Ann Powell.	Sophia Hatton.
	Garden - -	- - -	Sophia Hatton -	John Doggett.
	Dwelling House and Premises, Stone Yard, &c.	- - -	Samuel Rutty -	Samuel Rutty.
	Piece of Ground, now Continuation of Street.	The Eastern Counties Railway Company, James Briggs Clark.	Charles Frederick Powell and Miss Elizabeth Ann Powell, Sophia Hatton.	James Briggs Clark, Charles Frederick Powell, and Miss Elizabeth Ann Powell, Sophia Hatton, Samuel Rutty, and their weekly Tenants.
	Piece of Ground, now Continuation of Street.	The Commissioners of Her Majesty's Works.	James Briggs Clark	
	Shoreditch High Street.			
31	Dwelling House, Shop, and Back Premises.	- - -	John Hopkins -	John Hopkins, Thomas Hopkins.
32 and 33	Dwelling House, Shop, and Back Yard.	- - -	George Greenwood, Thomas Greenwood.	George Greenwood, Thomas Greenwood.
34	Dwelling House, Shop, and Back Yard.	Mary Gordon, Elizabeth Sophia Rae, Thomas Francis Crosse.	James Richard Hancorn.	James Richard Hancorn.
35	Dwelling House, Shop, and Yard ("Unicorn" Public House).	- - -	Messrs. Truman, Hanbury, Buxton, and Company, Joseph Moore Palmer.	Joseph Moore Palmer.
36	Dwelling House, Shop, and Back Yard.	- - -	John Doggett -	John Doggett.
	Part of Court Yard of the Eastern Counties Railway Station and Railing and Gates.	- - -	- - -	The Eastern Counties Railway Company.
	Cab Office - -	The Eastern Counties Railway Company.	- - -	Henry Burgess Roff.
	Coal and Coke Office		- - -	Gilbert Alder.
	Slip of Ground adjoining No. 36, Shoreditch High Street.	- - -	- - -	The Eastern Counties Railway Company.
	Public Street -	The Commissioners of Paving for the Parish of Saint Leonard, Shoreditch.		

CAP. LIII.

An Act to amend the Laws relating to Bankruptcy in *Scotland*. [4th *August* 1853.]

2 & 3 Vict. c. 41.

'WHEREAS an Act was passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for regulating the Sequestration of the Estates of Bankrupts in* Scotland; and it is expedient that the said Act be in some respects altered and amended, and that further Provision be made for the due Management and more speedy Distribution of the Estates of Bankrupts under Sequestration in *Scotland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interim Factor to be named by the Lord Ordinary, and to take immediate Possession of Bankrupt's Estate.

I. The Interim Factor, in place of being elected, as at present, shall be appointed by the Lord Ordinary by whom Sequestration shall be awarded, or by the Sheriff of the County, upon a Remit to that Effect by the Lord Ordinary; and such Interim Factor shall as soon as may be after his Appointment take possession of the Bankrupt's Estate and Effects, and of his Title Deeds, Books, Bills, Vouchers, and other Papers and Documents, and also make up an Inventory of such Estate and Effects, and a Valuation showing the estimated Value and the annual Rental or Revenue thereof; and every such Interim Factor shall find Caution for his Intromissions to such Amount as the Lord Ordinary, or the Sheriff, where such Factor shall be appointed by the Sheriff, shall fix; and on such Caution being so found and received such Interim Factor shall be entitled to act, and a certified Copy of the Interlocutor containing his Appointment shall be equivalent to a formal Extract thereof; and such Interim Factor shall be entitled to make such Arrangements for the carrying on of the Trade of the Bankrupt as he may think beneficial for the Estate.

Deliverance awarding Sequestration to appoint Meeting to elect Trustee.

II. The Deliverance awarding Sequestration shall appoint a Meeting of the Creditors, to be held at a specified Hour on a specified Day, being not earlier than Twelve nor later than Twenty-one Days from the Date of such Deliverance, to elect a Trustee or Trustees in succession, and Commissioners, and to do the other Acts provided by the said recited Act to be done at the Meeting for electing a Trustee.

Not to be imperative on Lord Ordinary to grant personal Protection.

III. It shall not be imperative upon the Lord Ordinary, when awarding Sequestration, to grant to the Debtor or Partners of the Company against whom or which Sequestration is awarded a Warrant of Protection against Arrest or Imprisonment for Civil Debt until the Meeting of the Creditors for the Election of Trustee, but the Lord Ordinary may, while awarding Sequestration, refuse to grant such Warrant of Protection; and every such Warrant of Protection which may be granted in any Sequestration that shall not be advertised in the *London* and *Edinburgh* Gazettes in Terms of the said recited Act within One Week after the Date of such Sequestration shall be ineffectual, and incapable of being pleaded in Bar of personal Diligence: Provided always, that, notwithstanding the Lord Ordinary shall refuse to grant Interim Warrant of Protection as aforesaid, it shall be competent to the Creditors, on the Occasion of their Meeting to elect a Trustee, or at the Meeting after the Examination of the Bankrupt, or at any Meeting called for the Purpose of receiving an Offer of Composition, to resolve that personal Protection ought to be granted to the Bankrupt for such Time as they may think fit, and the Trustee shall thereupon apply to the Sheriff, who shall grant the Protection.

Deliverance of Sheriff as to the Election of Trustee, final.

IV. The Deliverance of the Sheriff or Sheriff Substitute, declaring the Person or Persons elected to be Trustee or Trustees in succession, shall be final, and in no Case subject to Review in any Court or in any Manner whatever.

Trustee to send Circular to Creditors.

V. It shall be the Duty of the Trustee, immediately after the Examination of the Bankrupt, to notify, by circular Letter transmitted through the Post Office to every Creditor mentioned in the State of Affairs which by the said recited Act is directed to be made up by the Bankrupt, the Period within which Claims should be lodged.

Certain Provisions repealed.

VI. All Provisions of the said recited Act requiring any Creditor to specify separately in his Oath or Claim for his Debt the Amount of any Interest due thereon, or of any Interest deducted therefrom, or to specify any accumulated Sum of Principal and Interest, are hereby repealed.

Errors in framing Oath and Claim may be corrected.

VII. Where it shall appear to the Sheriff or to the Trustee that the Oath and Claim of any Person, produced with a view to voting or to ranking and drawing a Dividend on the Sequestration, is not framed in the Manner required by the said recited Act, the Sheriff or the Trustee, as the Case may be, shall call upon such Person, or his Procurator or Mandatory, to rectify his Oath and Claim, pointing out to him wherein it is defective; and unless such Person shall thereupon make such Alteration upon his Oath and Claim as may be necessary in order to rectify the same, the Sheriff or Trustee, as the Case may be, shall disallow or reject such Oath and Claim: Provided always, that where the Failure to comply with the Provisions of the said recited Act shall appear to have been made for some improper or fraudulent Purpose, or where Injury can be qualified by the other Creditors or any of them in respect thereof, it shall not be incumbent upon the Sheriff or Trustee to give such Person an Opportunity to rectify his Oath and Claim as aforesaid.

Time for Examination of Bankrupt, and for Meeting of Creditors.

VIII. The Day to be fixed by the Sheriff for the Examination of the Bankrupt shall be not sooner than Seven Days nor later than Fourteen Days from the Date of the Sheriff's Warrant for such Examination; and the Meeting of Creditors appointed by the said recited Act to be held after the Examination of the Bankrupt shall be held on a Day not sooner than Seven Days nor later than Fourteen Days from the Day appointed for such Examination.

IX. Where-

IX. Wherever it is by the said recited Act or by this Act directed that a Meeting of Creditors shall or may be called or held, a Notice of the Day, Hour, Place, and Purpose of the Meeting shall be advertised in the *Edinburgh Gazette* Seven Days at least before the Day of the Meeting, in place of Fourteen Days, as at present; and such Meeting may be adjourned till the following Day. Notice on which Meetings may be called, shortened.

X. In place of the Times appointed by the said recited Act for Payment of Dividends, the Periods for Payment of Dividends shall be as follows; that is to say, where there are sufficient Funds realized, the First Dividend shall be payable on the First lawful Day after the Expiration of Six Months from the Date of Sequestration, and a Dividend shall always be payable on the First lawful Day after the Expiration of Three Months from the Date of the Payment of the immediately preceding Dividend, until the whole Funds of the Bankrupt be distributed, subject always to the Provisions in the said recited Act and in this Act contained: Provided always, that after the Second Dividend is made, a Majority of the Creditors, at any General Meeting called for the Purpose, may determine that future Dividends shall be made after shorter Intervals, and the Affairs of the Estate brought to a more speedy Close; and even before the Period assigned for the First Dividend as aforesaid, it shall be competent to Three Fourths in Number and Value of the Creditors present at the Meeting after the Bankrupt's Examination, or at any after Meeting called for the Purpose, to direct the Trustee to apply to the Lord Ordinary or the Sheriff for Authority to make the First Dividend at an earlier Period than the Expiration of Six Months from the Date of the Sequestration, but not earlier than Four Months from such Date, if upon Cause shown it shall be found expedient so to do, and also to accelerate the Time for making the Second and other Dividends; and where the Lord Ordinary or the Sheriff shall, upon such Application, accelerate the First or any subsequent Dividend, he shall also make the requisite Provision for the Acceleration of any other Matters which he may find it necessary to accelerate in consequence thereof. Provision for Payment and Acceleration of Dividends.

XI. To entitle any Creditor to Payment of the First Dividend, he shall produce, as directed by the said first-recited Act, his Oath and Grounds of Debt at least Two Months before the Time fixed for Payment of the First Dividend where such Time of Payment shall not have been accelerated, or One Month before the Time fixed for Payment of the First Dividend where such Time shall have been accelerated; and to entitle any Creditor to Payment of any of the subsequent Dividends, he shall produce, as aforesaid, his Oath and Grounds of Debt at least One Month before the Time fixed for Payment of the Dividend which he means to claim. Time for lodging Oaths and Grounds of Debt in order to Dividend.

XII. The State of the whole Estate of the Bankrupt, of the Funds recovered and outstanding, and of the Trustee's Intromissions and Management, directed by the said recited Act to be made up, shall be so made up immediately on the Expiration of Four Months from the Date of the Sequestration, in place of Six Months, as at present; and all Things directed by the said recited Act to be done by the Trustee, or Commissioners, or any other Person, within Fourteen Days after the Expiration of the said Six Months from the Date of the Sequestration, or within any Period calculated from the Expiration of the said Fourteen Days, shall be done within Fourteen Days after the Expiration of the said Four Months from the Date of the Sequestration, and within the like Period calculated from the Expiration of the said last-mentioned Fourteen Days respectively; and the Notice which by the said recited Act is directed to be given in the *Edinburgh Gazette* published next after the Expiration of the said first-mentioned Fourteen Days shall in lieu thereof be given in the *Edinburgh Gazette* published next after the Expiration of the said last-mentioned Fourteen Days. Time for making up State of Bankrupt's Affairs, and of the Trustee's Intromissions, &c.

XIII. The Scheme of Division directed by the said recited Act to be made up by the Trustee before the Expiration of Eight Months from the Date of the Sequestration shall be made up before the Expiration of Six Months from the said Date, and the State directed by the said recited Act to be made up by the Trustee on the Expiration of Ten Months from the Date of the Sequestration shall be made up on the Expiration of Seven Months from the said Date; and the Trustee shall, within Fourteen Days after the Expiration of the said Seven Months, exhibit the said State to the Commissioners, and thereupon such Procedure shall take place with reference to the said State, and to the Second Dividend, as is provided by the said recited Act. Time for making up Scheme of Division by the Trustee, and State of Affairs, &c., in order to Second Dividend.

XIV. The like Procedure shall be followed out as to subsequent Dividends at similar Intervals of Time thereafter, in order that a Dividend may be made on the First lawful Day after the Expiration of every Three Months from the Day of the Payment of the immediately preceding Dividend, until the whole Funds of the Bankrupt shall be divided. Like Procedure to be followed on Occasion of subsequent Dividends.

XV. Where any Creditor not resident within *Great Britain* or *Ireland* at the Date of the Deliverance awarding Sequestration, or at any Time within Four Months thereafter, shall lodge his Oath and Grounds of Debt Fourteen Days previous to any Time fixed for Payment of a Dividend, though not in Time to entitle such Creditor to participate in such Dividend, the Trustee shall make such Deduction from the divisible Fund as shall be equal to the Dividend which would have been payable to such Foreign Creditor had his Oath and Grounds of Debt been timeously lodged and his Claim been sustained; and the Sum so deducted shall form Part of the Fund for Division on the Occasion of Payment of the next Dividend. Where Foreign Creditor lodges Oath and Grounds of Debt at any Time previous to a Dividend, Fund to be laid aside.

XVI. The Bankrupt may, on the Expiration of Six Months from the Date of the Sequestration, in place of Eight Months, as at present, present a Petition to the Lord Ordinary or the Sheriff, to be finally discharged of all Debts contracted by him before the Date of the Sequestration, provided a Majority in Number and Four Fifths in Value of the Creditors who have produced Oaths concur in the Petition; and the Bankrupt may also present such Petition on the Expiration of Twelve Months from the Date of the Sequestration, provided a Majority in Number and Two Thirds in Value of the said Creditors concur in the Petition; and the Bankrupt may also present such Petition on the Expiration of Eighteen Months from Proceedings in Petition for Bankrupt's Discharge.

from the Date of the Sequestration, provided a Majority in Number and Value of the said Creditors concur in the Petition; and the Bankrupt may also present such Petition on the Expiration of Two Years from the Date of the Sequestration, without any Consents of Creditors; and the Lord Ordinary or the Sheriff, as the Case may be, shall, in each of the Cases aforesaid, order the Petition to be intimated in the *Edinburgh Gazette;* and if, at the Distance of not less than Twenty-one Days from the Publication of such Intimation, and on Evidence being produced of Concurrence as aforesaid, there be no Appearance to oppose the same, the Lord Ordinary or the Sheriff, as the Case may be, shall pronounce a Deliverance finding the Bankrupt entitled to a Discharge; but if Appearance be made by any of the Creditors, or by the Trustee, the Lord Ordinary or the Sheriff, as the Case may be, shall judge of any Objections against granting the Discharge, and shall either find the Bankrupt entitled to his Discharge, or refuse the Discharge, or defer the Consideration of the same for such Period as he may think proper, and may annex such Conditions thereto as the Justice of the Case may require: Provided always, that it shall not be competent for the Bankrupt to present a Petition for his Discharge, or to obtain any Consent of any Creditor to such Discharge, until the Trustee shall have prepared a Report with regard to the Conduct of the Bankrupt, and as to how far he has complied with the Provisions of the Statute, and in particular whether the Bankrupt has made a fair Discovery and Surrender of his Estate, and whether he has attended the Diets of Examination, and whether he has been guilty of any Collusion, and whether his Bankruptcy has arisen from innocent Misfortunes or Losses in Business, or from culpable or undue Conduct; and such Report shall be prepared by the Trustee, upon the Requisition of the Bankrupt, at any Time after the Expiration of Five Months from the Date of the Sequestration; and such Report shall be produced in the Proceedings for the Bankrupt's Discharge, and shall be referred to by its Date or by other distinct Reference in any Consent to his Discharge.

Accounts for Law Business under Sequestration to be taxed.

XVII. All Accounts for Law Business incurred by the Trustee shall, before Payment thereof by the Trustee, be submitted for Taxation to the Auditor of the Court of Session, or to the Auditor of the Sheriff Court of the County in which the Bankrupt carried on his Business, as may be directed by a General Meeting of the Creditors.

Interpretation Clause.

XVIII. All Words and Expressions used in the said recited Act and in this Act shall, in construing this Act, be held to include the Meanings which they respectively include when used in the said recited Act.

CAP. LIV.

An Act to alter certain Duties of Customs. [4th *August* 1853.]

'WHEREAS it is expedient to alter the Duties of Customs imposed by any Act or Acts in force relating to the Customs upon the several Articles herein mentioned, and to allow certain Articles to be imported into the United Kingdom without Payment of Duty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Duties now chargeable on under-mentioned Articles to cease, and following Duties to be charged.

I. The Duties of Customs now chargeable on the Articles under mentioned imported into *Scotland* and *Ireland* shall cease and determine, and in lieu thereof the following Duties shall be charged from and after the Twenty-first Day of *April* One thousand eight hundred and fifty-three; viz.

	£	s.	d.
Spirits or Strong Waters, for every Gallon of such Spirits or Strong Waters, of any Strength not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz.			
——— Spirits or Strong Waters, the Produce of any British Possession in America, not being sweetened Spirits or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer:			
If imported into Scotland - - - - - - the Gallon	0	5	0
——— Ireland - - - - - - the Gallon	0	3	8
——— Rum, the Produce of any British Possession within the Limits of the East India Company's Charter, not being sweetened Spirits or Spirits so mixed as aforesaid, in regard to which the Conditions of the Act, 4 Victoria, Chapter 8, have or shall have been fulfilled:			
If imported into Scotland - - - - the Gallon	0	5	0
——— Ireland - - - - - the Gallon	0	3	8
——— Rum Shrub, however sweetened, the Produce of and imported from such Possessions, in regard to which the Conditions of the Act, Fourth Victoria, Chapter Eight, have or shall have been fulfilled, or the Produce of and imported from any British Possession in America:			
If imported into Scotland - - - - - the Gallon	0	5	0
——— Ireland - - - - - - the Gallon	0	3	8

Duties chargeable on Goods, &c. hereafter mentioned imported into United Kingdom to cease on June 1, 1853.

II. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise hereafter mentioned imported into the United Kingdom shall cease and determine on and after the First Day of *June* One thousand eight hundred and fifty-three; viz.

Agates or Cornelians, cut or manufactured.
Albumen.
Amber, Manufactures of, not enumerated.

Anchovies.

Anchovies.
Aquafortis.
Bandstring Twist.
Barytes, Sulphate of, ground.
Bast Ropes, Twines, and Strands.
Blacking.
Books, being of Editions printed prior to the Year 1801, bound or unbound.
Bran.
Brass, Powder of.
Bricks and Clinkers, Dutch and other Sorts.
Bronze Powder.
Brushes, Paint.
Buttons of Metal, and other Sorts.
Cameos, not set.
Camphor, refined.
Cantharides.
Carmine.
Carriages of all Sorts.
Casks, empty.
Catlings.
Chalk, prepared or manufactured, and not otherwise enumerated.
Cider.
Citron, preserved in Salt.
Cobalt, Oxide of.
Corks, Fishermen's.
Crayons.
Crystal, cut or manufactured.
Cucumbers preserved in Salt.
Elder Flower Water
Extract of Chesnut Bark and Wood.
Quercitron Bark.
Logwood.
Safflower.
Fish, viz.
Eels.
Turbots.
of Foreign taking.
Oysters.
Salmon.
Soles.
Turtle.
fresh, not otherwise enumerated.
cured, not otherwise enumerated.
Frames for Pictures, Prints, Drawings, or Mirrors.
Furniture Woods, excepting Ash, Beech, Birch, Elm, Oak, Wainscot.
Gauze of Thread.
Gold, Leaves of.
Gunpowder.
Hair, Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material not particularly enumerated or otherwise charged with Duty.
Hams of all Kinds.
Harp Strings or Lute Strings, silvered.
Honey.
Ink, Indian.
Iron Wire.
Rough Castings.
Isinglass.
Latten Wire.
Mead or Metheglin.
Meat, preserved in any other Manner than salted.
Mercury, prepared.
Metal, Leaf Metal.
Naptha.
Oil of Rosin.
Olives.
Orange Flower Water.
Orsedew.

Painters Colours, manufactured.
Pencils, of Slate and not of Slate.
Perry.
Phosphorus.
Pickles, and Vegetables preserved in Salt.
Pollard.
Pomegranates.
Pots, viz.
Melting Pots for Goldsmiths.
of Stone.
Rose Water.
Saccharum Saturni.
Sausages or Puddings.
Seed, viz.
Canary.
Carrot.
Clover.
Grass of all Sorts.
Leek.
Lucern.
Mustard.
Onion.
Trefoil.
All other Sorts, not particularly enumerated or otherwise charged with Duty.
Silkworm Gut.
Skins. Articles manufactured of Skins or Furs.
Smalts.
Spectacles.
Spelter or Zinc; viz.
Rods and Oxide of.
Stone and Slate, hewn.
Marble, sawn into Slabs, or otherwise manufactured.
Tamarinds.
Tiles.
Tobacco Pipes of Clay.
Tongues.
Turpentine, of a greater Value than 15*s.* per Cwt.
Oil or Spirit of.
Twine.
Vanelloes.
Varnish, not otherwise described.
Verdigris.
Wafers.
Wax, Sealing.
Whipcord.
Waste Wood, viz.
Billet Wood or Brush Wood, used for the Purpose of Stowage.
Yarn of Silk and Worsted, spun together and not dyed.
Raw Worsted Yarn not dyed, or only partially dyed, and not being fit or proper for embroidering, or other fancy Purposes.

Duties to be charged on Tea, on and after June 1, 1853.

III. In lieu of the Duties of Customs now chargeable on Tea imported into the United Kingdom, the following Duties shall be charged on and after the First Day of *June* One thousand eight hundred and fifty-three:

To 5th April 1854 inclusive.	From and after 5th April 1854 to 5th April 1855 inclusive.	From and after 5th April 1855 to 5th April 1856 inclusive.	From and after 5th April 1856.
£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
0 1 10	0 1 6	0 1 3	0 1 0
per Pound.	the Pound.	per Pound.	per Pound.

Duties on Goods, &c. hereafter mentioned to cease on and after June 4, 1853.

IV. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise hereafter mentioned imported into the United Kingdom, shall cease and determine on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.
Cables, not of iron, new and old, tarred and untarred.
Coir Rope, Twine, and Strands.

Copper,

Copper, Ore of.
Regulus of.
and Brass, old, fit only to be re-manufactured.
unwrought, viz. in Bricks or Pigs, Rose Copper, and all Cast Copper.
Part wrought, viz. Bars, Rods, or Ingots, hammered or raised.
in Plates, and Copper Coin.
or Brass Wire.
Cordage, tarred or untarred, including standing or running Rigging.
Glass: all Plate Glass, cast or rolled, of whatever Thickness, however small each Pane, Plate, or Sheet, whether silvered, polished, or rough.
painted or otherwise ornamented.
all White Flint Glass Bottles, not cut, engraved, or otherwise ornamented, and Beads and Bugles of Glass.
Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented.
Bottles of Glass covered with Wicker (not being Cut Glass), or of Green or common Glass.
Articles of Green or common Glass.
Manufactures, not otherwise enumerated or described, and old broken Glass, fit only to be re-manufactured.
Lead, Pig and Sheet.
Linen, or Linen and Cotton, viz.
Cambrics and Lawns, commonly called French Lawns, whether plain or bordered.
Lawns of any Sort, not French.
Damasks and Damask Diaper.
Sails of all Sorts.
Mats and Matting.
Pictures.
Poultry and Game, alive or dead.
Tin, viz.
in Blocks, Ingots, Bars, or Slabs.
Truffles.
Verjuice.
Wire, viz.
Gilt, plated, Silver and Brass.
Yarn, Cable Yarn.

In lieu of Duties now charged on Articles under mentioned, the following to be charged on and after June 4, 1853.

V. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kindom, the following Duties shall be charged on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

		£	s.	d.
Apples, raw (not of British Possessions)	the Bushel	0	0	3
——— dried	the Bushel	0	1	0
Butter (not of British Possessions)	the Cwt.	0	5	0
Cheese (not of British Possessions) to be charged on the landing Weight	the Cwt.	0	2	6
Cocoa	the lb.	0	0	1
——— Husks and Shells	the lb.	0	0	0½
——— Paste and Chocolate	the lb.	0	0	2
Nuts, small	the Bushel	0	1	0
——— Walnuts	the Bushel	0	1	0
Raisins	the Cwt.	0	10	0
Almonds, Jordan	the Cwt.	0	10	0
——— not Jordan, nor bitter	the Cwt.	0	10	0
——— Paste of	the lb.	0	0	2
Arrow Root	the Cwt.	0	0	4½
Barley, pearled	the Cwt.	0	0	4½
Baskets, viz.				
——— Baskets corresponding with the Description commonly called Berlin	the Cubic Foot	0	0	7
——— all others	the Cubic Foot	0	0	2
Beads, Coral	the lb.	0	1	6
——— Arango, Crystal, Jet, and other Sorts not enumerated or described	the lb.	0	0	2
Brass, Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Brocade of Gold or Silver	the lb.	0	5	0
Bronze, Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Candles, viz.				
——— Spermaceti	the Cwt.	0	2	4
——— Stearine, till the 5th of April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case this Duty shall be reduced to the same Rate as Tallow Candles	the Cwt.	0	3	6

		£	s.	d.
Candles—*continued.*				
—— Tallow	the Cwt.	0	2	4
—— Wax	the Cwt.	0	2	4
Canes, viz.				
—— Walking Canes or Sticks, mounted, painted, or otherwise ornamented,	the 100	0	6	0
—— Umbrella or Parasol Sticks	the 100	0	3	0
Capers, including the Pickle	the lb.	0	0	1½
Cards, viz., Playing Cards	the Dozen Packs	0	15	0
Cassava Powder	the Cwt.	0	0	4½
Cassia Lignea	the lb.	0	0	1
Chicory, or other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz.				
—— raw or Kiln-dried, until 10th October 1854 inclusive	the Cwt.	0	4	0
from and after 10th October 1854		Free.		
—— roasted or ground	the lb.	0	0	4
China Ware, or Porcelain, painted or plain, gilt or ornamented	the Cwt.	0	10	0
Cinnamon	the lb.	0	0	2
Clocks, viz.				
—— not exceeding the Value of 5*s.* each	the Dozen	0	4	0
—— exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each,	the Dozen	0	8	0
—— exceeding the Value of 12*s.* 6*d.* and not exceeding the Value of 3*l.* each,	each	0	2	0
—— exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each	each	0	4	0
—— exceeding the Value of 10*l.* each	each	0	10	0
Cloves	the lb.	0	0	2
Coculus Indicus	the Cwt.	0	5	0
Coffee, roasted or ground	the lb.	0	0	4
Comfits, dry, until 5th July 1854 inclusive	the lb.	0	0	2
—— from and after 5th July 1854	the lb.	0	0	1½
Confectionery, until 5th July 1854 inclusive	the lb.	0	0	2
—— from and after 5th July 1854	the lb.	0	0	1½
Copper, Manufactures of, not otherwise enumerated or described, and Copper Plates, engraved	the Cwt.	0	10	0
Corks, ready made	the lb.	0	0	6
—— squared for rounding	the Cwt.	0	8	0
Dates	the Cwt.	0	10	0
Dice	the Pair	1	1	0
Earthenware, not otherwise enumerated or described	the Cwt.	0	10	0
Feathers, dressed, viz.				
—— Ostrich	the lb.	0	3	0
—— Paddy Bird	the lb.	0	3	0
—— not otherwise enumerated or described	the lb.	0	3	0
Flowers, Artificial, not made of Silk, per Cubic Foot as packed, no Allowance for vacant Spaces	the Cubic Foot	0	12	0
—— wholly or in part made of Silk	the Cubic Foot	0	12	0
Fruit, raw, not otherwise enumerated	the Bushel	0	0	2
Ginger, preserved, until 5th July 1854 inclusive	the lb.	0	0	2
—— from and after 5th July 1854	the lb.	0	0	1½
Glass, viz.				
—— any Kind of Window Glass, White or stained of One Colour only, (except Plate or Rolled Glass,) and Shades and Cylinders, until the 5th April 1855 inclusive	the Cwt.	0	2	6
—— from and after 5th April 1855 until 5th April 1857 inclusive	the Cwt.	0	1	6
—— from and after 5th April 1857	Free.			
—— all Flint Cut Glass, Flint coloured Glass, and fancy ornamental Glass, of whatever Kind	the Cwt.	0	10	0
Grapes	the Bushel	0	0	2
Hair Articles; Manufactures of Hair or Goats Wool, or of Hair or Goats Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty	for every 100*l.* Value	5	0	0
Hats or Bonnets, viz.				
—— of Chip	the lb.	0	2	6
—— of Bast, Cane, or Horse-hair	the lb.	0	2	6
—— of Straw	the lb.	0	2	6
—— of Felt, Hair, Wool, or Beaver	each	0	1	0
Hats of Silk or Silk Shag laid upon Felt, Linen, or other Material	each	0	1	0
Iron and Steel, wrought or manufactured, viz.				
—— Machinery, wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel not enumerated	the Cwt.	0	2	6

		£	s.	d.
Iron and Steel, wrought or manufactured—*continued.*				
——— fancy ornamental Articles of Iron	the Cwt.	0	15	0
——— of Steel	the Cwt.	0	15	0
Jewels, Emeralds, and all other precious Stones, set	for every 100*l.* Value	10	0	0
Lead, Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Leather, viz., Boot Backs	the Dozen Pairs	0	1	6
——— cut into Shapes	the Cwt.	0	10	0
Liquorice Paste (not of British Possessions)	the Cwt.	1	0	0
——— Powder (not of British Possessions)	the Cwt.	1	0	0
——— Root, until 5th April 1857 inclusive	the Cwt.	0	5	0
——— from and after 5th April 1857		Free.		
Maccaroni	the Cwt.	0	1	0
Mace	the lb.	0	1	0
Marmalade, until 5th July 1854 inclusive	the lb.	0	0	2
——— from and after 5th July 1854	the lb.	0	0	1½
Medlars	the Bushel	0	0	2
Musical Instruments, viz.				
——— Musical Boxes, small, not exceeding Four Inches in Length	the Air	0	0	3
——— ——— large	the Air	0	0	8
——— ——— Overtures, or extra Accompaniments	the Air	0	2	6
——— Piano Fortes, horizontal grand	each	3	0	0
——— ——— upright or square	each	2	0	0
——— Harmoniums or Seraphines, not exceeding Three Stops	each	0	12	0
——— ——— Four Stops, and not exceeding Seven Stops	each	1	4	0
——— ——— Eight Stops, and not exceeding Eleven Stops,	each	1	10	0
——— ——— exceeding Eleven Stops	each	2	0	0
——— Accordions, commonly called Chinese	the 100 Notes	0	1	0
——— ——— other Sorts, including Flutinas and common German square Concertinas	the 100 Notes	0	5	0
——— Concertina of Octagon Form, not common German	each	0	4	0
——— Brass Instruments, all Sorts	the lb.	0	0	9
——— Musical Instruments, not otherwise enumerated or described, for every 100*l.* Value		10	0	0
Mustard Flour	the Cwt.	0	1	6
Nutmegs, except those commonly called Wild	the lb.	0	1	0
Nux Vomica	the Cwt.	0	2	0
Oil, viz.				
—— Almond	the lb.	0	0	1
—— Bays	the lb.	0	0	1
—— Essential Oil of Cloves	the lb.	0	1	0
Onions	the Bushel	0	0	1
Pears, raw	the Bushel	0	0	3
——— dried	the Bushel	0	1	0
Percussion Caps	the 1,000	0	0	1
Perfumery, not otherwise enumerated, and scented or fancy Soap	the lb.	0	0	2
Pewter, Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Pickles preserved in Vinegar	the Gallon	0	0	1
Pimento	the Cwt.	0	5	0
Plate of Gold	the oz. Troy	1	1	0
—— of Silver, gilt or ungilt	the oz. Troy	0	1	8
Platting, or other Manufactures of Straw, Chip, or other Materials to be used in or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty	the lb.	0	2	0
——— Cordonet, single, and Twist of Straw or of other Materials	the lb.	0	0	6
——— Willow Squares	the Dozen	0	0	1
Plums, commonly called French Plums and Prunellos	the Cwt.	0	15	0
——— dried or preserved (except in Sugar), not otherwise described	the Cwt.	0	15	0
——— preserved in Sugar, until 5th July 1854 inclusive	the lb.	0	0	2
——— from and after 5th July 1854	the lb.	0	0	1½
Pomatum	the lb.	0	0	2
Potato Flour	the Cwt.	0	0	4½
Powder, viz.				
——— Hair Powder	the lb.	0	0	2
——— Perfumed	the lb.	0	0	2
——— not otherwise enumerated or described, that will serve the same Purpose as Starch	the Cwt.	0	0	4½
Prints and Drawings, plain or coloured, single	the lb.	0	0	3
——— bound or sewn	the lb.	0	0	3

	£	s.	d.
Prints and Drawings, admitted under Treaties of International Copyright, single, the lb.	0	0	1½
——— bound or sewn - - - - - - the lb.	0	0	1½
Quassia - - - - - - - - the Cwt.	0	1	0
Quinces - - - - - - - - the Bushel	0	0	3
Rice, not rough, nor in the Husk - - - - - the Cwt.	0	0	4½
—— Rough, and in the Husk - - - - - the Quarter	0	0	9
Sago - - - - - - - - - the Cwt.	0	0	4½
Scaleboard - - - - - - - - the Cwt.	0	1	0
Semolina - - - - - - - - the Cwt.	0	0	4½
Ships, Foreign Ships, to be broken up, with their Tackle, Apparel and Furniture (except Sails) - - - - for every 100*l.* Value	5	0	0
——— broken up - - - - for every 100*l.* Value	5	0	0
Spa Ware - - - - - - - - the Cubic Foot	0	0	6
Spelter or Zinc, Manufactures of, not otherwise enumerated - - the Cwt.	0	2	0
Spirits, Cordials, or Strong Waters, not being the Produce of any British Possession in America, nor of any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. Cap. 8. have or shall have been fulfilled, sweetened or mixed with any Article so that the Degree of Strength cannot be exactly ascertained by Sykes's Hydrometer, and perfumed Spirits to be used as Perfumery only - - - - - - the Gallon	1	0	0
Starch - - - - - - - - - the Cwt.	0	0	4½
——— Gum of, torrified or calcined - - - - - the Cwt.	0	0	4½
Succades, including all Fruits and Vegetables preserved in Sugar, until the 5th July 1854 inclusive - - - - - - the lb.	0	0	2
——— from and after 5th July 1854 - - - - - the lb.	0	0	1½
Tapioca - - - - - - - - the Cwt.	0	0	4½
Tin Foil - - - - - - - - the Cwt.	0	10	0
—— Manufactures of Tin, and not otherwise enumerated - - the Cwt.	0	10	0
Toys, viz.			
—— Marbles - - - - - - - the Cwt.	0	1	0
—— all other Toys - - - - - the Cubic Foot	0	0	4
Turnery, not otherwise described - - - - the Cubic Foot	0	0	4
Varnish, containing any Quantity of Alcohol or Spirit - - the Gallon	0	12	0
Vermicelli - - - - - - - - the Cwt.	0	1	0
Vinegar - - - - - - - - the Gallon	0	0	3
Washing Balls - - - - - - - - the lb.	0	0	2
Water, Cologne Water, the Flask (Thirty of such Flasks containing not more than One Gallon) - - - - - - each	0	0	8
——— when not in Flasks (as perfumed Spirits) - - - the Gallon	1	0	0

In lieu of present ad valorem Duties on Articles under mentioned, the following shall be charged on and after June 4, 1853.

VI. In lieu of the present *ad valorem* Rates of Duties of Customs charged upon the Importation into the United Kingdom of the under-mentioned Articles as not being enumerated in the Tariff, the following Duties of Customs shall be charged thereon on and after the Fourth Day of *June* One thousand eight hundred and fifty-three; viz.

	£	s.	d.
Biscuit and Bread - - - - - - the Cwt.	0	0	4½
Caoutchouc or Indian Rubber, Manufactures of - - - - the lb.	0	0	4
Coral Negligées - - - - - - - the lb.	0	1	0
Daguerreotype Plates - - - - - - the lb.	0	0	3
Fig Cake - - - - - - - - the Cwt.	0	15	0
Gutta Percha, Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing, the Cwt.	0	5	0
——— Articles moulded - - - - the lb.	0	0	2
Lucifers of Wood, in Boxes containing not more than 100 Matches - the Gross of Boxes	0	0	2
——— in Boxes containing more than 100 Matches - - the Gross of Boxes	0	0	3
——— Vesta of Wax, in Boxes not exceeding 1,000 Matches - the Dozen Boxes	0	0	6
——— in Boxes exceeding 1,000 Matches - - - the 1,000 Matches	0	0	0½
Mandioca Flour - - - - - - - the Cwt.	0	0	4½
Manna Croup - - - - - - - the Cwt.	0	0	4½
Mustard, mixed or manufactured, except Flour - - - - the Cwt.	0	5	0
Oil Cloth, for Table Covers - - - - the Square Yard	0	0	1
Salacine - - - - - - - - the oz.	0	0	3
Sauces, not otherwise enumerated - - - - - the lb.	0	0	1
Soy - - - - - - - - - the Gallon	0	0	6
Sterine, till the 5th of April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case this Duty shall then cease - - the Cwt.	0	3	6
——— after the 5th of April 1858 - - - - - -		Free.	
Veneers - - - - - - - - the Cwt.	0	1	0

In lieu of certain Duties the following to be charged on and after June 8, 1853;

VII. In lieu of the Duties of Customs now chargeable on the Article under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Eighth Day of *June* One thousand eight hundred and fifty-three; viz.

		£	s	d.
Eggs not of British Possessions	the 120	0	0	4

on certain other Articles the following Duties to be charged on and after July 12, 1853;

VIII. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Twelfth Day of *July* One thousand eight hundred and fifty-three; viz.

Soap, not being scented or fancy; viz.				
——— Hard	the Cwt.	0	0	8
——— Soft	the Cwt.	0	0	8
——— Naples	the Cwt.	0	0	8

and on certain other Articles the following Duties to be charged on and after June 11, 1853.

IX. In lieu of the Duties of Customs now chargeable on the Articles under mentioned imported into the United Kingdom, the following Duties shall be charged on and after the Eleventh Day of *June* One thousand eight hundred and fifty-three; viz.

Oranges and Lemons	the Bushel	0	0	8
Books, being of Editions printed in or since the Year 1801, bound or unbound,	the Cwt.	1	10	0
——— admitted under Treaties of International Copyright, or if of and from a British Possession	the Cwt	0	15	0
Cherries, raw	the Bushel	0	0	2
——— dried, until 5th July 1854 inclusive	the lb.	0	0	2
——— ditto, from and after 5th July 1854	the lb.	0	0	1½
Cotton Manufactures, viz.				
——— Fringe	the lb.	0	0	2
——— Gloves of Cotton or Thread	the dozen Pairs	0	0	3
——— Stockings, of Cotton or Thread	the dozen Pairs	0	0	6
——— Socks, or half Hose of Cotton or Thread	the dozen Pairs	0	0	3
——— Articles or Manufactures of Cotton, wholly or in Part made up, not otherwise charged with Duty	for every 100*l.* Value	5	0	0
Embroidery and Needlework, viz.				
——— Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof	the lb.	0	10	0
——— Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof	the lb.	0	8	0
——— Curtains, commonly called Swiss, embroidered on Muslin or Net	the lb.	0	1	0
——— All other Embroidery not enumerated	for every 100*l.* Value	10	0	0
——— of and from British Possessions	for every 100*l.* Value	5	0	0
Lace and Articles thereof, viz.				
——— Mohair or Worsted	the lb.	0	1	0
——— Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width	the lb.	1	0	0
——— Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), exceeding One Inch in Width	the lb.	2	0	0
——— Silk Lace, Pillow and Application, not being Saxon Wire Ground Lace	the lb.	1	10	0
——— Silk Saxon Wire Ground Lace, and all Lace known as Maltese	the lb.	0	8	0
——— Brussels Point, and other Lace made by the Hand, not otherwise charged with Duty	for every 100*l.* Value	10	0	0
Linen, or Linen and Cotton Manufactures; viz.				
——— Cambric Handkerchiefs, hemmed or hemstitched, not trimmed	the Doz.	0	2	6
——— Stays	the Dozen Pairs	0	4	0
——— Articles, Manufactures of Linen, or of Linen mixed with Cotton or with Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty	for every 100*l.* Value	5	0	0
Mill Boards	the lb.	0	0	2½
Paper, viz.				
——— Brown Paper made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom and without any Mixture of other Materials therewith	the lb.	0	0	2½
——— Printed, painted, or stained Paper or Paper-hangings or Flock Paper,	the Square Yard	0	0	1
——— Waste Paper, or Paper of any other Sort not particularly enumerated or described, not otherwise charged with Duty	the lb.	0	0	2½
Pasteboard	the lb.	0	0	2½
Silk Manufactures, being				
——— Velvet, the Produce of Europe, plain or figured:				
—— Broad Stuffs	the lb.	0	9	0

	£	s.	d.
Silk Manufactures—*continued.*			
——— Velvet, Broad Stuffs, the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - - - the lb.	0	3	0
——— —— Ribbons of Velvet, or Silk embossed with Velvet - - the lb.	0	10	0
——— the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - - the lb.	0	3	6
——— Manufactures of Silk, or of Silk mixed with any other Materials, the Produce of Europe, called Plush - - - - - the lb.	0	3	0
—— Black Plush, commonly used for making Hats - - the lb.	0	1	0
——— Parasols and Umbrellas - - - - - each	0	1	0
——— Damask of Silk and Wool or other Materials, for Furniture - - the lb.	0	0	10
—— China - - - - - the running Yard	0	0	8
——— Corahs, Choppahs, Bandannas, and Tussore Cloths; viz. in Pieces not exceeding $5\frac{1}{4}$ Yards in Length - - - - - the Piece	0	0	4
exceeding $5\frac{1}{4}$ and not exceeding $6\frac{1}{4}$ Yards - - - the Piece	0	0	6
$6\frac{1}{4}$ and not exceeding $7\frac{1}{4}$ Yards - - - the Piece	0	0	8
$7\frac{1}{4}$ and not exceeding $8\frac{1}{4}$ Yards - - - the Piece	0	0	9
$8\frac{1}{4}$ and not exceeding $9\frac{1}{4}$ Yards - - - the Piece	0	0	10
and for every additional Yard in Length - - - the Yard	0	0	$1\frac{1}{2}$
——— China Crape Shawls, plain and damask - - - the lb.	0	3	0
——— ——————— embroidered - - - - - the lb.	0	5	0
——— Pongees, in Pieces not exceeding 15 Yards in Length - - the Piece	0	2	0
exceeding 15 Yards and not exceeding 21 Yards in Length - the Piece	0	3	0
exceeding 21 Yards and not exceeding 31 Yards in Length - the Piece	0	5	0
——— Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length, the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length - the Piece	0	3	0
Watches, of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each - each	1	0	0
——— other Watches, viz.			
——— Gold, open Faces - - - - - each	0	5	0
—— Hunters - - - - - each	0	7	6
—— Repeaters - - - - - each	0	15	0
——— Silver, or any other Metal not Gold:			
——— open Faces - - - - - each	0	2	6
——— Hunters - - - - - each	0	3	6
——— Repeaters - - - - - each	0	8	0
Woollens, Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, viz.			
——— Carpets and Rugs - - - - - the Square Yard	0	0	6
——— Shawls, Scarfs, and Handkerchiefs, plain and not printed - - the lb.	0	0	4
——— Printed - - - - - - - the lb.	0	0	8
——— Gloves - - - - - - the Dozen Pairs	0	0	3
——— Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton, wholly or in part made up, not otherwise charged with Duty for every 100*l.* Value	5	0	0

In lieu of present ad valorem Duties on certain Articles the following shall be charged on and after June 11, 1853.

X. In lieu of the present *ad valorem* Rates of Duties of Customs charged upon the Importation into the United Kingdom of the under-mentioned Articles as not being enumerated in the Tariff, the following Duties of Customs shall be charged thereon on and after the Eleventh Day of *June* One thousand eight hundred and fifty-three; viz.

Paper, gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper-hangings, the lb.	0	0	$2\frac{1}{2}$

Duties charged on certain Goods to cease on June 23, 1853.

XI. The Duties of Customs chargeable upon the Goods hereafter mentioned, imported into the United Kingdom, shall cease and determine on and after the Twenty-third Day of *June* One thousand eight hundred and fifty-three; viz.

Flock for Paper Stainers.

So much of 3 & 4 W. 4. c. 101. s. 3. as allows certain Draft on weighing Tea repealed.

XII. On and after the Fifth Day of *July* One thousand eight hundred and fifty-three so much of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and one, Section Three, as provides that the Allowance commonly called Draft, then made by the Commissioners of Excise in the weighing of Tea, should be made by the Commissioners of Customs under the Authority of the said Act, shall be and the same is hereby repealed; and the Allowance of One Pound for Draft on each Chest of Tea exceeding Twenty-eight Pounds in Weight now made by the Commissioners of Customs under the Authority of the said Act shall cease and determine upon all Tea which shall arrive and be reported at the Custom House of any Port in the United Kingdom on and after the Fifth Day of *July* One thousand eight hundred and fifty-three.

XIII. The

XIII. The Duties imposed by this Act shall be under the Management of the Commissioners of Her Majesty's Customs, and shall be ascertained, raised, levied, collected, paid, recovered, and allowed, and applied or appropriated, under the Provisions of any Act or Acts now in force or hereafter to be made relating to the Customs. Duties to be under the Management of Commissioners of Customs.

CAP. LV.

An Act to make better Provision for the efficient Discharge of the Duties of the Taxing Officer in and for the Common Law Business in *Ireland*. [4th *August* 1853.]

'WHEREAS by an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to regulate the Proceedings in the Civil Side of the Court of King's Bench, and also in the Court of Common Pleas, and in the Pleas or Common Law Side of the Court of Exchequer, in* Ireland, and further, by an Act passed in the Fifth Year of the Reign of His said Majesty King *George* the Fourth, being an Act to amend the said recited Act, an Establishment was formed for (amongst other Purposes) the Taxation of Bills of Costs in Common Law Business in *Ireland*, and by the said first-recited Act it was amongst other Things enacted, that it should be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* from Time to Time to appoint Two Officers, who should be and be called Taxing Officers in Common Law Business, who should have Power to tax the several Classes of Costs therein mentioned, and that after the Commencement of the said first-recited Act the several Classes of Costs therein mentioned should not be taxed by any other Officer or Person whomsoever, and it was thereby further enacted, that each of the said Taxing Officers should be entitled to receive out of the Consolidated Fund of the United Kingdom the yearly Sum of One thousand two hundred Pounds (of the then Currency of *Ireland*), to be payable as therein mentioned: And whereas by an Act passed in the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to regulate and reduce the Expenses of the Offices attached to the Superior Courts of Law in* Ireland *payable out of the Consolidated Fund*, it was amongst other Things enacted, that whenever it should happen that the Two Persons then holding the Office of Taxing Officer to the said Law Courts should vacate the same by Death, Resignation, or Removal, there should thenceforth be for the said Three Courts but One Taxing Officer, who should be and be called Taxing Officer in Common Law Business, and that such Taxing Officer should have the Assistance in his said Business of One Examiner and One Clerk, to be appointed by him during his Pleasure, and that whenever it should happen that a Vacancy should arise in the said Office of Taxing Officer by Death, Resignation, or Removal of One only of the Two Persons then holding such Office, the Person to be appointed Taxing Officer in his Stead under the Provisions of the said herein-before first-recited Act should, notwithstanding anything in the said Act contained, be entitled to receive only the Salary specified for the Taxing Officer in the Schedule (D.) to the said Act annexed, and whenever the other of the Two Persons then holding the Office of Taxing Officer should die, resign, or be removed, the Person who should have been so appointed as joint Taxing Officer in the room of the Person so first dying, resigning, or being removed should be the sole Taxing Officer, as therein-before directed, with the Assistance of an Examiner and Clerk, who should respectively receive the Salaries specified in the said Schedule to the said Act annexed: And whereas *James Clancy* Esquire, One of the Persons holding the Office of Taxing Officer at the Time of the passing of the said last-recited Act, has vacated the same by Death, and *Henry Colles* Esquire has been appointed Taxing Officer in his Stead: And whereas *William E. Hudson* Esquire, the other of the said Persons holding the said Office of Taxing Officer at the Time of the passing of the said last-recited Act, has vacated the same by Death: And whereas it is expedient to make better Provision for the efficient Discharge of the Duties of the said Office:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That— 1 & 2 G. 4. c. 53. 7 & 8 Vict. c. 107.

I. So much of the said herein-before recited Act of the Seventh and Eighth Years of the Reign of Her present Majesty as relates to the said Taxing Officer in Common Law Business, so far as same is inconsistent with the Provisions of this Act, be and the same is hereby repealed. Repeal of certain Part of 7 & 8 Vict. c. 107.

II. In place and stead of the Establishment provided by the said recited Act of Seventh and Eighth Years of the Reign of Her present Majesty, from and after the passing of this Act the taxing of Costs in Common Law Business shall be conducted by Two Officers, one to be and be called the "Principal Taxing Officer in Common Law Business," and the other to be and be called the "Assistant Taxing Officer in Common Law Business," each of whom shall hold his Office during his good Behaviour; that the said Principal Officer shall be a Barrister of at least Ten Years standing, or an Attorney of the Superior Courts of Common Law in *Ireland* who shall have practised as such Attorney in such Courts for Ten Years at least, and that the Assistant Officer shall be an Attorney of not less than Six Years standing; such Officers shall be appointed under this Act by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* from Time to Time as the Taxing Officers for Common Law Business were directed to be appointed by the said recited Act of the First and Second of *George* the Fourth; and *Henry Colles* Esquire shall be the First Principal Taxing Officer under this Act. Appointment of Two Taxing Officers.

III. The Business to be transacted by such Officers shall be the taxing of all such Costs as are specified in the said recited Act of the First and Second Years of the Reign of King *George* the Fourth, and thereby directed Duties of Taxing Officers.

directed to be taxed by the Taxing Officers for Common Law Business; the Business of the said Office shall be divided between the said Officers as they shall from Time to Time find most expedient, subject, however, to the Approbation of the Lord Chief Justice of Her Majesty's Court of Queen's Bench in *Ireland*, such Distribution and Arrangement to be reduced to Writing, with the Approval thereof by the said Lord Chief Justice under his Hand; and if the said Officers shall not agree to such Distribution or Arrangement, it shall and may be lawful for the Lord Chief Justice, by an Order under his Hand, to direct in what Manner and Proportion such Business shall be divided between and transacted by the said Two Officers; and in all and every Case where any Party or Person is dissatisfied or feels himself aggrieved by the Decision of the Assistant Taxing Officer, it shall and may be lawful for such Party or Person, before the Bill of Costs shall be certified, to bring the Item, Question, or other Matter by way of Appeal from the Decision of the Assistant Officer before the Principal Officer, who shall with all convenient Despatch dispose of the Item, Question, or other Matter so brought before him on such Appeal.

Taxing Officers to have the same Powers and be subject to the same Regulations as Taxing Officers created under recited Acts.

IV. The said Two Officers appointed or to be appointed under the Provisions of this Act shall have the same Power and Authority, and be subject to the same Regulations as to Duties and Attendance, as are given and contained with reference to Taxing Officers in and by the said herein-before recited Acts of the First and Second Years of the Reign of King *George* the Fourth and of the Seventh and Eighth Years of the Reign of Her Majesty Queen *Victoria*; and all and every the Provisions, Powers, Authorities, and Directions contained in the said recited Acts or either of them, with reference to the Taxing Officers created thereby, so far as the same shall be consistent with the Alterations hereby effected, shall be and be deemed applicable to the Taxing Officers appointed or to be appointed under this Act, and to the Taxation of Costs by them or either of them, and all Matters and Proceedings belonging to or connected with the Business thereof.

Appointment of Clerk.

V. The said Taxing Officers shall have the Assistance in their said Business of One Clerk, for the Purpose of issuing of Summonses, Entries of Costs, and keeping the Books and Records of their said Offices, to be appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being during his or their Pleasure.

Salaries.

VI. The said Principal Taxing Officer, Assistant Taxing Officer, and Clerk shall be entitled to receive respectively (out of the same Fund and at the same Periods as the Salaries in and by the said recited Acts directed to be paid to the Taxing Officers in Common Law) the Salaries set forth in the Schedule A. to this Act annexed, which shall grow due from Day to Day.

Superannuations.

VII. The said Principal Taxing Officer, Assistant Taxing Officer, and Clerk shall be entitled respectively to receive, with the Approbation of the Commissioners of Her Majesty's Treasury, as and for Superannuation or Retiring Allowances, Sums not exceeding the following Proportions with reference to the Amount of their Salaries and the Period of their Services respectively; *videlicet*,

For Ten Years Service and under Fifteen Years, One Fourth of the Salary fixed by the Schedule A. to this Act annexed:

For Fifteen Years Service and under Twenty Years, One Third of such Salary:

For Twenty Years Service and under Twenty-five Years, One Half of such Salary:

For Twenty-five Years Service and under Thirty Years, Two Thirds of such Salary:

And the same shall be paid and payable out of the same Fund and at the same Periods respectively as the Salaries herein-before provided for the said several Officers and Clerk respectively, and the same shall grow due from Day to Day; and in ascertaining the Number of Years to entitle such Clerk to receive such Superannuation Allowances, the Period during which he may have discharged Duties of a similar Nature in the said Taxing Office previous to the passing of this Act shall be reckoned for the Purpose of making up such Period of Twenty Years Service.

SCHEDULE A.

	Yearly Salary.
Principal Taxing Officer	£1,000
Assistant Taxing Officer	600
Clerk	200

CAP. LVI.

An Act to facilitate the Redemption of certain Charges on the Hereditary Possessions and Land Revenues of the Crown, and to make other Provisions in regard to the Management of such Hereditary Possessions and Land Revenues. [4th *August* 1853.]

'WHEREAS under or by virtue of certain Letters Patent or Deeds, and ultimately by virtue of a certain Deed or Instrument in Writing dated the Fifth Day of *June* in the Thirtieth Year of the Reign of His late Majesty King *Charles* the Second, and by other Instruments or Ways and Means, the Hereditary Possessions and Land Revenues of the Crown in *England*, *Wales*, and the *Isle of Man*, now under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or certain Parts thereof, are charged with or liable to the Payment of divers perpetual Pensions or yearly Sums of Money: And whereas it is apprehended that it would be advantageous, not only to the said Hereditary Possessions and Land Revenues, but also to the Recipients of such of the said Pensions as do not amount to a larger annual Sum than Ten Pounds, if the Persons to whom the same

'same are payable were empowered to make such Arrangements for the Sale of the same as are herein-
'after mentioned: And whereas the said Pensions, or some of them, are by virtue of the Deeds or
'Instruments granting or creating the same made payable on different Feast Days and other Days
'throughout the Year, and it is desirable that in future the whole of the said Pensions should become
'due and payable on Two certain Days of Payment only in each Year: And whereas the said Pensions
'or yearly Sums have been heretofore paid subject to Deductions on account of Land Tax and certain
'accustomed Fees, and it has been the Custom to pay such Pensions on the Tenth of *October* annually:
'And whereas it is expedient that such other Provisions in regard to the Management of the said Here-
'ditary Possessions and Land Revenues of the Crown should be made as are herein-after contained:'
Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Recipients of Pensions not exceeding 10*l.* per Annum may, with the Consent of the Ecclesiastical Commissioners, sell the same to the Crown.

I. Any Bishop, Rector, Vicar, or other Ecclesiastical Person or Collegiate Body for the Time being in the Receipt of any of the said Pensions which does not exceed the annual Sum of Ten Pounds may, with the Consent of the Ecclesiastical Commissioners for *England*, and of the Patron of any Living or Preferment in respect of which the same is payable, sell and convey, or enter into any Agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, for the Sale and Conveyance to Her Majesty, Her Heirs and Successors, of the same Pension, for such Price and subject to such Stipulations and Conditions as may be agreed upon; provided that in any Case when the Purchase Money shall exceed the Sum of One hundred Pounds the Purchase shall not be completed without the previous Authority of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, to be signified by some Warrant under his or their Hand or Hands.

On Payment of Purchase Money to the Ecclesiastical Commissioners, and Conveyance being made, Pension purchased to be extinguished.

II. The Purchase Money to be paid for any of the said Pensions shall be paid by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues to the Ecclesiastical Commissioners for *England*, whose Receipt shall be a sufficient Discharge for the same, and on such Payment being made, and on the Execution by the Person for the Time being entitled to the Receipt of the Pension purchased of a Surrender or Conveyance to Her Majesty, Her Heirs or Successors, such Pension shall cease and be extinguished, and the said Hereditary Possessions and Land Revenues of the Crown shall be wholly and for ever freed and discharged therefrom: Provided always, that the Receipt of the Ecclesiastical Commissioners under their Corporate Seal for any such Purchase Money shall be sufficient Evidence of such Purchase Money having been paid to them, and of the Sale having been made with their Consent: Provided also, that when any such Deed of Surrender or Conveyance or Receipt shall have been enrolled, either by the Deposit of a Duplicate thereof or otherwise, in the Office of Land Revenue Records and Enrolments, the same Deed or Receipt, or an authenticated Copy of the Enrolment thereof, shall be admissible in Evidence, without Proof of the Execution of such Deed or Receipt, and the Enrolment of such Deed shall also be conclusive Evidence that the Provisions of this Act have been complied with.

Application of Purchase Money.

III. The Ecclesiastical Commissioners shall, at their Discretion, apply the Purchase Money to be paid to them on any such Sale as aforesaid in any One or more of the following Modes; (namely,) in the Purchase of Three Pounds *per Centum* Consolidated Annuities or Three Pounds *per Centum* Reduced Annuities, or in the Purchase of Land of Freehold Tenure to be annexed or conveyed or otherwise appropriated to or for the Purposes of the Living, Preferment, or Collegiate Body in respect of or to which the Pension was payable previously to the Purchase thereof, or in the Purchase or Redemption of any existing Charges, Incumbrances on or Outgoings from the same Living or Preferment or the Property of such Collegiate Body, or in the substantial or permanent Improvement of the Parsonage House or Glebe Land or other Buildings or Land annexed or belonging to or appropriated for the Use of any such Living, Preferment, or Collegiate Body: Provided also, that the Dividends or Interest on any such Stock and the Rents and Profits of any Land which may be so purchased as aforesaid shall belong and be paid to the Person or Persons or Collegiate Body who or which for the Time being would have been entitled to receive the Pension in case the same had not been extinguished: Provided also, that if in any Case the Purchase Money shall be laid out in the Purchase or Redemption of any such Charge, Incumbrance, or other Outgoing as aforesaid, the same shall not be kept on Foot, but shall be released or extinguished.

Pensions to become due and payable on 5th April and 10th October in each Year.

IV. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three, the several Pensions or yearly Sums charged upon or payable in respect of any Part of the Hereditary Possessions and Land Revenues of the Crown in *England*, *Wales*, or the *Isle of Man* shall from Time to Time respectively become due half-yearly, that is to say, on the Fifth Day of *April* and the Tenth Day of *October* in every Year only; and the Person who on any Fifth Day of *April* or Tenth Day of *October* shall be in possession of the Preferment, Appointment, or Office in respect of which any such Pension is payable shall be entitled to receive the whole net Amount of One Half Year's Pension, after making all lawful Deductions, notwithstanding he may not have been in the Enjoyment of such Preferment, Appointment, or Office during the whole of such Half Year, and his Predecessor, or the Representatives of his Predecessor, shall not be entitled to any apportioned Part of the same Half Year's Pension; and no Person to whom any half-yearly Payment of any such Pension as aforesaid shall fall due, or would, if this Act had not passed, have fallen due on any Day after the said Tenth Day of *October* One thousand eight hundred and fifty-three, and before the Fifth Day of *April* One thousand eight hundred and fifty-four, shall be entitled to receive on the said Fifth Day of *April* or at any other Time more than One Half Year's Amount of such Pension.

V. The

Provision for the Settlement of disputed Claims.

V. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, may, with the Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Royal Sign Manual, and of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, to be signified by Warrant under his or their Hand or Hands, make such Arrangements as may be from Time to Time considered expedient for the Adjustment or Settlement of any doubtful or disputed Rights or Claims of the Crown in or to any Real or Personal Property or any Forestal Right, the Management or Control whereof would, if such Rights or Claims were established in favour of the Crown, be vested in or devolve upon the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and in making any such Arrangement it shall be lawful for the same Commissioners or either of them (with such Consents as aforesaid) either to give up or relinquish the Rights or Claims of the Crown to any Portion or Portions of any such Real or Personal Property or Forestal Right, or to accept on behalf of Her Majesty any Lands, Tenements, or Hereditaments, or any Sum or Sums of Money, in lieu and satisfaction of such Rights or Claims generally; and it shall also be lawful for the Commissioners of Her Majesty's Woods, Forests, and Land Revenues or either of them (with the like Consents) to enter into any Agreement for the Payment from Time to Time to any Person or Persons of any Rents or other Profits to be derived from, or any Purchase Monies to be received on account of the Sale of, any such Real or Personal Property or Forestal Right as aforesaid, or any Portion thereof respectively; and any Person claiming to be entitled in possession, either for Life or for any greater Estate, and either at Law or in Equity, to the Rents and Profits or the Interest or Income or the Use and Enjoyment of any such Real or Personal Property or Forestal Right as aforesaid may enter into any Agreement with either of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for any of the Purposes aforesaid; and when any Deed, Agreement, or Writing effecting or purporting to effect any such Arrangement as aforesaid shall have been enrolled in the Office of Land Revenue Records and Enrolments, the same shall be binding and conclusive on all Parties in anywise interested or claiming to be interested, and such Enrolment shall be sufficient Evidence of the Arrangement purported to be effected by any such Deed or Writing being authorized by this Act, and of the Provisions of this Act having been complied with. When it shall be made to appear to the Lord High Treasurer or the Commissioners of Her Majesty's Treasury that any Debt or Sum or Sums of Money due or claimed to be due either to the Capital or to the Income of the Hereditary Land Revenues of the Crown under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues is or are irrecoverable, either in whole or in part, or that it is inexpedient to take Proceedings for the Recovery of the same or of any Part thereof, it shall be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, from Time to Time, by any Order under his or their Hand or Hands, to direct that such Debt or Sum or Sums of Money shall, either in whole or in part, be released or discharged, either absolutely or subject to such Conditions as may be thought expedient; and any such Order shall, when enrolled in the Office of Land Revenue Records and Enrolments, either by the Deposit of a Duplicate thereof or otherwise, if the same shall relate to the Hereditary Possessions and Land Revenues of the Crown in *England* and *Wales*, or if the same shall relate to the Hereditary Possessions and Land Revenues of the Crown in *Ireland* when the same shall be enrolled in pursuance of the Provisions to that effect contained in an Act passed in the Session of Parliament held in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Fifty, be binding and conclusive: Provided always, that no Debt, Sum or Sums of Money, due to the Capital of the Land Revenue of the Crown, shall be released or discharged without the Consent of Her Majesty, Her Heirs or Successors, to be from Time to Time signified in Writing under the Royal Sign Manual; provided also, that when any Proceedings at Law or in Equity shall have been commenced by Her Majesty's Attorney General for *England* or *Ireland*, as the Case may be, for the Purpose of establishing the Title of Her Majesty to or recovering any such Real or Personal Property or Forestal Right, or such Debt or Sum of Money, as aforesaid, or when any Petition of Right shall have been presented to Her Majesty or Her Heirs or Successors touching or concerning any Real or Personal Property or Forestal Right of or to which Her Majesty, Her Heirs or Successors, may claim to be seised or entitled, any Arrangement for the Settlement of the Matter in difference, or any such Discharge as aforesaid, shall be subject to the Approval of the Attorney General for the Time being of *England* or *Ireland*, as the Case may be.

Deeds enrolled in Land Revenue Record Office not to require Enrolment in Courts of Law, &c.

VI. 'And whereas, under the Provisions of the Act passed in the Fifty-third Year of the Reign of His 'late Majesty King *George* the Third, Chapter One hundred and twenty-one, and of the Act passed in 'the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter One, any Deed, 'whereby any Lands or Hereditaments may be mortgaged, purchased, sold, exchanged, leased, or demised, 'under the Authority of the first-mentioned Act, is, when enrolled in the Office of the Land Revenue 'Records and Enrolments, and entered in the Office of the Commissioners of Woods, Forests, and Land 'Revenues, as good and available as if the same had been enrolled in any of the Courts at *Westminster*, or 'as if a Memorial had been registered in the Office appointed for registering Deeds; and it is expedient 'that the Provisions of the other Acts of Parliament relating to the Enrolment of Deeds affecting the 'Hereditary Possessions and Land Revenues of the Crown should in manner and as far as herein-after 'mentioned be assimilated to the Provisions of the said Acts, Chapter One hundred and twenty-one and 'Chapter One:' Be it therefore enacted, That any Deed, Instrument, or Writing to which either of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or the Commissioners of Her Majesty's Works and Public Buildings, or either of them, is a Party, or which is signed by either of them the said Commissioners, or which may in any Manner affect or relate to any Part of the Hereditary

Possessions

Possessions and Land Revenues of the Crown, or any other Lands, Tenements, or Hereditaments for the Time being under the Management or Control of the same Commissioners or either of them, situate or being in *England* or *Wales*, shall, when enrolled in the Office of Land Revenue Records and Enrolments, without any Enrolment or Acknowledgment thereof in any Court or Courts of Law or Equity, and without any Registration thereof, be as good and available and of the like Force and Effect, in all respects, and to all Intents and Purposes, as if the same had been or was enrolled in any of Her Majesty's Courts at *Westminster*, or as if a Memorial had been entered or registered in the Office appointed for registering Deeds in the County or Counties in which the same Possessions, Land Revenues, Lands, Tenements, or Hereditaments, or any of them, are situate, any Act, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Form of Conveyance of W. H. White's Fee-farm Rents.

VII. 'And whereas, under and by virtue of the Fourteenth, Fifteenth, Sixteenth, and Nineteenth 'Sections of the Act of Parliament passed in the Session of Parliament held in the Fifty-seventh Year 'of the Reign of His late Majesty King *George* the Third, Chapter Ninety-seven, and divers subsequent 'Acts of Parliament, the Parts still remaining unsold of certain Rents heretofore Crown Rents, Chief 'Rents, Fee Farm and Quit Rents, and other Rents, formerly the Property of *William Henry White*, 'deceased, in the said Act of the Fifty-seventh Year of King *George* the Third more particularly men- 'tioned, are now vested in the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in 'trust to sell and dispose thereof in manner in the said Act of the Fifty-seventh Year of King *George* 'the Third directed: And whereas it is considered expedient that the Course of Proceeding in regard 'to the Sale of the said Rents, and the Form of Conveyance thereof, should be respectively assimilated to 'the Course of Proceeding and Form of Conveyance of other Fee Farm or other dry or unimprovable 'Rents under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and 'Land Revenues, and for that Purpose that the said Rents formerly the Property of the said *William* '*Henry White* should be vested in Her Majesty, Her Heirs and Successors, and be from Time to Time managed and sold by the said Commissioners in like Manner as such other Rents as aforesaid:' Be it therefore enacted, That from and after the passing of this Act all such and such Parts of all the Rents which were formerly Crown Rents, Chief Rents, Fee Farm Quit Rents, and other Rents, formerly the Property of the said *William Henry White*, remaining unsold, which by virtue of the Enactment hereinbefore recited or referred to are now vested or expressed to be vested in the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being, shall henceforth become and be vested in Her Majesty, Her Heirs and Successors, as if the same were Part of the Hereditary Possessions and Land Revenues of the Crown under the Management or Control of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and shall be from Time to Time recoverable, dealt with, and be subject to be sold in like Manner and by the same Forms of Proceeding and Conveyance generally as other Parts of the said Possessions and Land Revenues under the Management or Control of the same Commissioners or either of them: Provided always, that if any Surplus shall remain from the Sale of the said Rents after the Debt in the said Act of the Fifty-seventh Year of King *George* the Third mentioned to be due from the said *William Henry White* to the Crown shall be fully satisfied and discharged, such Surplus shall be paid over to the Heirs or Assigns of the said *William Henry White*.

Not so extend to Scotland.

VIII. That this Act shall not extend to *Scotland*.

CAP. LVII.

An Act to explain and amend the Copyhold Acts. [4th *August* 1853.]

4 & 5 Vict. c. 35. 6 & 7 Vict. c. 23. 15 & 16 Vict. c. 51. 14 & 15 Vict. c. 104.

'WHEREAS Doubts have arisen as to the Construction of "The Copyhold Acts," and also of the 'Act of the Fourteenth and Fifteenth Years of Her present Majesty, "to facilitate the Manage- '"ment and Improvement of Episcopal and Capitular Estates in *England*," and as to the Powers under 'the Provisions of the first-recited Acts of Ecclesiastical Corporations, sole or aggregate, to enfranchise 'Lands, and of the Copyhold Commissioners to confirm or consent to such Enfranchisements, and to 'nominate Trustees to receive and apply Money paid for such Enfranchisements; and it is expedient to 'remove such Doubts, and further to amend the said Copyhold Acts:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Removing Doubts as to Enfranchisement, &c. of Lands holden of Ecclesiastical Corporations.

I. The Provisions of the Copyhold Acts concerning the Commutation of Manorial Rights in Lands and the Enfranchisement of Lands, and concerning the Payment of Monies to be paid for Enfranchisement where the Lord is only entitled to a limited Estate or Interest or is under legal Disability, shall be deemed to have extended, and subject to the Provisions herein contained shall continue to extend to Lands holden of any Ecclesiastical Corporation, sole or aggregate, and Lands parcel of any Manor belonging to any such Corporation, and the Application of the said Provisions, or any of them, to such Lands, shall not be deemed to have been interfered with by the said Act of the Fourteenth and Fifteenth Years of Her Majesty.

Commutations or Enfranchisements in consideration of Surrender of limited Interests confirmed.

II. No Commutation or Enfranchisement by any Ecclesiastical Corporation sole or aggregate already made or purporting to be made under the Copyhold Acts or any of them, or to be made in pursuance of any Agreement already approved of by the Copyhold Commissioners, shall be impeached by reason of the Consideration or Part of the Consideration for the same having been or being a Surrender of any Lands held for a Life or Lives or Years without Right of Renewal, or for any terminable or limited Estate or Interest.

III. All

Enfranchisements that may be effected under other Acts may also be effected under Copyhold Acts.

III. All Lands, except as herein-after excepted, which are capable of Enfranchisement by the Exercise of any Powers contained in any other Act of Parliament, or which may be otherwise enfranchised irrespectively of the Copyhold Acts, shall also be capable of being enfranchised under the Powers and Provisions of the Copyhold Acts, and by the sole Authority of those Powers and Provisions, and without any other Consent or Authority than such as is required by the Provisions of the same Acts: Provided always, that Lands held for a Life or Lives or for Years of any Manor belonging either in possession or reversion to any Ecclesiastical Corporation, where the Tenant of such Lands hath not a Right of Renewal, shall not hereafter be dealt with under the Copyhold Acts, except in the Cases herein-after particularly mentioned.

Application of Consideration Money in Cases where Enfranchisement might have been effected under 14 & 15 Vict. c. 104.

IV. Whenever Proceedings which have been or shall be commenced under the Provisions of the Copyhold Acts for the Enfranchisement of any Lands shall terminate in Enfranchisement, and it shall appear to the Copyhold Commissioners that the Enfranchisement was One which might have been effected under the Provisions of the said Act of the Fourteenth and Fifteenth of Her Majesty, the Monies or Rentcharges which form the Consideration of such Enfranchisement shall be paid and applied to the same Account and in the same Manner as if such Enfranchisement had been effected under the said Act of the Fourteenth and Fifteenth Years of Her Majesty, and all the Provisions of the said last-mentioned Act which affect the Application of Enfranchisement Monies under that Act shall be applicable to such Enfranchisements as aforesaid made under the Provisions of the Copyhold Acts, and the Church Estates Commissioners and Ecclesiastical Commissioners shall respectively have the same Powers over such Consideration Monies, or the Interest accruing thereon, or upon Land, Rentcharges, or Securities acquired in respect thereof, and also over or against any Ecclesiastical Corporation interested therein, as such Commissioners respectively would have had if such Enfranchisement had been effected with the Consent of the said Church Estates Commissioners, and under the Provisions of the said Act of the Fourteenth and Fifteenth of Her Majesty; and where the Consideration Money for any such Enfranchisement has been paid into the Bank of *England* to the Credit of the Accountant General of the Court of Chancery *ex parte* the Copyhold Commission, and has not been invested, the said Accountant General shall, upon the Order of the Court of Chancery to be made upon a Petition to be presented to the said Court by the said Ecclesiastical Commissioners, cause such Money to be paid or transferred to such Account in the Bank of *England* as the said Church Estates Commissioners shall in each Case appoint: Provided always, that it shall be lawful for the said Court to order that all the Costs and Expenses incurred in the obtaining of such Order shall be paid out of such Money previous to its Payment or Transfer to the Account appointed by the said Church Estates Commissioners, and in case of various Funds being included in the said Order to direct the Distribution of such Costs amongst the several Funds in such Manner as the said Court shall think fit.

Trustees appointed by Commissioners to have all such Powers as if within the Scope of Sect. 14. of 6 & 7 Vict. c. 23.

V. 'And whereas in Cases of Enfranchisement by Ecclesiastical Corporations effected or purporting 'to be effected under the Copyhold Acts the Monies paid for Enfranchisement for the Lords Rights have 'been paid into the Hands of Trustees nominated under the Hands and Seal of the Copyhold Commis-'sioners, to be applied by the said Trustees, with the Consent of the said Commissioners, in the Manner 'directed and specified in the said Copyhold Acts of and concerning any Money to be paid for enfran-'chising under the said Acts into the Bank of *England* in the Name and with the Privity of the 'Accountant General of the Court of Chancery:' Be it enacted, That in all Cases where Trustees have been so appointed by the said Commissioners, such Appointments shall be deemed to be and the same are hereby declared to be valid and effectual, and within the Scope and Intent of the Fourteenth Section of the Act of the Sixth and Seventh Years of Her Majesty, Chapter Twenty-three, and such Trustees are hereby declared to have and to have had all such Powers and Liabilities, and all Acts done by such Trustees, and all Consents and Confirmations by the Copyhold Commissioners in relation to the Acts of such Trustees, shall be and are declared to have been as valid and effectual, as in the Case of other Trustees nominated according to the Scope and Intent of the said Section of the said last-mentioned Act.

Trustees appointed by Copyhold Commissioners to transfer the Funds to Ecclesiastical Commissioners.

VI. Provided always, That in all Cases wherein Trustees have been so appointed by the said Copyhold Commissioners, and shall stand possessed of Monies paid for Enfranchisement of Lands subject to Manorial or other Rights of Ecclesiastical Corporations, or of Land or Securities in respect thereof, the Copyhold Commissioners shall, by an Order under their Hands and Seal, direct such Trustees to pay over the Monies of which they may so stand possessed, or to convey such Land or transfer such Securities, to the Ecclesiastical Commissioners for *England*, who are hereby required to accept the same, and to apply such Monies, Land, or Securities respectively, and the Land or Securities to be purchased with such Money respectively, in the Manner directed and specified in the Copyhold Acts of and concerning any Money to be paid for enfranchising under the said Acts into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery.

Liability of Trustees to cease.

VII. When such Trustees shall have paid over, conveyed, or transferred to the Ecclesiastical Commissioners in pursuance of this Act the whole of the Monies, Land, or Securities, of which they may so stand possessed as aforesaid, their Liabilities as such Trustees in respect of any such Monies, Land, or Securities shall cease and determine, and the Expenses of all such Payments, Conveyances, or Transfers shall be paid by the Ecclesiastical Commissioners out of any Monies that may come into their Possession in respect of the Money, Land, or Securities so to be paid over, conveyed, or transferred.

Pending Proceedings to be completed.

VIII. All Agreements for the Enfranchisement of Lands held of any Ecclesiastical Corporation for a Life or Lives or for Years, where the Tenants thereof have not a Right of Renewal, which have been entered into with the Consent of the Copyhold Commissioners before the passing of this Act, shall be valid

valid and effectual, and such Enfranchisements shall be capable of being completed under the Copyhold Acts, notwithstanding the Proviso herein-before contained, but the Money to be paid for such Enfranchisements shall be paid and applied in the Manner herein-before particularly mentioned; and a Recital in the Instrument of Enfranchisement or an Endorsement thereon, under the Seal of the Copyhold Commissioners, that the Agreement for such Enfranchisement was entered into, with such Consent as aforesaid, before the passing of this Act, shall be conclusive Evidence thereof. Recital or Endorsement to be Evidence.

IX. In all Cases where any Trustees as aforesaid shall have paid over, conveyed, or transferred any Monies, Land, or Securities to the Ecclesiastical Commissioners in pursuance of any Order under the Hands and Seal of the Copyhold Commissioners, or when any Money shall be paid to the Ecclesiastical Commissioners for Enfranchisements, the Proceedings in respect of which were commenced before the passing of this Act, the Ecclesiastical Commissioners shall, at the Request of the Copyhold Commissioners, deliver to the Copyhold Commissioners a Memorandum of the Payment of the Monies or the Conveyance of the Land, or the Transfer of the Securities, as the Case may be, and such Memorandum shall be Evidence of the Fact of such Payment, Conveyance, or Transfer. Ecclesiastical Commissioners to give Memorandum of Payment, Conveyance, or Transfer. Memorandum to be evidence.

X. That in all Cases of Enfranchisement under the Copyhold Acts all Costs properly payable by any Persons interested in the Enfranchisement of any Land shall be settled and ascertained by the Commissioners or Assistant Commissioners (pursuant to the Provisions of the Act passed in the Fifteenth and Sixteenth Years of Her present Majesty); and that no Costs or Expenses shall be recoverable from any Person whomsoever of or relating to or by reason of any Enfranchisement, until the same shall have been certified under the Hands and Seal of the said Commissioners or of an Assistant Commissioner to have been reasonably and properly incurred. Costs how to be settled.

XI. This Act shall be taken and construed as Part of the recited Copyhold Acts. Act to be Part of Copyhold Acts.

CAP. LVIII.

An Act to authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of *Dublin*, and to remove Doubts as to the Rate Books for the Purposes of such Registry. [4th *August* 1853.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Eighty-eight, the Chairman of Sessions for the County of *Dublin* was authorized and empowered to register Voters for *Dublin* City, and it was thereby enacted, that it might be lawful for him to discharge the Duties of all Registries subsequent to the First by Deputy, qualified and approved of as therein mentioned, whose Acts were to be of the same Efficacy as if done by the said Chairman, and who was to be remunerated in manner therein mentioned: And whereas by another Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, Chapter Sixty-nine, the said Chairman and his Deputy having Jurisdiction under the said recited Act for the Registry of Voters were and each of them was authorized and empowered to hold a Court for the Purposes of the new Registration and the annual Revision of the Lists therein particularly specified, which Court was to be held at the Times and during the Periods therein specified, and for such Services the said Chairman and the Deputy so appointed by him as aforesaid were to be remunerated as in the said last-mentioned Act specified: And whereas *Conway E. Dobbs*, Esq., Barrister-at-Law, was appointed such Deputy of the said Chairman, for the Purpose of discharging the Duties imposed on the said Chairman by the said Acts: And whereas by reason of the great Numbers of Persons claiming to be registered in and for the said City of *Dublin* it is expedient to empower the said Chairman of Sessions for the County of *Dublin* to appoint additional Deputies:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,) 2 & 3 W. 4. c. 88. 13 & 14 Vict. c. 69.

I. For the Purpose of having henceforward a complete annual Revision and Registration of the Parliamentary Voters for the City of *Dublin*, it shall and may be lawful for the said Chairman of Sessions of the County of *Dublin*, with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and he is hereby authorized and required, by Warrant under his Hand, to nominate and appoint any Number of Barristers of the *Irish* Bar, not exceeding Three, of Six Years standing at the least, to be in the Place and Stead of the said Chairman of Sessions of the County of *Dublin*, in order, by Subdivision between them, to discharge the Duties imposed on the said Chairman by the said recited Acts; and the Barristers so appointed for the said City shall attend at the same Place, but shall sit apart from each other, and hold separate Courts at the same Time, for the Despatch of Business, such Courts to be Courts of Record, and to be held for and during such Period in each Year as may be limited and prescribed in such Warrant of Appointment. Appointment of Barristers to discharge Duties imposed on Chairman of Sessions of the County of Dublin.

II. All the Powers, Duties, Rights, and Privileges given and imposed by the said Acts or either of them to or upon the said Chairman and his Deputy, or to the Court which they were authorized to hold, are and shall be by virtue of such Warrant given to and imposed upon such Substitutes and the Courts they are respectively by this Act authorized to hold, save only the Power of appointing any Deputy under them or any of them; and all Acts to be done by such Substitutes, or any or either of them, shall be of the same Efficacy in Law as if done by the said Chairman upon whom such Duties would have otherwise devolved under the said Acts, or by his Deputy duly appointed; and each of such Substitutes shall Barristers to have the same Powers, &c. as the said Chairman.

shall receive in the same Manner the same Amount of Remuneration in all respects as the Deputy of such Chairman duly appointed under the said Acts would have been entitled to receive.

Barristers to revise Register of Parliamentary Voters for City of Dublin.

III. The Register which shall be so annually made, revised, and corrected by the Substitutes so to be appointed as aforesaid shall be so made, revised, and corrected between the Eighth Day of *September* inclusive and the Twenty-fifth Day of *October* inclusive in each Year, and shall be the true and only annual Register for the Time being of Parliamentary Voters for the City of *Dublin;* subject only to such Appeal as is provided for by the said recited Act of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty.

Short Titles.

IV. The Barristers so to be appointed as aforesaid shall be called by the Name of "Revising Barristers;" and that in citing this Act in any Instrument, Document, Pleading, Proceeding, or Act of Parliament it shall be sufficient Designation to use the Expression "The *Dublin* Parliamentary Revising Act (1853)."

Removal of Doubts respecting Rate Books.

V. 'And whereas Doubts have arisen as to whether the Books of the Collectors General of Rates in 'the City of *Dublin*, or the Books of the Boards of Guardians of the North and South *Dublin* Unions of 'the said City, are the Rate Books contemplated by the said Act of the Thirteenth and Fourteenth Years 'of the Reign of Her present Majesty, and it is expedient to remove such Doubts:' Be it therefore enacted, That the Books of the said Collector General of Rates shall be deemed and taken to be the Rate Books contemplated by the said last-mentioned Act as regards all Portions of the City comprehended within the Municipal District of the said City, and that the Tender or Payment of the Poor's Rate by the said Act directed to be made, and the Notice of Claim to be rated, in like Manner directed to be served upon the said Guardians, shall, in respect of any Property situated within the Municipal District of the said City, in future be made to and served upon the said Collector General of Taxes, either in Person or through the Clerk in the public Office of the said Collector General, in manner as directed by the said Act.

CAP. LIX.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to amend the Laws relating to Stamp Duties, and to make perpetual certain Stamp Duties in *Ireland.*

[4th *August* 1853.]

'WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several 'Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, 'and to impose other Stamp Duties in lieu thereof; and it is also expedient to amend the Laws relating 'to the Stamp Duties:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu.

I. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described (otherwise than by way of Exception) in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed; and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, Directions, and Exemptions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith or exempted therefrom, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear Date before or upon the Tenth Day of *October* One thousand eight hundred and fifty-three.

The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue.

Powers and Provisions of former Acts to be in force.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by, and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

III. The

Stamps denoting Duty of 1*d.* on Receipts and Drafts may be impressed or affixed.

III. The Duties of One Penny by this Act granted on Receipts and on Drafts or Orders for the Payment of Money respectively may be denoted either by a Stamp impressed upon the Paper whereon any such Instrument is written or by an adhesive Stamp affixed thereto, and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties.

Where adhesive Stamps are used, same to be cancelled by writing Name on it.

IV. In any Case where an adhesive Stamp shall be used for the Purpose aforesaid on any Receipt or upon any Draft or Order respectively chargeable with the Duty of One Penny by this Act, the Person by whom such Receipt shall be given or such Draft or Order signed or made shall, before the Instrument shall be delivered out of his Hands, Custody, or Power, cancel or obliterate the Stamp so used, by writing thereon his Name or the Initial Letters of his Name so and in such a Manner as to show clearly and distinctly that such Stamp has been made use of, and so that the same may not be again used; and if any Person who shall write or give any such Receipt or Discharge or make or sign any such Draft or Order with any adhesive Stamp thereon, shall not *bonâ fide* in manner aforesaid effectually cancel or obliterate such Stamp, he shall forfeit the Sum of Ten Pounds.

Penalty for committing Frauds in the Use of adhesive Stamps.

V. If any Person shall fraudulently get off or remove, or cause or procure to be gotten off or removed, from any Paper whereon any Receipt or any Draft or Order shall be written, any adhesive Stamp, or if any Person shall affix or use any such Stamp which shall have been gotten off or removed from any Paper whereon any Receipt or any Draft or Order shall have been written, to or for any Receipt, Draft, or Order, or any Paper whereon any such Receipt, Draft, or Order shall be or be intended to be written; or if any Person shall do or practise or be concerned in any fraudulent Act, Contrivance, or Device whatever, not specially provided for by this or some other Act of Parliament, with Intent or Design to defraud Her Majesty, Her Heirs or Successors, of any Duty by this Act granted upon Receipts or upon Drafts or Orders, every Person so offending in any of the said several Cases shall forfeit the Sum of Twenty Pounds.

VI. For better securing the Stamp Duties by Law chargeable on Policies of Insurance upon Lives, and for preventing Frauds in respect of any such Insurances:

In case of any Insurance for Lives, a Stamp Policy to be made out.

Every Person who shall make or agree to make, or shall receive any Premium or valuable Consideration for making, any Assurance or Insurance upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives, shall, within One Calendar Month after the Payment or giving of any such Premium or Consideration, make out and sign or execute, or cause and procure to be made out and signed or executed, upon Vellum, Parchment, or Paper, duly stamped, a Policy of such Assurance or Insurance, and have the same ready to be delivered to the Party entitled thereto, and shall upon Demand made by any such Party, or any Agent in that Behalf duly authorized, deliver the same to him, or in default in any of the Cases aforesaid shall forfeit the Sum of Fifty Pounds:

Officers of Insurance Companies to be answerable for Default.

Every Person who at the Time of the Payment or giving of any such Premium or Consideration shall be a Managing Director of or the Secretary to or other principal Officer of any Society or Company receiving any such Premium or Consideration, shall be deemed to be a Person making or agreeing to make such Assurance or Insurance, and shall be subject and liable to the Penalty by this Act imposed for any such Default as aforesaid.

Articles of Clerkship to Attorneys of the County Palatine Courts may be stamped for Admission of the Clerk into Superior Courts on Payment of the additional Duty only.

VII. 'Whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, 'Chapter One hundred and eighty-four, certain Stamp Duties are imposed on any Articles of Clerkship 'or Contract whereby any Person shall first become bound to serve as a Clerk in order to his Admission 'as an Attorney or Solicitor in any Court; that is to say, in order to Admission in any of the Courts at '*Westminster*, the Stamp Duty of One hundred and twenty Pounds, and in order to Admission in any 'of the Courts of the Counties Palatine, the Stamp Duty of Sixty Pounds: And whereas where any 'Person has become bound and has served as a Clerk under any such Articles or Contract stamped with 'the said Duty of Sixty Pounds in order to his Admission as an Attorney or Solicitor in any of the 'Courts of the Counties Palatine, he is capable of being admitted in any of Her Majesty's Courts at '*Westminster*, but only upon the Payment of the further Stamp Duty of One hundred and twenty 'Pounds; and it is expedient to afford Relief in such Cases:'

Where any Person shall have become bound as a Clerk in order to his Admission as an Attorney or Solicitor in any of the Courts of the Counties Palatine by Articles or Contract stamped with the said Duty of Sixty Pounds, then upon Payment of such further Sum of Money as with the said Duty of Sixty Pounds will make up the full Stamp Duty which, at the Date of such Articles or Contract, was payable by Law on Articles of Clerkship in order to Admission in any of the Courts at *Westminster*, it shall be lawful for the Commissioners of Inland Revenue and they are hereby required to stamp the said Articles or Contract with a Stamp or Stamps to denote such further Duty, and thereupon such Articles or Contract shall be as valid and effectual for entitling such Person to Admission in any of the Courts at *Westminster* as if the same had been duly stamped with such full Duty in the first instance.

VIII. 'And whereas by an Act passed in the Forty-eighth Year of the Reign of King *George* the 'Third, Chapter One hundred and forty-nine, Section Thirty-eight, Persons intromitting with or 'entering upon the Possession or Management of any Personal or Moveable Estate or Effects in *Scotland* 'of any Person dying, are required to exhibit a full and true Inventory, duly stamped, to be recorded 'as in the said Act is provided, of all the Personal or Moveable Estate and Effects of the Deceased 'already recovered or known to be existing; and if at any subsequent Period a Discovery shall be made 'of any other Effects belonging to the Deceased, an additional Inventory of the same is in like Manner 'to be exhibited and recorded; and every such additional Inventory is chargeable by Law with the full '*ad valorem* Stamp Duty payable in respect of the total Amount or Value of the Estate and Effects

'specified therein, and in any such former Inventory; and thereupon the Party exhibiting the same is 'entitled to receive back the Amount of the Stamp Duty paid on such former Inventory; and it is expe- 'dient to prevent the Inconvenience attending the Over-payment of the Stamp Duty in such Cases by 'charging on any such additional Inventory the deficient Stamp Duty only:'

Additional Inventories in Scotland to be chargeable with additional Duty only.

Every such additional Inventory to be made and recorded as aforesaid shall be chargeable only with such Amount of Stamp Duty as, together with the Stamp Duty charged upon any former duly stamped Inventory of the Estate and Effects of the same deceased Person already exhibited and recorded, shall make up the full Amount of Stamp Duty chargeable by Law in respect of the total Amount or Value of all the Estate and Effects of the said deceased specified in the said additional and any such former Inventory.

Licences to perform Divine Service in certain Cases free from Stamp Duty.

IX. No Licence granted to any Spiritual Person to perform Divine Service in any Building approved by the Bishop in lieu of any Church or Chapel whilst the same is under Repair or is rebuilding, or in any Building so approved for the Convenience of the Inhabitants of a Parish resident at a Distance from the Church or consecrated Chapel, shall be chargeable with any Stamp Duty.

X. 'And whereas by the said Act passed in the Fifty-fifth Year of the Reign of King *George* the 'Third, it is provided that where any Property is sold and conveyed subject to any Debt or Sum of 'Money to be afterwards paid by the Purchaser, the same shall be deemed to be Purchase or Considera- 'tion Money in respect whereof the said *ad valorem* Duty charged upon the Sale and Conveyance of 'Property is to be paid: And whereas it has been held and determined that the said *ad valorem* Duty 'is payable in respect of any such Sum or Debt only where the Purchaser is personably liable or bound, 'or undertakes or agrees to pay the same or to indemnify the Vendor against the same; and it is 'expedient to alter and amend the Law in this respect:'

Where Property is sold subject to any Mortgage, the Mortgage Money deemed Part of Purchase Money, whether agreed to be paid by Purchaser or not.

Where any Lands or other Property shall be sold and conveyed subject to any Mortgage, Wadset, or Bond, or other Debt, or to any gross or entire Sum of Money, such Sum of Money or Debt shall be deemed the Purchase or Consideration Money, or Part of the Purchase or Consideration Money, as the Case may be, in respect whereof the said *ad valorem* Duty shall be paid, notwithstanding the Purchaser shall not be or become personally liable or shall not undertake or agree to pay the same or to indemnify the Vendor or any Person against the same, anything in any Act or otherwise to the contrary notwithstanding.

13 & 14 Vict. c. 97.

XI. 'And whereas it has been adjudged and determined by Law that upon the Sale of Property, 'where the Consideration expressed in the Conveyance is a Rentcharge or an Annuity made subject to 'Redemption or Repurchase, *ad valorem* Stamp Duty is chargeable under the Act passed in the Session 'of Parliament held in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-seven, 'only where such Redemption or Repurchase may be enforced at the Option of the Vendor, and it is 'expedient that such Duty should be chargeable in all Cases where such Rentcharge or Annuity is 'made redeemable:'

Where Property is sold in consideration of a redeemable Annuity, the Redemption Money to be deemed Purchase Money.

In any Case where Property shall be sold and conveyed in consideration of any Rentcharge or Annuity, or any annual or periodical Payment to be made permanently or for any indefinite Period, so that the total Amount of the Money to be paid for such Property cannot be previously ascertained, which Rentcharge, Annuity, or other Payment shall be made subject to Redemption or Purchase upon Terms and Conditions specified in the Deed or Instrument whereby the Property sold shall be conveyed to or vested in the Purchaser, or any Person by his Direction, the Money or the Consideration mentioned in the said Deed or Instrument as that on Payment or Transfer, Delivery or Satisfaction, of which the said Rentcharge, Annuity, or other Payment shall be redeemed or purchased or repurchased, or shall cease to be payable, shall be deemed to be the Purchase Money or Consideration on the Sale of the said Property so sold and conveyed, and in respect of which last-mentioned Purchase Money or Consideration the *ad valorem* Duty shall be chargeable; and where any such last-mentioned Consideration shall consist wholly or in part of any Stock or Security mentioned in the said Act, the Value thereof shall be ascertained as in such Act is in that Behalf provided; and where any such Annuity, Rentcharge, or other Payment aforesaid shall be made subject to Redemption or Purchase or Repurchase or Discontinuance upon Payment or Satisfaction of any Money or Value to be ascertained or calculated in manner provided in the said Deed or Instrument, the Amount of such Money or Value shall, for the Purpose of charging the said *ad valorem* Duty, be ascertained or calculated as in such Deed or Instrument shall be so provided.

XII. 'And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter 'Ninety-seven, a Stamp Duty of Five Shillings was granted and imposed upon the Duplicate or Counter- 'part of any Deed or Instrument chargeable with Stamp Duty (exclusive of progressive Duty) to the 'Amount of Five Shillings or upwards; and it is provided that in such Case the Duplicate or Counter- 'part shall not be available unless stamped with a particular Stamp for denoting or testifying the Pay- 'ment of the full and proper Stamp Duty on the original Deed or Instrument; and it is expedient to 'dispense with the said particular Stamp on Counterparts of Leases:'

Counterparts of Leases not required to be impressed with the denoting Stamp.

Notwithstanding anything contained in the said Act, the Counterpart of any Lease of Lands, Tenements, or Hereditaments, being duly stamped with the said Stamp Duty of Five Shillings, or any higher Stamp Duty (exclusive of progressive Duty), and not being executed or signed by or on the Behalf of any Lessor or Grantor, shall be available as a Counterpart without being stamped with a particular Stamp for denoting or testifying the Payment of the Stamp Duty chargeable on the original Lease.

XIII. 'And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty, when 'any Deed or Instrument shall be presented to the Commissioners of Inland Revenue, and the Fee of

'Ten

'Ten Shillings shall be paid to them for their Opinion as to the Stamp Duty with which such Deed or 'Instrument in their Judgment is chargeable, the said Commissioners are required to assess and charge 'the Stamp Duty on such Deed or Instrument, and, on the same being duly stamped, to impress thereon 'a particular Stamp to signify and denote that the full Amount of Stamp Duty with which such Deed 'or Instrument is by Law chargeable has been paid: And whereas the said Commissioners are not 'authorized to impress a particular Stamp upon any Deed or Instrument not chargeable with any Stamp 'Duty in order to denote that the same is not so chargeable; and it is expedient that Provision should 'be made for that Purpose:'

Commissioners may adjudge Deeds not liable to Stamp Duty.

It shall be lawful for any Person to present to the said Commissioners any Deed or Instrument, and upon Payment of the Fee of Ten Shillings, as in the said Act is mentioned, to require their Opinion whether or not the same is chargeable with any Stamp Duty, and if the said Commissioners shall be of opinion that such Deed or Instrument is not chargeable with any Stamp Duty, it shall be lawful for them and they are hereby required to impress thereon a particular Stamp, to be provided by them for that Purpose, with such Word or Words, or Device or Symbol thereon as they shall think proper in that Behalf, which shall signify and denote that such Deed is not chargeable with any Stamp Duty; and every such Deed or Instrument upon which the said Stamp shall be impressed shall be deemed to be not so chargeable, and shall be receivable in Evidence in all Courts of Law and Equity, notwithstanding any Objection made to the same as being chargeable with Stamp Duty, and not stamped to denote the same: Provided always, that if the said Commissioners shall assess and charge any Stamp Duty upon or in respect of any such Deed or Instrument, and the Party presenting the same and paying such Duty shall declare himself dissatisfied with their Determination, it shall be lawful for him to appeal against the same to Her Majesty's Court of Exchequer, on the Terms and in the Manner in the said Act provided; and the said Court shall hear and determine the Appeal, and decide whether the said Deed or Instrument is chargeable with any, and if any, what Stamp Duty; and if the Court shall be of opinion that the same is not so chargeable, or is chargeable with a less Amount of Duty than shall have been assessed and charged thereon, then the Amount of such Duty or of the Excess (as the Case may be) shall be returned to the Appellant, together with the Sum deposited as in the said Act mentioned; and if the Court shall be of opinion that any further Duty is chargeable on the said Deed or Instrument, such further Duty shall be paid to the said Commissioners, and the Court shall order and enforce the Payment thereof accordingly.

Appeal from the Determination of the Commissioners.

XIV. 'And whereas it would facilitate the Transfer of the Bonds and Mortgages given by Public 'Companies under the Provisions of Acts of Parliament as Securities for Money which such Companies 'are by the said Acts expressly empowered or authorized to borrow, if the Transfers or Assignments 'of such Bonds or Mortgages were endorsed thereon, and were exempted from Stamp Duty, and it is 'expedient to grant such Exemption in consideration of a Composition Stamp Duty being paid on such 'Bonds and Mortgages on the original making and issuing thereof, in lieu of the Stamp Duty with 'which such Transfers or Assignments would otherwise be chargeable:'

Transfers of Bonds and Mortgages of Public Companies exempted from Stamp Duty on Payment of a Composition.

Where on the original making and issuing of any such Bond or Mortgage as aforesaid, and before any Transfer or Assignment thereof, the same shall be stamped with an Amount of Stamp Duty equal to Three Times the Amount of the *ad valorem* Stamp Duty chargeable thereon by Law, and over and above the said *ad valorem* Duty, then every Transfer or Assignment thereafter made of such Bond or Mortgage by Endorsement thereon shall be deemed to be exempt from the Stamp Duty which would otherwise be payable in respect of such Transfer or Assignment: Provided always, that nothing herein contained shall extend to exempt any such Transfer or Assignment from any Stamp Duty to which it may be liable as a Settlement of the Money or Stock secured by such Bond or Mortgage, or any Portion thereof.

XV. 'And whereas it is desirable to facilitate the Purchase of stamped Paper, Covers, or Envelopes, 'and of other Stamps for expressing or denoting the Rates or Duties of Postage (all of which are herein- 'after designated as Postage Stamps, and for that Purpose to enable certain Persons in the Service of 'the Post Office to sell Postage Stamps without having any such Licence as the Laws now in force 'require in that Behalf, and without being subject or liable to any Penalty for carrying about Postage 'Stamps for Sale:'

Persons authorized by Postmaster General may sell Postage Stamps, or carry same about for Sale, without being subject to Penalty.

It shall be lawful for the Postmaster General by Writing under his Hand to authorize and appoint any Person in the Service or Employment of the Post Office to sell Postage Stamps at any particular House or Place to be specified for that Purpose, and also any Messenger or other Person employed in the Delivery of Letters sent by Post to carry about for Sale and to sell at any Place Postage Stamps, and all such Persons shall, during the Period that such Authority and Appointment shall remain in force and unrevoked, without any Licence or any Authority other than last aforesaid, be at liberty to sell at any House or Place to be specified as aforesaid, or if so authorized, to carry about for Sale and sell at any Place, any Postage Stamps, and such Persons respectively shall not be subject or liable to any Penalty or Forfeiture for so doing, anything in any Act or Acts to the contrary notwithstanding.

XVI. 'And whereas by an Act passed in the Ninth Year of the Reign of King *George* the Fourth, 'Chapter Eighteen, granting Stamp Duties upon Playing Cards made fit for Sale or Use in the United 'Kingdom, such Duties to be denoted on the Ace of Spades of each Pack of Cards, it is enacted, that no 'Playing Cards shall be sold as Waste Cards unless a Corner of each Card shall be cut off at least Half 'an Inch in Depth, and other Provisions are therein contained for securing the said Duties: And whereas 'Packs or Parcels of Cards fit and intended for Use and Play, but not containing an Ace of Spades duly

'stamped

'stamped, are commonly sold under the Pretence of being Waste Cards, each of such Cards having a 'Corner cut off, whereby the said Duties are evaded; and it is expedient to prevent such Practice:'

For preventing the Evasion of the Duties on Playing Cards.

No Playing Cards, except such as shall be *bonâ fide* spoiled and rendered unfit for Use as Playing Cards in the Process of Manufacture, and which shall have a Corner cut off as in the said last-mentioned Act is provided, nor any Cards commonly called or known as Picture Cards or Court Cards, shall be deemed to be Waste Cards; and no Playing Cards except Waste Cards shall be sold otherwise than in Packs, each Pack containing Fifty-two Cards of the Four usual Suits of Thirteen Cards each, including an Ace of Spades duly stamped for denoting the Duty by the said Act granted on a Pack of Cards, and tied up together in manner directed by the said Act; and if any Person shall sell or expose or keep for Sale any Playing Cards, not being a Pack of Cards as aforesaid, and the same not being *bonâ fide* Waste Cards within the Meaning of this Act, he shall for every Pack, Parcel, or separate Quantity of Cards so sold or exposed or kept for Sale forfeit, if he shall not be a licensed Maker of Playing Cards, the Sum of Ten Pounds, and if he shall be such licensed Maker the Sum of Twenty Pounds; and all Cards so sold or exposed or kept for Sale shall be forfeited, and may be seized and taken by any Officer of Inland Revenue, and be disposed of as the Commissioners of Inland Revenue shall direct; provided that if in any Proceeding any Question shall arise whether any Cards are or were *bonâ fide* Waste Cards or not, Proof of the Affirmative thereof shall lie on the Party selling the same or having or keeping the same for Sale.

XVII. 'And whereas by an Act passed in the Session held in the Seventh and Eighth Years of the 'Reign of King *George* the Fourth, Chapter Fifty-three, Officers of Excise and Persons employed in the 'Collection or Management of or accounting for the Revenue of Excise are exempted from serving as 'Mayor or Sheriff, or in any corporate or parochial or other public Office or Employment, or on any 'Jury or Inquest, or in the Militia; and it is expedient to extend the same to all other Officers appointed 'by or under the Commissioners of Inland Revenue:'

Exemption of Excise Officers from serving public Offices extended to Officers of Inland Revenue.

No Officer or Person appointed by the Commissioners of Inland Revenue, or employed by them or under their Authority or Direction in any way relating to any of the Duties under their Care or Management, shall, so long as he shall continue in and exercise such last-mentioned Office or Employment, be compelled to serve as Mayor or Sheriff, or in any of the Offices, Employments, or Capacities in the said Act and herein-before in that Behalf mentioned.

Allowance for Receipt Stamps on hand.

XVIII. Where any Person shall be possessed of any Stamps rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on Application to them or to their proper Officer in that Behalf, at any Time within Six Calendar Months after the Commencement of this Act to cancel and make Allowance for the same, as in the Case of spoiled Stamps, after deducting the Discount by Law granted on the Purchase of Receipt Stamps.

Drafts on Bankers payable to Order on Demand sufficient Authority for Payment without Proof of Endorsement.

XIX. Provided always, That any Draft or Order drawn upon a Banker for a Sum of Money payable to Order on Demand which shall, when presented for Payment, purport to be endorsed by the Person to whom the same shall be drawn payable, shall be a sufficient Authority to such Banker to pay the Amount of such Draft or Order to the Bearer thereof; and it shall not be incumbent on such Banker to prove that such Endorsement, or any subsequent Endorsement, was made by or under the Direction or Authority of the Person to whom the said Draft or Order was or is made payable either by the Drawer or any Endorser thereof.

XX. 'And whereas by an Act passed in the Session of Parliament held in the Fifth and Sixth Years 'of Her Majesty's Reign, Chapter Eighty-two, certain Rates and Duties denominated Stamp Duties 'were granted and made payable in *Ireland* for a limited Term; and by Four several Acts passed 'respectively in the Eighth, Eleventh, Fourteenth, and Fifteenth Years of Her Majesty's Reign the 'same Rates and Duties were continued for Four other several and successive Terms, the last of which 'will expire on the Tenth Day of *October* One thousand eight hundred and fifty-three; and it is expe-'dient to make the said Rates and Duties perpetual:'

Stamp Duties in Ireland granted by 5 & 6 Vict. c. 82. and continued by 8 & 9 Vict. c. 2. 11 & 12 Vict. c. 9. 14 & 15 Vict. c. 18. 15 & 16 Vict. c. 21. made perpetual.

Acts continued in force.

All the several Sums of Money and Duties and Composition for Duties granted and made payable in *Ireland* by the said Act of the Fifth and Sixth Years of Her Majesty, Chapter Eighty-two, and not repealed by any subsequent Act, and also all Duties now payable in lieu or instead of any of the said Duties which may have been so repealed, shall be and the same are hereby continued and made perpetual, and shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors for ever: The said Act of the Fifth and Sixth Years of Her Majesty, and all and every other Act and Acts now in force in relation to the Duties and Composition for Duties which are continued by this Act, shall severally be continued and remain in full Force in all respects in relation to the said Duties and Composition for Duties hereby continued and granted, and all and every the Powers and Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things contained in the said Acts or any of them, and in force as aforesaid, shall severally and respectively be duly observed, practised, applied, and put in execution in relation to the said Duties and Composition for Duties hereby continued and granted, for the charging, raising, levying, paying, accounting for, and securing of the said Duties and Composition for Duties, and all Arrears thereof, and for the preventing, detecting, and punishing of all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties and Composition for Duties hereby granted.

The

The SCHEDULE referred to by this Act.

	Duty. £ s. d.
APPRENTICESHIP and **CLERKSHIP.**—Indenture, or other Instrument or Writing, containing the Covenants, Articles, or Agreements for or relating to the Service of any Apprentice, Clerk, or Servant who shall be put or placed to or with any Master or Mistress, or to or with any new Master or Mistress, either by Assignment, Transfer, or Turn-over, or upon the Death, Absence, or Incapacity of the former Master or Mistress, or otherwise, to learn any Profession, Trade, or Employment whatsoever (except Articles of Clerkship or Apprenticeship to any Attorney, Solicitor, or other Person in order to Admission in any Court, or in any Office in any Court), or any Writing whatever (except as aforesaid) whereby any such Assignment, Transfer, or Turn-over may be effectuated or ascertained;	
Where no Sum of Money or other Matter or Thing shall be paid, given, assigned, or conveyed, or be secured to be paid, given, assigned, or conveyed to or for the Use or Benefit of the Master or Mistress, with or in respect of any Apprentice, Clerk, or Servant - - - - - - - - - -	0 2 6
DEBENTURE or Certificate for entitling any Person to receive any Drawback of any Duty or Duties, or Part of any Duty or Duties of Customs or Excise, or any Bounty payable out of the Revenue of Customs or Excise, for or in respect of any Goods, Wares, or Merchandise exported or shipped to be exported from any Part of the United Kingdom to any Part beyond the Sea;	
Where the Drawback or Bounty to be received shall not exceed Ten Pounds -	0 1 0
Where the same shall exceed Ten Pounds and not exceed Fifty Pounds - -	0 2 6
And where the same shall exceed Fifty Pounds - - - - -	0 5 0
DRAFT or **ORDER** for the Payment of any Sum of Money to the Bearer or to Order, on Demand - - - - - - - - - -	0 0 1
And the following Instruments shall be deemed and taken to be Drafts or Orders for the Payment of Money within the Intent and Meaning of this Act, and of any Act or Acts relating to the Stamp Duties on Bills of Exchange, Drafts, or Orders, and shall be chargeable accordingly with the Stamp Duties imposed by this Act or any such Act or Acts; viz.	
All Documents or Writings usually termed Letters of Credit, or whereby any Person to whom any such Document or Writing is or is intended to be delivered or sent shall be entitled, or be intended to be entitled to have Credit with, or in account with, or to draw upon any other Person for, or to receive from such other Person any Sum of Money therein mentioned.	
EXEMPTIONS from the DUTIES on DRAFTS or ORDERS.	
All Drafts or Orders for the Payment of Money to the Bearer on Demand, drawn upon any Banker or Bankers, now by Law exempt from Stamp Duty.	
All Letters of Credit, whether in Sets or not, sent by Persons in the United Kingdom to Persons abroad authorizing Drafts on the United Kingdom.	
POLICY of **ASSURANCE** or Insurance, or other Instrument, by whatever Name the same shall be called, whereby any Insurance shall be made upon any Life or Lives, or upon any Event or Contingency relating to or depending upon any Life or Lives;	
Where the Sum insured shall not exceed Five hundred Pounds;	
Then for every Fifty Pounds, and any fractional Part of Fifty Pounds -	0 0 6
And where it shall exceed Five hundred Pounds, and shall not exceed One thousand Pounds;	
Then for every One hundred Pounds, and any fractional Part of One hundred Pounds - - - - - - - -	0 1 0
And where it shall exceed One thousand Pounds;	
Then for every One thousand Pounds, and any fractional Part of One thousand Pounds - - - - - - - - - -	0 10 0
RECEIPT or **DISCHARGE** given for or upon the Payment of Money amounting to Two Pounds or upwards - - - - - - - - - -	0 0 1
EXEMPTION.	
Receipts given for Money deposited in any Bank, or in the Hands of any Banker, to be accounted for, whether with Interest or not; provided the same be not expressed to be received of or by the Hands of any other than the Person to whom the same is to be accounted for: Provided always, that this Exemption shall not extend to Receipts or Acknowledgments for Sums paid or deposited for or upon Letters of Allotment of Shares or in respect of Calls upon any Scrip or Shares of or in any Joint Stock or other Company or proposed or intended Company, which said last-mentioned Receipts or Acknowledgments, by whomsoever given, shall be liable to the Duty by this Act charged on Receipts.	

CAP. LX.

An Act to amend the Acts regulating the Salaries of Resident Magistrates in *Ireland*.

[4th *August* 1853.]

6 W.4. c. 13. s. 34.

'WHEREAS by an Act passed in the Sixth Year of King *William* the Fourth, Chapter Thirteen, it is enacted, that every Magistrate appointed under that Act should have and receive such Salary by the Year, not exceeding the Sum of Four hundred Pounds, and rateably for any shorter Period, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* should think fit: And whereas it is expedient that the Lord Lieutenant of *Ireland* should be empowered to vary and classify the Salaries of the Magistrates appointed under the said Act, in like Manner as the Salaries of the Officers of the Constabulary Force in *Ireland* have been classified, for which Purpose it is necessary to authorize the Lord Lieutenant to fix the annual Salaries of a certain Number of such Magistrates at a Sum exceeding Four hundred Pounds *per Annum*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Ld. Lieutenant may grant any Magistrate a Salary not exceeding 500*l.* per Annum. Aggregate of Salaries not to exceed Average of 400*l.* unless in certain Cases.

I. That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to grant to any Magistrate heretofore appointed or hereafter to be appointed under the said recited Act a Salary not exceeding Five hundred Pounds by the Year: Provided always, that not more than Twenty of such Magistrates shall at any One Time be entitled to receive Salaries exceeding the annual Rate of Four hundred Pounds: Provided also, that the aggregate Amount of all the Salaries payable to all the Magistrates for the Time being appointed as aforesaid shall not at any Time exceed the Amount which would have been payable if the annual Salary of every such Magistrate had been Four hundred Pounds, and no more, unless such Excess shall have been caused by the Death, Resignation, or Removal of a Magistrate receiving a less annual Salary than Four hundred Pounds, and by a new Magistrate not having been appointed immediately thereupon.

A Certificate of Diligence and Fidelity to be given by the Chief Secretary, and not by Inspector General, on Superannuation of Magistrates under 10 & 11 Vict. c. 100.

II. 'And whereas by an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her present Majesty, Chapter One hundred, it is enacted, that it shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Recommendation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, supported by a Certificate from the Inspector General in the said Act named, that the Party had served with Diligence and Fidelity, to order and direct that any Magistrate theretofore appointed should and might be superannuated: And whereas the Magistrates not being under the Orders or Control of the Inspector General of the Constabulary, he is unable from his official Knowledge to certify their Diligence and Fidelity:' Be it therefore enacted, That in every Case of Superannuation of a Magistrate under the said last-recited Act the Certificate that the Party has served with Diligence and Fidelity shall be given by the Chief Secretary of the Lord Lieutenant, and not by the Inspector General of the Constabulary, and such Certificate of the Chief Secretary shall be in all respects conformable to and have the same Force and Effect as any Certificate of the Inspector General to be given under the said last in part recited Act.

CAP. LXI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls. [4th *August* 1853.]

14 & 15 Vict. c. 38.

'WHEREAS, in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls," certain Provisional Orders have been made for reducing the Rate of Interest, and for extinguishing the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and such Orders have been published in the *London Gazette*, and in Newspapers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together with the Amount to which the Rate of Interest on such Debts is to be reduced, and the Day up to which the Interest and Arrears of Interest on such Debts are to be extinguished by such Orders, are mentioned in the Schedule to this Act, and such of the said Orders as bear Date in the Year One thousand eight hundred and fifty-two were made by the Right Honourable *Spencer Horatio Walpole*, who at the Date thereof was One of Her Majesty's Principal Secretaries of State, and such of the said Orders as bear Date in the Year One thousand eight hundred and fifty-three were made by the Right Honourable Viscount *Palmerston*, who at the Date thereof was One of such Secretaries of State: And whereas it is expedient that the said Provisional Orders should be confirmed, and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisional Orders are hereby confirmed, and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament.

Provisional Orders confirmed.

SCHE-

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1852.		£ s. d.		
23 Nov.	58 G. 3. c. 42., "An Act for more effectually repairing and improving the Road between "Warrington and Lower Irlam in the County "Palatine of Lancaster," - - -	12,027 0. 0	1*l.* per Cent.	1852. 31 Dec.
23 Nov.	4 G. 4. c. 28., "An Act for more effectually repairing the Road leading from the Turnpike "Road near the West End of the Town of "Chesterfield to Matlock Bridge, and also the "Road leading out of the said Road over "Darley Bridge to Cross Green, and also the "Road leading out of the last-mentioned Road "to the Turnpike Road near Rowesley Bridge, "all in the County of Derby," - -	10,967 12 6	1*l.* 10*s.* per Cent.	31 Dec.
23 Nov.	7 & 8 G. 4. c. 71., "An Act for making and maintaining a Road from the Town of Northampton in the County of Northampton to "Cold Brayfield in the County of Buckingham,"	4,640 0 0	1*l.* per Cent.	31 Dec.
21 Dec.	4 G. 4. c. 42., "An Act for making and maintaining a Turnpike Road from Horsham in "the County of Sussex by Bewbush to the "Town of Crawley in the said County," -	5,250 0 0	1*l.* per Cent.	31 Dec.
21 Dec.	6 G. 4. c. 25., "An Act for making and maintaining a Turnpike Road from the present "Turnpike Road between Maidstone and "Wrotham in the County of Kent to Strood "in the said County," - - -	4,745 0 0	2*l.* per Cent.	31 Dec.
1853.				
12 Feb.	7 G. 4. c. 77., "An Act for more effectually repairing so much of the Road from Henley "Bridge to Maidenhead Thicket as lies between "the said Bridge and the Thirtieth Milestone "from London in the Parish of Bisham in the "County of Berks," - - -	6,402 0 0	1*l.* per Cent.	31 Dec.
12 Feb.	54 G. 3. c. 62., "An Act for making and maintaining a Road from a Place called Lees in "the Parish of Bingley, to commence and "branch off from the Road leading from Cross "Roads Inn to Haworth at the North-east "Corner of a certain Close of Land called the "Highfield, to Hebden Bridge in the Parish of "Halifax, all in the West Riding of the County "of York," - - - - -	9,804 0 0	1*l.* 5*s.* per Cent.	1853. 31 Dec.

CAP. LXII.

An Act to extend and continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [4th *August* 1853.]

'WHEREAS an Act was passed in the Twelfth Year of the Reign of Her present Majesty (Chapter One hundred and seven), for preventing, until the First Day of *September* One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals: And whereas the said Act has by sundry 11 & 12 c. 107.

'Acts been continued until the First Day of *September* One thousand eight hundred and fifty-three, and 'if Parliament be then sitting, then further until the End of the then Session of Parliament: And 'whereas it is expedient that the said Act should be extended and further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Penalty on Persons bringing glandered Horses, &c. into Market, or turning them out on uninclosed Land.

I. Any Person bringing or attempting to bring for Sale any Horse or other Animal into any Market, Fair, or other open or public Place where Animals are commonly exposed for Sale, knowing such Horse or other Animal to be infected with or labouring under the Disease called Glanders, and any Person turning out, keeping, or depasturing any Horse or other Animal infected with or labouring under any such Disease in or upon any Forest, Chase, Wood, Moor, Marsh, Heath, Common, Waste Land, Open Field, Road Side, or other undivided or uninclosed Land, shall on Conviction of any such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and the said Act shall be read and construed as if this Enactment were incorporated therein, and all the Provisions of the said Act with respect to the Penalties or Forfeitures thereby imposed, and the Recovery and Application thereof, shall be applicable accordingly.

Recited Act continued until 1st Sept. 1856, and End of then Session.

II. The said Act as extended by this Act shall continue and be in force until the First Day of *September* One thousand eight hundred and fifty-six, or if Parliament be then sitting until the End of the then Session of Parliament.

CAP. LXIII.

An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, to repeal the Duty on Advertisements, and otherwise to amend the Laws relating to Stamp Duties.

[4th *August* 1853.]

'WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several 'Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, 'and to impose other Stamp Duties in lieu thereof, and also to give Relief with respect to the Stamp 'Duties on Newspapers and Supplements thereto, and otherwise to amend the Laws relating to Stamp 'Duties, and to repeal the Duty charged on Advertisements:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu thereof.

I. From and after the passing of this Act the several Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed; and in lieu and instead thereof there shall be granted, raised, levied, collected, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Deed or Instrument which shall have been signed or executed by any Party thereto, or which shall bear Date before or upon the passing of this Act.

The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue.

Powers and Provisions of former Acts to be in force.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by, and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

As to Duties on Newspapers and Supplements.

III. No higher Stamp Duty than One Penny shall be chargeable on any Newspaper printed on One Sheet of Paper containing a Superficies not exceeding Two thousand two hundred and ninety-five Inches.

A Supple-

A Supplement published with any Newspaper duly stamped with the Duty of One Penny, such Supplement being printed on One Sheet of Paper only, and together with such Newspaper containing in the aggregate a Superficies not exceeding Two thousand two hundred and ninety-five inches, shall be free from Stamp Duty:

Any other Supplement to any such duly stamped Newspaper shall not be chargeable with any higher Stamp Duty than One Halfpenny, provided it does not contain a Superficies exceeding One thousand one hundred and forty-eight Inches:

And any Two Supplements to any such duly stamped Newspaper shall not be chargeable with any higher Stamp Duty than One Halfpenny on each, provided each of such Supplements be printed and published on One Sheet of Paper only, and that they contain together a Superficies not exceeding in the aggregate Two thousand two hundred and ninety-five Inches:

The Superficies in all the Cases aforesaid to be One Side only of the Sheet of Paper, and exclusive of the Margin of the Letter Press.

Allowance for Newspaper Stamps on hand.

IV. Where any Person shall be possessed of any Stamps for Newspapers rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on Application to them or to their proper Officer in that Behalf, at any Time within Six Calendar Months after the Commencement of this Act, to cancel and make Allowance for the same, as in the Case of spoiled Stamps.

After passing of this Act all Duties on Advertisements to cease.

V. 'And whereas it is expedient to repeal the Duties now payable on Advertisements:' From and after the passing of this Act the Duties now payable under any Act or Acts in force for or in respect of any Advertisement contained in or published with any Gazette or other Newspaper, or contained in or published with any other periodical Paper, or in or with any Pamphlet or literary Work, and all Enactments, Clauses, Provisions, and Regulations for levying, collecting, and securing the said Duties, but so far only as they relate to such Duties, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to any of the said Duties which shall have been charged or incurred on or before the Day of the passing of this Act, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears, all which said Duties and Arrears, Fines and Penalties, so excepted as aforesaid, shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

Duties on Assignments of Judgment in Ireland, and Writs of Acknowledgment in Scotland.

VI. 'Whereas it is expedient to remove Doubts which have arisen as to the Stamp Duties chargeable 'upon Assignments of Judgment in *Ireland;* and it is also expedient to reduce the Stamp Duties now 'chargeable in *Scotland* upon Writs of Acknowledgment by Persons infeft of Lands in favour of the 'Heirs or Disponees of Creditors:' In lieu of the Stamp Duties now payable upon the Instruments herein-after mentioned there shall be chargeable (besides any progressive Duties to which the same respectively may be liable by reference to the Head of Progressive Duty in the Schedule to the Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Ninety-seven,) the respective Stamp Duties following; (that is to say,)

For and upon every Assignment of any Judgment in *Ireland*, One Pound Fifteen Shillings:

And for and upon any Writ of Acknowledgment by any Person infeft of Lands in *Scotland* in favour of the Heir or Disponee of a Creditor fully vested in right of an heritable Security constituted by Infeftment, Ten Shillings.

Power to Treasury to compound with Bankers in Scotland for the Stamp Duties on their Promissory Notes.

VII. 'And whereas under and by virtue of certain Acts of Parliament now in force the Governor and 'Company of the Bank of *Scotland*, and the Royal Bank of *Scotland*, and the *British* Linen Company 'in *Scotland* are respectively authorized and empowered to make and issue and re-issue their Promissory 'Notes payable to Bearer on Demand on unstamped Paper, giving Security, and keeping and producing 'true Accounts of all the Notes so issued by them respectively, and accounting for and paying the 'Stamp Duties payable in respect of such Notes: And whereas it is expedient to authorize and 'empower the Commissioners of Her Majesty's Treasury to compound with the said Banks, as well as all 'Bankers in *Scotland*, for the Stamp Duties on their Promissory Notes payable to Bearer on Demand, as 'well as for Stamps payable on their Bills of Exchange:' It shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being, or any Three of them, and they are hereby authorized and empowered to compound and agree with the said Governor and Company of the Bank of *Scotland*, and the Royal Bank of *Scotland*, and the British Linen Company in *Scotland*, and all or any other Bankers in *Scotland*, or elsewhere, respectively, for a Composition in lieu of the Stamp Duties payable on the Promissory Notes of the said Banks and Bankers respectively payable to the Bearer on Demand, as well as for Stamps payable on their Bills of Exchange; and such Composition shall be made on such Terms and Conditions, and with such Security for the Payment of the same, and for keeping, producing, and rendering of such Accounts, as the said last-mentioned Commissioners may deem to be proper in that Behalf; and upon such Composition being entered into by such Banks and Bankers respectively it shall be lawful for them to issue and re-issue all Notes and to draw all such Bills for which such Composition shall have been made on unstamped Paper, anything in any Act contained to the contrary notwithstanding.

Stamp Duty on Scrip Certificates.

VIII. From and after the passing of this Act the following Stamp Duty shall be charged and paid; (that is to say,)

On

On any Scrip Certificate, that is to say, any Document denoting or intended to denote the Right or Title of the Holder thereof or any Person to any Share or Shares in any Joint Stock or other Company, or proposed or intended Company, or any Certificate declaring or entitling the Holder thereof or any Person to be or become the Proprietor of any Share or Shares of or in any such Company, where such Certificate or the Right or Title to such Share or Shares shall be or be intended to be transferable by the Delivery of such Certificate, or otherwise than by Deed or Instrument in Writing - - £ 0 0 1

Receipts for Land or Assessed Taxes or Income Tax exempt from Stamp Duty.

IX. No Receipt given for any Sum or Sums of Money received for or on account of Land Tax, or the Duties of Assessed Taxes, or the Duties on Profits arising from Property, Professions, Trades, and Offices, by any Collector or Receiver of such Taxes or Duties, or by any Person having Authority to collect or receive the same, shall be subject or liable to any Stamp Duty.

Stamps denoting Duty on Policies of Life Assurance may be impressed or affixed.

X. The Duties granted by an Act of the present Session of Parliament on Policies of Assurance may be denoted either by a Stamp impressed upon the Paper whereon any such Instrument is written, or by an adhesive Stamp affixed thereto, and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties.

Certain Particulars to be written on adhesive Stamps for Policies.

XI. The adhesive Stamps to be so provided for the Purpose aforesaid shall be adapted for the Writing of the following Particulars thereon; (that is to say,) the Date and Number of the Policy, and the Names of the Person insured and of One of the Directors of the Assurance Company, or other Person by whom the same shall be signed; and where an adhesive Stamp shall be used or intended to be used for or upon any such Policy, such Stamp shall be firmly and securely affixed and made to adhere to such Policy, and all the several Particulars aforesaid shall be fairly and distinctly written upon such Stamp at or before the Time of the signing thereof by such Director or other Person aforesaid, or in default thereof such Director or other Person signing such Policy shall forfeit the Sum of Fifty Pounds.

The SCHEDULE referred to by this Act.

	Duty. £	s.	d.
ARTICLES of CLERKSHIP or Contract, whereby any Person shall first become bound to serve as a Clerk in order to his Admission as an Attorney or Solicitor in any of Her Majesty's Courts at Westminster or in Ireland, or in order to his Admission as a Proctor in the High Court of Admiralty in England, or the Court of Admiralty in Ireland, or in any of the Ecclesiastical Courts in Doctors Commons or in Ireland - - -	80	0	0
CERTIFICATE to be taken out yearly by every Person admitted as an Attorney or Solicitor in any of Her Majesty's Courts at Westminster or in Ireland, or in any other Court in England holding Pleas where the Debt or Damage amounts to Forty Shillings; and by every Person admitted as a Writer to the Signet, or as a Solicitor, Agent, Attorney, or Procurator in any of the Courts in Scotland; and by every Person admitted or enrolled as a Notary Public in England, Scotland, or Ireland, who in his own Name or in the Name of any other Person shall commence, prosecute, carry on, or defend any Action, Suit, Prosecution, or other Proceeding in any of the Courts aforesaid, or do any notarial Act whatever, for or in expectation of any Fee, Gain, or Reward, as an Attorney, Solicitor, Agent, Proctor, Procurator, or Notary Public, although not admitted or enrolled as such;			
If he shall reside within the Distance of Ten Miles from the General Post Office in the City of London, or within the City or Shire of Edinburgh, or in the City of Dublin, or within Three Miles thereof;			
And if he shall have been admitted for the Space of Three Years or upwards	9	0	0
Or if he shall not have been admitted so long - - - -	4	10	0
If he shall reside elsewhere, and if he shall have been admitted for the Space of Three Years or upwards - - - - -	6	0	0
Or if he shall not have been admitted so long - - - -	3	0	0
CERTIFICATE to be taken out yearly by every Person being a Member of One of the Four Inns of Court in England, and by every Person in Ireland who in the Character of Conveyancer, Special Pleader, Draftsman in Equity or otherwise, shall, for or in expectation of any Fee, Gain, or Reward, draw or prepare any Conveyance of or Deed or Instrument relating to any Estate or Property, real or personal, or any other Deed or Contract whatever, or any Pleadings or Proceedings in any Court of Law or Equity;			
If he shall reside within the Distance of Ten Miles from the General Post Office in the City of London, or in the City of Dublin, or within Three Miles thereof -	9	0	0
And if he shall reside elsewhere - - - - - - - -	6	0	0

CON-

	Duty. £	s.	d.
CONVEYANCE of any Kind or Description whatsoever, in England or Ireland, and Charter Disposition or Contract containing the first original Constitution of Feu and Ground Annual Rights in Scotland (not being a Lease or Tack for Years), in consideration of any annual Sum payable in perpetuity, or for any indefinite Period, whether Fee Farm or other Rent, Feu Duty, Ground Annual, or otherwise:			
Where the annual Sum thereby reserved, secured, or made payable shall not exceed 20*s.*	0	2	6
And where the same shall exceed 20*s.* and shall not exceed 12*l.*, then for every 20*s.* or any fractional Part of 20*s.* of such annual Sum	0	2	6
And where the same shall exceed 12*l.* and shall not exceed 24*l.*, then for every 40*s.* and for any fractional Part of 40*s.* of such annual Sum	0	5	0
And where the same shall exceed 24*l.*, then for every 4*l.* and for any fractional Part of 4*l.* of such annual Sum	0	10	0

CAP. LXIV.

An Act for continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in *Ireland*. [15th *August* 1853.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act further to facilitate the Sale and Transfer of Incumbered Estates in* Ireland: And whereas under the Provisions of the said Act certain Commissioners were duly appointed during Her Majesty's Pleasure for the Execution of the said Act: And whereas it is expedient to amend the said Act in certain Particulars, and to continue the Powers of the said Commissioners for the further Term herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 12 & 13 Vict. c. 77.

Where Incumbrance affects any Land or Lease subject to be sold also affects a Lease not so subject, Commissioners Jurisdiction to extend to such Lease.

I. Where Application has been made under the said Act, or shall hereafter be made under the said Act and this Act, or either of them, for a Sale of any Land or of any Lease within Sections Sixteen and Seventeen of the said Act, and all or any of the Incumbrances affecting such Land or Lease also affects any Lease of Land in *Ireland* not within the said Sections Sixteen and Seventeen of the said Act, Application may be made for Sale of such last-mentioned Lease; and the Jurisdiction and Powers of the Commissioners and all the Provisions of the said Act shall extend and be applicable to such last-mentioned Lease in like Manner as in the Case of a Lease within the said Sections Sixteen and Seventeen of the said Act.

The 22d Section of recited Act repealed, and other Provisions made in lieu thereof.

II. The Twenty-second Section of the said recited Act shall be and the same is hereby repealed, and in lieu thereof be it enacted, That the Commissioners shall not make an Order for Sale of any Land or Lease, or any Part thereof, upon Application by an Incumbrancer on such Land or Lease, in case it be shown to the Satisfaction of the Commissioners by the Owner of such Land or Lease that no Part of such Land or Lease is subject to any Receiver, or in the Possession of any Incumbrancer, and that the Amount of the yearly Interest on the Incumbrances, and other yearly Payments (if any) in respect of Charges payable out of the Income of such Land or Lease and the other Lands or Leases (if any) subject to the Incumbrance of such Incumbrancer, do not exceed One Half of the net yearly Income (after the Payment of all Tithe Rentcharge, such Part of the County Cess and Poor's Rate as is payable by the Owner, and all Crown, Quit, and Head Rent) of such Land or Lease, or of all the Lands or Leases so subject: Provided always, that the Decision of the said Commissioners thereupon shall in all Cases, so far as relates to the Power and Jurisdiction of the Commissioners over such Land or Lease, be final and conclusive to all Intents and Purposes whatsoever.

Where a Lease in perpetuity is ordered to be sold, the Commissioners may convert it into a Fee-farm Grant.

III. Where the Commissioners have ordered or shall order the Sale of any Lease in perpetuity, they may, if they shall think it expedient so to do, cause Notice to be given to the Owner or other Persons interested in the Reversion or any Person on behalf of such Owner or other Persons, and may thereupon proceed to convert such Lease in perpetuity into a Fee-farm Grant, according to the Principles prescribed in the Renewable Leasehold Conversion Act, but their Procedure in relation thereto shall be according to the general Rules and Practice of the Court of the said Commissioners, and in case such Conversion shall be ordered they shall have Power to convey the Land included in such Lease to the Purchaser in Fee, subject to the Fee-farm Rent ascertained as aforesaid, and to such Exceptions, Reversions, Covenants, and Clauses as shall be in conformity with the original Lease, and the Provisions of the Renewable Leasehold Conversion Act, and thereupon the Owner for the Time being shall have the same Rights and Remedies against the Purchaser, his Heirs, Executors, Administrators, and Assigns, and against the Land, by Action, Distress, Entry, or otherwise, in respect of such Rent, and of any Exceptions, Reservations, Covenants, and Clauses contained in the said Deed, as belong by Law to the Owner of any Fee-farm Rent created under the said Acts.

Where a Grant amounts to an Assignment of a Lease the Rent

IV. Where any Instrument purporting to be a Demise or Lease or any other Grant or Assurance reserving Rent, executed or made by any Person entitled under any Lease of Land, is, in Construction of Law, an Assignment of such Lease, Sections Sixteen and Seventeen of the said recited Act, and all other

reserved to be within Sections 16 and 17 of recited Act.

other the Provisions of the said Act and this Act, which would, in case such Instrument, Grant, or Assurance had passed less than the whole Term or Estate created by such Lease, have been applicable to or in respect of the Reversion created under such Instrument, Grant, or Assurance, shall extend and apply and shall be deemed to have extended and applied to and in respect of the Rent thereby reserved, and all Rights and Interests thereunder vested in Grantor or Assignor, in like Manner as such Provisions would have been applicable to or in respect of such Reversion.

Where Conveyance is made subject to a Lease, it shall not be necessary in pleading to allege prior Title to Reversion.

V. Where any Conveyance or Assignment has been made before the passing of this Act, or shall hereafter be made, by the Commissioners, subject to any Lease, Underlease, or Tenancy, such Conveyance or Assignment shall be deemed to afford conclusive Proof that the Estate or Interest purporting to be conveyed or assigned thereby is the Reversion expectant upon such Lease, Underlease, or Tenancy, and it shall not be necessary, in any Action arising out of or connected with such Lease, Underlease, or Tenancy, or in any Pleadings in such Action, to allege or prove the Title of such Reversion prior to the said Conveyance or Assignment, and the Person to whom such Conveyance or Assignment is made, his Heirs, Executors, Administrators, and Assigns, and every of them, shall and may have and enjoy like Advantages against the Lessees, Underlessees, and Tenants, their Heirs, Executors, Administrators, Assigns, and Undertenants, and against all other Persons, in possession or occupation of the Land comprised in such Conveyance or Assignment, by Distress or by Entry, for Nonpayment of Rent or for doing of Waste or other Forfeiture, and also shall and may have and enjoy like Advantages and Remedies by Action for not performing other Conditions, Covenants, and Agreements contained in such Lease or Underlease, or in the parol Agreement for such Tenancy, against the said Lessees, Underlessees, and Tenants, their Heirs, Executors, Administrators, and Assigns, as the Person granting such Lease or Underlease or as the Landlord entering into the Agreement for such Tenancy, or his Heirs, Executors, Administrators, or Assigns, ought to have had and enjoyed at any Time or Times, in like Manner and Form as if the Reversion in such Land expectant on such Lease, Underlease, and Tenancy had remained or continued in such Person granting such Lease or Underlease, or as Landlord entering into such Agreement.

Power to consolidate Sale of different undivided Shares.

VI. Where there is or shall be an Application to the Commissioners for the Sale of any undivided Share of any Land or Lease it shall be lawful for the Commissioners, where they shall see fit so to do, upon the Application of the Owner of any other undivided Share or Shares of the same Land or Lease (and although such other undivided Share be not subject to any Incumbrance), or on the Application of any Incumbrancer on such other undivided Share or Shares, to include the same Share or Shares, upon such Terms as they shall see fit, with the Share so proposed to be sold as aforesaid, and in every such Case the Commissioners shall apportion the Purchase Money among the Owners according to their respective Shares so sold, and shall apportion the Expenses as they may see fit.

Clause explanatory of Section 37 of recited Act.

VII. The Thirty-seventh Section of the said recited Act shall apply and be deemed to have at all Times applied to any Rent reserved upon a Lease, where the Commissioners shall have sold or shall sell the whole Reversion expectant upon such Lease at different Times or in different Lots.

Sale may be had, subject to Dower.

VIII. The Commissioners shall have Power upon any Application for Sale, whether now pending before them or to be hereafter made, to sell and convey any Land, subject to any Right, Title, or Estate to or in Dower.

Commissioners may include Arrears of Rent in a Sale.

IX. Where a Sale is made by the Commissioners under the said Act or this Act of any Land or Lease, it shall be lawful for them, whenever it shall appear to them convenient so to do, to include in such Sale all or any Part of the Arrears of Rent, if any, which may at the Time of the Sale be owing from any Lessees or Tenants, subject to whose Leases or Tenancies the Sale is to be made, where such Arrears are subject to any Incumbrance in respect of which an Incumbrancer shall have obtained an Order for Sale, or where the Order for Sale has been obtained by the Owner, and in the Conveyance or Assignment of such Land or Lease to assign such Arrears to the Purchaser accordingly; and such Purchaser, his Heirs, Executors, Administrators, or Assigns, shall, after such Assignment of the said Arrears, have for the Recovery and in respect of the Nonpayment thereof the same Rights and Remedies which the Person or Persons who would have been entitled to such Arrears would have possessed if no such Assignment thereof nor any Conveyance or Assignment of such Land or Lease had been made.

As to Reference of General Rules, and Construction of Act.

X. All General Rules or Orders heretofore made by the Commissioners shall apply and have reference to the Provisions of this Act as well as to those of the said recited Act, and that in the Construction of this Act the Words and Phrases to which a particular or extended Meaning is assigned by the Fifty-fourth Section of the said recited Act shall when used in this Act be understood to bear such particular or extended Meaning, except where the Context requires a different Construction; and that in the Construction of the said recited Act the Word "Lease" shall include and shall be deemed to have included any Term created by way of Use, as well as any Term created by way of Demise at Common Law, so as such Term be or have become a Term in gross.

Limitation of Office of Commissioners, &c., and of Applications and Orders and Proceedings.

XI. The Fifth Section of the said Act, whereby it is enacted that no Commissioner, Secretary, or other Officer should hold his Office for a longer Period than is therein mentioned, shall be and the same is hereby repealed; and every such Commissioner, Secretary, or other Officer may hold his Office for a Term not exceeding Four Years from the passing of this Act, and thenceforth until the End of the then next Session of Parliament; and all Applications which under the Sixteenth and Seventeenth Sections of the said Act, or under this Act, might be made to the said Commissioners within Three Years from the passing of the said Act, and which under the Act passed in the last Session of Parliament, intituled *An Act to continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer*

15 & 16 Vict. c. 67.

Transfer of Incumbered Estates in Ireland, may now be made within Four Years from the passing of the said first-mentioned Act, may be made within Two Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-three; and all Orders and Proceedings by the said Acts or by this Act authorized, and which might be made, had, or taken upon any Application made within the said Period of Four Years, may be made, had, and taken within the further Period authorized by this Act.

Costs of Petitioner for Sale shall not be paid out of Proceeds, otherwise than in same Order as Incumbrance shall be payable.

XII. In the Case of any Petition for a Sale presented after the passing of this Act, the Costs of the Petitioner in respect of such Petition and of any Proceedings thereunder shall not (unless the Commissioners shall otherwise direct) be payable out of the Proceeds of the Sale otherwise than in the same Order of Priority in which the Incumbrance of the Petitioner shall be payable, anything in the said recited Acts, or any Rule or Practice of the Commissioners, to the contrary notwithstanding.

CAP. LXV.

An Act to amend the Acts for the Regulation of Parish Vestries. [15th *August* 1853.]

'WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of King *George* the Third, intituled *An Act for the Regulation of Parish Vestries*, by which it was enacted, "that no "Person who shall have refused or neglected to pay any Rate for the Relief of the Poor, which shall "be due from and shall have been demanded of him, shall be entitled to be present in any Vestry of the "Parish for which such Rate shall have been made until he shall have paid the same:" And whereas by another Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend and correct an Act of the last Session of Parliament, for the Regulation of Parish Vestries in* England, it is enacted, "that no Person who shall have refused or neglected to pay any Rate for the "Relief of the Poor, which shall be due from and shall have been demanded of him, shall be entitled "to vote or to be present in any Vestry of the Parish, for which such Rate shall have been made until "he shall have paid the same, nor shall any such Clerk, Secretary, Steward, or Agent be entitled to "be present or to vote nor shall be present or vote at any Vestry in such Parish unless all Rates for "the Relief of the Poor, which shall have been assessed and charged upon or in respect of the annual "Rent, Profit, or Value in right of which any such Clerk, Secretary, Steward, or Agent shall claim to "be present and vote, which shall be due and which shall have been demanded at any Time before the "Meeting of such Vestry, shall have been paid and satisfied:" And it is expedient to make further Regulations as to the Payment of Rates to qualify Persons to be present and vote at Vestry Meetings in *England* and *Wales*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

58 G. 3. c. 69.

59 G. 3. c. 85.

Rates which have become due less than 3 Months previous to a Vestry Meeting not required to be paid before voting.

I. From and after the passing of this Act no Person shall be required, in order to be entitled to vote or be present at any Vestry Meeting held under the Provisions of the said Acts of the Fifty-eighth and Fifty-ninth Years of King *George* the Third, to have paid any Rate for the Relief of the Poor of the Parish in which such Meeting shall be held, which shall have been made or become due within Three Calendar Months immediately preceding such Vestry Meeting.

CAP. LXVI.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads. [15th *August* 1853.]

[4 & 5 *Vict. c.* 59. *continued until* 1st *October* 1854, *and to the end of the then next Session of Parliament.*]

CAP. LXVII.

An Act for the better Regulation of Public Houses in *Scotland*. [15th *August* 1853.]

'WHEREAS an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to regulate the granting of Certificates by Justices of the Peace and Magistrates, authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses in* Scotland, *in which Ale, Beer, Spirits, Wine, and other exciseable Liquors may be sold by Retail under Excise Licences; and for the better Regulation of such Houses; and for the Prevention of such Houses being kept without such Certificate:* And whereas in *Scotland* great Evils have been found to arise from the granting of Certificates for Spirits, Wine, and exciseable Liquors, to be drunk or consumed on the Premises, to Dealers in Provisions and other such Commodities; and it is expedient that a Remedy be applied to such Evils, and that further Provision be made for the regulating of Public Houses in *Scotland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 G. 4. c. 58.

No Certificate to be granted unless with express Con-

I. It shall not be lawful to the Justices of the Peace for any County or District nor to the Magistrates of any Royal Burgh in *Scotland*, whether acting under the said recited Act or this Act, to grant any Certificate for Spirits, Wine, or exciseable Liquors to be drunk or consumed on the Premises, in Terms of

dition that no Groceries be sold on the Premises.

of the said recited Act, with respect to any House or Premises not previously licensed, unless on the express Condition that no Groceries or other Provisions to be consumed elsewhere shall be sold in the House or Premises with respect to which such Certificate is granted within the Period to which such Certificate applies; and from and after the Term of *Whitsunday* next ensuing from the passing of this Act it shall not be lawful to such Justices or Magistrates to grant any Certificate, in Terms of the said recited Act, with respect to any House or Premises, whether previously licensed under the said recited Act or not, unless on the express Condition aforesaid.

Grocers may obtain Certificates for the Sale of Porter, Spirits, &c. by Retail.

II. Provided always, That nothing herein contained shall prevent any Person or Persons obtaining a Certificate as a Grocer, according to the Schedule to this Act annexed, for the Sale of Porter, Ale, Beer, Cyder, or Perry, or Wines, Spirits, and other exciseable Liquors, by Retail, but not to be consumed on the Premises, at the same Rate as is exigible for a Certificate for a Public House.

Certain Provision of 6 G. 4. c. 81., so far as regards granting Licences in Scotland, repealed.

III. 'And whereas by an Act passed in the Sixth Year of the Reign of King *George* the Fourth, 'intituled *An Act to repeal several Duties payable on Excise Licences in* Great Britain *and* Ireland, *and* 'to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences, it is enacted, 'that no Licence for the Sale of any Spirits or Foreign Wine, or Sweets or Made Wines, or Mead or 'Metheglin, by Retail, to be drank or consumed in or upon the House or Premises where sold, shall be 'granted to any Person or Persons who shall not have and produce a Licence for the Sale of Beer, Cyder, 'or Perry, by Retail, to be drank or consumed in or upon such House or Premises, in that Behalf 'granted; and if any Licence for the Sale of any Spirits or Foreign Wine, or Sweets or Made Wines, 'or Mead or Metheglin, by Retail, to be drank or consumed in or upon the House or Premises where 'sold, shall be granted to any Person or Persons other than as aforesaid, such Licence shall be and is 'thereby declared to be absolutely null and void to all Intents and Purposes, and all and every such 'Person or Persons as aforesaid shall be subject and liable to all and every Penalty and Penalties 'imposed upon Persons selling Spirits or Foreign Wines, or Sweets or Made Wines, or Mead or 'Metheglin, by Retail, without Licence:' Be it enacted, That the said recited Enactment, so far as regards any such Licence as aforesaid to be granted in *Scotland* after the passing of this Act, shall be and the same is hereby repealed.

Certificate to be granted under 9 G. 4. c. 58. to contain Conditions that no Porter, &c. be sold by Retail on the Premises, and no One Certificate to enable Persons to sell Porter, &c. and Spirits, &c.

IV. Every Certificate to be granted in Terms of the said recited Act of the Ninth Year of the Reign of King *George* the Fourth shall be granted under the express Condition that (unless by virtue of a separate Certificate) no Porter, Ale, Beer, Cyder, or Perry shall be sold by Retail in the House or Premises with respect to which such Certificate is granted, within the Period to which such Certificate applies, or otherwise that (unless by virtue of a separate Certificate) no Spirits, Wine, or exciseable Liquors, other than Porter, Ale, Beer, Cyder, or Perry, shall be sold by Retail in such House or Premises to be consumed therein within such Period; and no One Certificate shall be granted having the Effect of enabling a Party to obtain a Licence to sell by Retail, in any Houses or Premises, to be consumed therein; not only Porter, Ale, Beer, Cyder, or Perry, but also Spirits, Wine, and other exciseable Liquors.

No Certificate to be granted until Premises have been inspected, and reported suitable.

V. It shall not be lawful to the Justices of the Peace for any County or District, or the Magistrates of any Burgh, to grant any Certificate, in Terms of the said recited Act and this Act, for the Sale of any Spirits, Wine, Porter, Beer, Cyder, Perry, or other exciseable Liquors to be drunk on the Premises, with respect to any House or Premises not previously licensed, until a written Report shall have been made by a Justice of the Peace for such County or District, or a Magistrate of such Burgh, such Justice or Magistrate being entitled to grant a Certificate, that the same are suitable and proper to be licensed, in Terms of the Certificate applied for, and setting forth the Name of the Owner of such House, accompanied with a Certificate as to the Applicant's Character and Qualification, signed by Two Justices of the Peace, or Two Magistrates of such Borough.

No Certificate to be granted to Blacksmiths, Tacksmen of Tolls, or Toll-gatherers, &c.

VI. From and after *Whitsunday* One thousand eight hundred and fifty-four it shall not be lawful for the Justices of the Peace for any Shire or Stewartry, or the Magistrates of any Royal Burgh, to grant to any Blacksmith at his Smithy, or at any House occupied by him in the immediate Vicinity of the same, or to any Tacksman of Tolls, or Toll-gatherer, or to any Person occupying a House not hitherto licensed to sell exciseable Liquors situated at or near to any Toll Bar in *Scotland*, any Certificate to sell Wine, Beer, Spirits, or other exciseable Liquors, anything in any Act of Parliament to the contrary notwithstanding, unless such Toll be situated more than Six Miles from any other House licensed to sell exciseable Liquors within the same County.

Excise Licences not to be granted without or contrary to a Certificate obtained under this Act.

VII. No Licence for the Sale of any Spirits, Wine, Porter, Ale, Beer, Cyder, Perry, or other exciseable Liquors, by Retail, to be drunk or consumed on the Premises of the Person licensed, shall be granted by the Commissioners of Inland Revenue, or by any Officer of Excise, to any Person in *Scotland* who shall not produce to the said Commissioners or Officer a Certificate, granted in Terms of the said recited Act of the Ninth Year of the Reign of King *George* the Fourth and of this Act, enabling the Party to obtain such Licence; and every such Licence which shall be granted without the Authority or contrary to the Terms of a Certificate in that Behalf shall be null and void to all Intents and Purposes.

Licences.

VIII. In lieu of the present Licences charged for the Sale of Beer and Spirits in *Scotland*, the following Licences shall be charged:

DUTIES.

Duties.	£	s.	d.
Every Person who shall be duly authorized by the Justices of the Peace to keep an Inn, and who shall sell Beer, Cyder, or Perry by Retail (whether to be drank or consumed on the Premises or not) if the Dwelling House in which such Person shall reside or retail Beer, Cyder, or Perry at the Time of taking out such Licence shall not, together with the Offices, Courts, Yards, and Gardens therewith occupied, be rated under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, at a Rent of 10*l.* *per Annum* or upwards, or shall not be rented or valued at such Rent or annual Value, or upwards	2	10	0
And if rated, rented, or valued as aforesaid at 10*l.* *per Annum* or upwards	4	4	0
Every Retailer of Spirits, if the Dwelling House in which such Retailer shall reside or retail such Spirits (whether to be drank or consumed on the Premises or not) at the Time of taking out such Licence shall not, together with the Offices, Courts, Yards, and Gardens therewith occupied, be rated, under the Authority of any Act or Acts of Parliament for granting Duties on inhabited Houses, at a Rent of 10*l.* *per Annum* or upwards, or shall not be rented or valued at such Rent or annual Value or upwards, (and which Rates of Licence Duty shall be deemed to apply to the Sale of Beer together with Spirits where the Party obtaining such Licence shall have the Justice's Certificate or Authority to sell both)	4	4	0
If rated at 10*l.* and under 20*l.*	5	5	0
If „ 20*l.* „ 25*l.*	9	9	0
If „ 25*l.* „ 30*l.*	10	10	0
If „ 30*l.* „ 40*l.*	11	11	0
If „ 40*l.* „ 50*l.*	12	12	0
If „ 50*l.* and upwards	13	13	0

Provisions of former Acts in relation to Excise Licences to be applied to the Duties and Licences under this Act.

IX. The said Duties by this Act granted and made payable on such Licences as aforesaid shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, paid, and applied in such and the like Manner as other Duties of Excise on Licences may by or under any Act or Acts in force be charged, raised, levied, collected, paid, and applied; and all and every the Powers, Provisions, Clauses, Regulations, Fines, Forfeitures, and Penalties contained in or imposed by any such Act or Acts as aforesaid, in relation to any other Duties of Excise on Licences, shall, so far as the same are consistent with the express Provision of this Act, and are not hereby repealed, be practised and put in execution in relation to the said Duties hereby granted, as fully and effectually as if the same were repeated and re-enacted by this Act in reference to the said last-mentioned Duties.

Not to alter or affect existing Licence Duties, or the Liability of Parties to take out such Licences.

X. Provided always, That nothing herein contained shall extend or be deemed or construed to extend to repeal, alter, or affect any Duty or Duties payable under any Act or Acts in force immediately before the passing of this Act, for or upon any Licence to be taken out for the dealing in or retailing of Wine or Spirits or Beer or any other exciseable Liquors in any Part of the United Kingdom, or the Liability of any Person under any such Act or Acts as aforesaid to take out any such Licence, or his or her Liability to any Fine or Penalty for omitting to take out the same.

Form of Certificate.

XI. The Forms of Certificate contained in the Schedule to this Act annexed shall come in place of the Form of Certificate provided by the said recited Act of the Ninth Year of the Reign of King *George* the Fourth; and it shall not be lawful to the Justices of the Peace for any County or District, or to the Magistrates of any Burgh in *Scotland*, whether acting under the said recited Act or this Act, from and after the passing of this Act, to grant any Certificates in any other Forms than those contained in the said Schedule; but it shall be lawful to such Justices or Magistrates to grant Certificates in any of the Forms contained in the said Schedule according to the Circumstances of such Case; and the Penalties provided by the said recited Act for Contraventions of or Offence against the Terms, Provisions, and Conditions of Certificates, and the Recovery and Application thereof, and all Provisions of the said recited Act relating to the Terms, Provisions, and Conditions of Certificates, shall apply to Certificates granted under this Act: Provided always, that in Localities requiring other Hours for opening and closing Public Houses, Inns, and Hotels than those contained in the said Schedule, it shall be lawful for such Justices or Magistrates to insert in the said Schedule such other Hours, not being earlier than Six o'Clock or later than Eight o'Clock in the Morning for opening, or earlier than Nine o'Clock or later than Eleven o'Clock in the Evening for closing the same, as they shall think fit.

Certificates contrary to Act null and void.

XII. If any Certificate shall be granted contrary to the Provisions of this Act the same shall be null and void to all Intents and Purposes.

Excise Licences taken out after 10th Oct. 1853 to retail exciseable Liquors to expire at Whitsunday 1854.

XIII. 'And whereas under and by virtue of the said recited Act of the Sixth Year of the Reign of 'King *George* the Fourth all Excise Licences taken out by any Person or Persons who shall be duly 'authorized by Justices of the Peace to keep a Common Inn, Alehouse, or Victualling House, and who 'shall take out a Licence for selling Beer, Cyder, or Perry by Retail, to be drunk or consumed in the 'House or Premises, or for selling Spirits or Foreign Wine, or Mead or Metheglin, are made to expire 'on the Tenth Day of *October* in each Year: And whereas it is expedient that all such Licences as 'aforesaid to be taken out in *Scotland* should be made to expire at the Term of *Whitsunday*, being the 'Period of the Year when the Certificates under which the same are granted will also expire:' Be it therefore

therefore enacted, That all such Licences as aforesaid which shall be taken out in *Scotland* after the Tenth Day of *October* One thousand eight hundred and fifty-three, and before the Term of *Whitsunday* One thousand eight hundred and fifty-four, shall be made to expire at the latter Term, and shall be granted respectively, upon Payment of a proportionate Part of the annual Duty chargeable thereon, from the Day of the Date to the Day of the Expiration thereof; and every such Licence which shall be taken out in *Scotland* at any Time after *Whitsunday* One thousand eight hundred and fifty-four shall expire at *Whitsunday* next after the granting thereof, anything in the said recited Act of the Sixth Year of the Reign of King *George* the Fourth or in any other Act contained to the contrary thereof notwithstanding.

Licences taken out after Whitsunday 1854 to expire at Whitsunday next following.

Power to Police to enter Public Houses.

XIV. It shall be lawful for any Police Officer or Constable at any Time to enter into any Public House, or any House where Refreshments are sold to be consumed on the Premises; and any Person who refuses to admit or shall not admit such Police Officer or Constable into such Public House or House where Refreshments are sold as aforesaid, or shall offer Obstruction to his Admission thereto, shall be deemed guilty of an Offence; and every Person so offending shall for every such Offence forfeit and pay the Penalties herein-after mentioned, that is to say, for the First Offence the Sum of Five Pounds, with the Expenses of Conviction, and in case such Penalty and Expenses shall not be paid within the Space of Fourteen Days next after such Conviction shall have taken place, the Offender shall be imprisoned for a Period of One Calendar Month unless he shall sooner pay such Penalty and Expenses; and for the Second and every subsequent Offence, the Offender shall forfeit the Sum of Ten Pounds, with the Expenses of Conviction; and in case such Penalty and Expenses shall not be paid within the Space of Fourteen Days next after such Second or subsequent Conviction shall have taken place, then the Offender shall be imprisoned for a Period of Two Calendar Months, unless he shall sooner pay such Penalty and Expenses; and it is hereby provided and declared, that the several Penalties and Terms of Imprisonment may be mitigated by the Court; provided always, that by such Mitigation such Penalties and Terms of Imprisonment respectively shall not be reduced to less than One Fourth thereof.

Penalty.

Penalty on Persons bartering or selling Spirits without having obtained a Certificate.

XV. Every Person bartering or selling Spirits without having obtained a Certificate, and every Dealer in Groceries or other Provisions to be consumed elsewhere than on the Premises supplying, whether gratuitously or otherwise, Spirits to be consumed on the Premises, shall be deemed guilty of an Offence, and shall for such Offence forfeit and pay the Penalties provided in the Thirtieth Section of the said recited Act of the Ninth Year of King *George* the Fourth, and upon Default of Payment thereof as therein mentioned, be imprisoned as therein provided: Provided always, that any Person who shall have been Three Times convicted of any Offence against this Act shall be incapable of holding a Licence for the Sale of exciseable Liquors in all Time coming; and provided also, that every Person who shall be convicted of bartering or selling Spirits without having obtained a Certificate shall, in default of immediate Payment of the Penalty imposed upon him for such Offence, be liable, in the Discretion of the Sheriff, Bailie, or Justices by whom he shall be so convicted, to be immediately imprisoned as prescribed by the said Thirtieth Section of the said recited Act in the Case of Default of Payment within Four Days after Conviction.

Offences to be tried, &c. under Provisions of Act 9 G. 4. c. 58.

XVI. Every Offence committed against this Act shall be tried and determined, and all Penalties incurred under the Authority of this Act shall be recovered and applied, in the Manner and before the Courts, and subject to the Conditions provided in the said recited Act of the Ninth Year of King *George* the Fourth; but in the Case of any Person complained against for bartering or selling Spirits without having obtained a Certificate, it shall be lawful for the Sheriff, Bailie, or Justices to or before whom such Complaint shall have been made, instead of granting a Warrant to the Officers of Court to summon the Person complained against to appear to attend the Hearing of such Complaint, to grant Warrant for the Apprehension of such Person, and after such Apprehension to inquire into the Truth of the Allegations in such Complaint, and otherwise to proceed under such Complaint as if such Person had appeared under such a Summons.

Interpretation of Terms.

XVII. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

Words importing the Singular shall include the Plural Number, and Words importing the Plural shall include the Singular Number:

Words importing the Masculine Gender shall also include Females:

The Word "Month" shall mean Calendar Month:

The Expression "Public House" shall include a Common Inn, Alehouse, Victualling House, or other Premises in which any exciseable Liquors are sold by Retail to be drunk or consumed in the Premises in which the same are sold:

The Expression "Inn and Hotel" in Certificate (No. 1.) shall refer to a House containing at least Four sleeping Apartments set apart for the Accommodation of Travellers:

The Word "Certificate" shall mean a Certificate to a Person to keep a Public House in Terms of the said recited Act and of this Act.

Repeal of other Statutes so far as inconsistent with this Act.

XVIII. The said recited Acts, and all other Statutes, Laws, and Usages, shall be and the same are hereby repealed in so far as is inconsistent with the Provisions of this Act, but no farther or otherwise.

SCHE-

SCHEDULE.

Form of Certificate for Inns and Hotels.

AT a General Meeting for granting Publicans Certificates held by Her Majesty's Justices of the Peace acting in and for the County [*or* of the Magistrates of the Burgh, *as the Case may be*,] of holden at within the said County [*or* Burgh] on the Day of in the Year One thousand eight hundred and for the Purpose of authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses, Her Majesty's Justices of the Peace acting in and for the said County, [*or* the Magistrates of the said Burgh,] assembled at the said Meeting, did authorize and empower *A.L.*, now dwelling at the Sign of the at in the Parish of and County [*or* Burgh] aforesaid, to keep a Common Inn, Alehouse, or Victualling House, for the Sale in the said House, but not elsewhere, of Victuals, and of Spirits, Wine, or other exciseable Liquors other than Porter, Ale, Beer, Cyder, or Perry, [*or* of Victuals, and of Porter, Ale, Beer, Cyder, or Perry,] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her on that Behalf granted, on the Terms and Conditions following; that is to say, That the said *A.L.* do not fraudulently adulterate the Bread and other Victuals and Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weights or Measures which are not of the legal Imperial Standards [and do not sell any Groceries or other Provisions in the said House or Premises to be consumed elsewhere] *; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct within the said House or Premises; and do not knowingly permit or suffer Men or Women of notoriously bad Fame, or Girls and Boys, to assemble and meet therein; and do not supply Liquor to Boys and Girls apparently under Fourteen Years of Age, or to Persons who are in a State of Intoxication; and do not permit or suffer any unlawful Games therein; and do not keep open House, or permit or suffer any drinking on any Part of the Premises belonging thereto, or sell or give out therefrom any Liquors, before Eight of the Clock in the Morning, or after Eleven of the Clock at Night, of any Day, with the Exception of Refreshment to Travellers or to Persons requiring to lodge in the said House or Premises; and do not open his House for the Sale of any Liquors, or sell or give out the same, on Sunday, except for the Accommodation of Lodgers and *bonâ fide* Travellers; and, lastly, do maintain good Order and Rule within his House and Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, from the Day of One thousand eight hundred and and until the Day of One thousand eight hundred and and no longer.

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

Form of Certificate for Public Houses.

AT a General Meeting for granting Publicans Certificates held by Her Majesty's Justices of the Peace acting in and for the County [*or* of the Magistrates of the Burgh, *as the Case may be*,] of holden at within the said County [*or* Burgh] on the Day of in the Year One thousand eight hundred and for the Purpose of authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses, Her Majesty's Justices of the Peace acting in and for the said County, [*or* the Magistrates of the said Burgh,] assembled at the said Meeting, did authorize and empower *A.L.*, now dwelling at the Sign of the at in the Parish of and County [*or* Burgh] aforesaid, to keep a Public House, for the Sale in the said Premises, but not elsewhere, of Victuals, and of Spirits, Wine, or other exciseable Liquors other than Porter, Ale, Beer, Cyder, or Perry, [*or* of Victuals, and of Porter, Ale, Beer, Cyder, or Perry,] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her on that Behalf granted, on the Terms and Conditions following; that is to say, That the said *A.L.* do not fraudulently adulterate the Bread and other Victuals and Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weights or Measures which are not of the legal Imperial Standards, [and do not sell any Groceries or other Provisions in the said House or Premises to be consumed elsewhere] *; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct within the said House or Premises; and do not permit or suffer Men or Women of notoriously bad Fame, or Girls and Boys, to assemble and meet therein; and do not supply Liquor to Boys and Girls apparently under Fourteen Years of Age, or to Persons who are in a State of Intoxication; and do not permit or suffer any unlawful Games therein; and do not keep open House, or permit or suffer any drinking on any Part of the Premises belonging thereto, or sell or give out therefrom any Liquors, before Eight of the Clock in the Morning or after Eleven of the Clock at Night of any Day; and do not open his House for the Sale of any Liquors, or sell or give out the same, on Sunday; and, lastly, do maintain

* *Note.*—The Condition within Brackets not to be inserted in Certificates granted previous to Whitsunday One thousand eight hundred and fifty-four in the Case of Houses or Premises previously licensed.

good Order and Rule within his House and Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, from the Day of One thousand eight hundred and and until the Day of One thousand eight hundred and and no longer.

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

Form of Certificate for Dealers in Spirits, and Grocers and Provision Dealers trading in Spirits.

At a General Meeting for granting Publicans Certificates held by Her Majesty's Justices of the Peace acting in and for the County [*or* of the Magistrates of the Burgh, *as the Case may be*,] of holden at within the said County [*or* Burgh] on the Day of in the Year One thousand eight hundred and for the Purpose of authorizing Persons to keep Common Inns, Alehouses, and Victualling Houses, Her Majesty's Justices of the Peace acting in and for the said County, [*or* the Magistrates of the said Burgh,] assembled at the said Meeting, did authorize and empower *A.L.*, now dwelling at in the Parish of and County [*or* Burgh] aforesaid, to keep Premises for the Sale therein, but not elsewhere, of Spirits, Wine, or other exciseable Liquors other than Porter, Ale, Beer, Cyder, or Perry, [*or* of Porter, Ale, Beer, Cyder, or Perry,] provided the said *A.L.* shall be licensed and empowered to sell such Liquors under the Authority and Permission of any Excise Licence to him or her on that Behalf granted, on the Terms and Conditions following; that is to say, That the said *A.L.* do not fraudulently adulterate the Liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not use in selling the same any Weights or Measures which are not of the legal Imperial Standards; and do not knowingly permit any Breach of the Peace, or riotous or disorderly Conduct within the said Premises; and do not supply Liquor to Persons who are in a State of Intoxication; and do not sell any Spirits, Wine, or other exciseable Liquors, [*or* Porter, Ale, Beer, Cyder, or Perry,] to be drunk or consumed on the said Premises, and do not sell or give out therefrom any Liquors, before Six of the Clock in the Morning or after Eleven of the Clock at Night of any Day; and do not open his Premises for the Sale of any Liquors, or sell or give out the same, on Sunday; and, lastly, do maintain good Order and Rule within his Premises. This Certificate to continue in force, upon the Terms and Conditions aforesaid, for One Year from the Day of One thousand eight hundred and . .

The above Certificate is made out according to the Deliverance in the Book or Register appointed to be kept in Terms of the Act of Parliament.

C.D., Clerk.

Form of Register of Applications.

Nos.	Names and Designations of Applicants.	I. For Inns and Hotels, and where situated.	II. For Public Houses, and where situated.	III. For Dealers in Spirits, Groceries, and Provisions.	Persons recommending Applicants.	How disposed of.	Convictions, and Dates thereof.
1.							
2.							

CAP. LXVIII.

An Act to limit the Time for proceeding to Election in Counties and Boroughs in *England* and *Wales*, and for Polling at Elections for the Universities of *Oxford* and *Cambridge*, and for other Purposes. [15th *August* 1853.]

'WHEREAS it is expedient to alter the Law respecting the Direction and Return of Writs for the 'Election of Members of Parliament in Certain Cases:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Sheriffs to make Election for their Counties only. Writs for Election in Universities of Oxford and

I. The Writ for any Election hereafter to be directed to the Sheriff of any County in *England* or *Wales* (other than the County of a City or of a Town) shall require such Sheriff to cause Election to be made of a Knight or Knights to serve in Parliament for such County, and for any Riding, Parts, or Division thereof only, and not further or otherwise; the Writ for making any Election of a Member or Members to serve in Parliament for the Universities of *Oxford* and *Cambridge*, and for every Borough, Town Corporate, Port, or Place returning Members to serve in Parliament in *England* and *Wales*, shall hereafter be directed to the Vice Chancellors of the said Universities, and to the Returning Officers of such Boroughs,

Boroughs, Towns Corporate, Ports, and Places respectively, and such Vice Chancellors and Returning Officers shall thereupon in due Course of Law proceed to Election, and after such Election certify the same, together with the Writ, according to the Directions thereof; all such Writs hereafter to be issued, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, shall be and the same are hereby authorized to be framed and expressed in such Manner and Form as may be necessary for carrying the Provisions of this Act into effect.

Cambridge, &c. to be directed to the Returning Officers thereof.

Writs, &c. to be made conformable to this Act.

II. 'Whereas by the Fourth Section of the Act of the Twenty-fifth *George* the Third, Chapter Eighty-four, it is provided, that immediately after the Receipt of the Writ for making any Election of a Knight or Knights to serve in Parliament for any County or Shire in *England* or *Wales*, and endorsing on the back thereof the Day of receiving the same, as by Law required, it should and might be lawful for the Sheriff of such County and he is thereby required, within Two Days after the Receipt thereof, to cause Proclamation to be made at the Place where the ensuing Election ought by Law to be holden of a Special County Court to be there holden for the Purpose of such Election only on any Day (*Sunday* excepted) not later from the Day of making such Proclamation than the Sixteenth Day nor sooner than the Tenth Day: And whereas it is expedient to limit the Time for proceeding to such Elections:' Be it therefore enacted, That hereafter any such Special County Court for the Purpose of the Election of a Knight or Knights to serve in Parliament for any County, Riding, Parts, or Division of any County in *England* or *Wales* shall be holden on any Day (*Sunday*, *Good Friday*, and *Christmas Day* excepted) not later from the Day of making such Proclamation than the Twelfth Day nor sooner than the Sixth Day; provided that this Section shall not apply to the Election for any County of a City or of a Town.

Elections in Counties to be not later than the Twelfth nor sooner than the Sixth Day after the Sheriff's Proclamation.

III. That the Act of the Third and Fourth *Victoria*, Chapter Eighty-one, be and the same is hereby repealed, and in every City or Town being a County of itself, and in every Borough, Town Corporate, Port, or Place, returning or contributing to return a Member or Members to serve in Parliament in *England* and *Wales*, the Officer to whom the Duty of giving Notice for the Election of such Member or Members belongs shall proceed to Election within Six Days after the Receipt of the Writ or Precept, giving Three clear Days Notice at least of the Day of Election, exclusive of the Day of Proclamation and the Day of Election.

Elections in Cities, &c. to be within Six Days after Receipt of Writ, 3 Days Notice being given.

IV. At any Election of a Member or Members to serve in Parliament for either of the Universities of *Oxford* and *Cambridge* the Polling shall not continue for more than Five Days at the most, *Sunday*, *Christmas Day*, *Good Friday*, and *Ascension Day* being excluded.

Polling at the Universities to continue Five Days only.

V. At every such Election the Vice Chancellor shall have Power to appoint any Number of Polling Places not exceeding Three, in addition to the House of Convocation or Senate House, and to direct at which of such Polling Places the Members of Convocation and of the Senate according to their Colleges shall vote, and also to appoint any Number of Pro Vice Chancellors, any one of whom may receive the Votes and decide upon all Questions during the Absence of such Vice Chancellor; and such Vice Chancellor shall have Power to appoint any Number of Poll Clerks and other Officers, by One or more of whom the Votes shall be entered in such Number of Poll Books as shall be judged necessary by such Vice Chancellor.

Vice Chancellors to appoint additional Polling Places, and appoint Pro-Vice Chancellors, &c. for conducting the Poll.

VI. No Poll at any Election for Members of Parliament in *England* and *Wales* shall be taken at any Inn, Hotel, Tavern, Public House, or other Premises licensed for the Sale of Beer, Wine, or Spirits, or in any Booth, Hall, Room, or other Place directly communicating therewith, unless by Consent of all the Candidates expressed in Writing.

Polls not to be taken at Inns, &c. without Consent of all the Candidates.

VII. It shall be lawful for Her Majesty, by and with the Advice of Her Privy Council from Time to Time hereafter, on Petition from the Justices in Quarter Sessions assembled of any County, Riding, Parts, or Division of any County, other than any County of a City or of a Town, in *England* and *Wales*, representing that it would be expedient that any Polling Place or Places mentioned in the said Petition should cease to be such, and that any other Place or Places mentioned in the said Petition should be substituted in lieu thereof, and praying that such Alteration and Substitution might be made, to declare that the said Alteration and Substitution shall be made in respect of all or any of the Places mentioned in the said Petition; and the said Declaration shall be certified under the Hand of One of the Clerks in Ordinary of Her Majesty's Privy Council, and when so certified shall be published in the *London Gazette*, and shall then be of the same Force and Effect as if the same had been expressly made by the Authority of Parliament.

Power for Her Majesty, on Petition of Justices, to direct that Polling Places in Counties shall cease to be such, and that other Places be substituted in lieu thereof.

VIII. Provided always, That the Notice of and Proceedings to be had upon any such Petition shall be according to the Provisions of the Second Section of the One hundred and second Chapter of the Statute of the Sixth and Seventh Years of King *William* the Fourth in respect of the Petition therein mentioned.

Proceedings upon the said Petition to be as provided by s. 2. of 6 & 7 W. 4. c. 102.

CAP. LXIX.

An Act to make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy. [15th *August* 1853.]

'WHEREAS by an Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Twenty-four, it was enacted, that no Person should be liable to be detained against his Consent in the Naval Service of His Majesty for a longer Period than Five Years, to be computed from the Day of his being entered into the same, unless he should have voluntarily entered for a longer Term, and except as therein-after provided, and Provisions are therein contained having reference

5 & 6 W. 4. c. 24.

10 & 11 Vict. c. 30.

'reference to such Term of Five Years: And whereas by an Act of the Session holden in the Tenth and 'Eleventh Years of Her Majesty, Chapter Thirty, in was enacted, that every Boy who, when under the 'Age of Sixteen Years, should enter the Service of Her Majesty's Navy, should be liable to be detained 'in the said Service for any Period not exceeding Seven Years, to be computed from the Day of his 'being entered into the same: And whereas by an Order made by Her Majesty in Council on the First 'Day of *April* One thousand eight hundred and fifty-three Her Majesty has been pleased, by and with 'the Advice of Her Privy Council, to approve Recommendations of the Commissioners of the Admiralty 'for the Encouragement of Men entering the Navy for continuous and general Service, and Regula-'tions have been and may be issued by the said Commissioners of the Admiralty offering increased 'Rates of Pay and other Advantages to Men entering the Navy for Ten Years continuous and general 'Service, or re-entering for continuous and general Service for such a Term as with such Time as may 'be allowed in respect of their previous Service will make up a Term of Ten Years or thereabouts, and 'for the Benefit of Boys entering Her Majesty's Navy: And whereas it is expedient to make Provision 'concerning the Service of the Persons who may be entitled to the Benefits of the said Regulations, 'and to extend the Period of Service of Boys hereafter entering the Navy, and otherwise to amend the 'Law concerning the Manning and Discipline of the Navy:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 & 6 W. 4. c. 24. as amended by this Act, to extend to Men entering for 10 Years, or any other Term of continuous and general Service.

I. Where, under the Regulations or Directions of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral, Men willing so to enter or re-enter into the Naval Service of Her Majesty have already been or may hereafter be entered or re-entered for Ten Years continuous and general Service, or entered or re-entered for such other Term of continuous and general Service as under such Regulations or Directions may be authorized, such Men shall be liable to serve accordingly; and all the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, as amended by this Act, shall extend to every such Man as if the Term for which he has already been or may hereafter be so entered or re-entered were throughout substituted for the Term of Five Years.

Repeal of 10 & 11 Vict. c. 30.

Provision as to Boys hereafter entering into the Naval Service of Her Majesty.

II. The said Act of the Tenth and Eleventh Years of Her Majesty shall be repealed; and every Boy hereafter entering when under the Age of Eighteen Years into the Naval Service of Her Majesty shall be entered and liable to serve until he attain the Age of Twenty-eight Years; and every Person who, when of the Age of Eighteen Years or upwards, shall be hereafter entered into such Naval Service as a Boy, shall be entered for Ten Years continuous and general Service from the Time of his entering, and shall be liable to serve accordingly; and the said Act of the Fifth and Sixth Years of King *William* the Fourth, as amended by this Act, shall be applicable to every such Boy as if the Term for which he shall be liable to serve were throughout substituted therein for Five Years; and the Statement by any Boy of his Age at the Time of his entering as aforesaid shall, for the Purposes of this Act, be conclusive Evidence of his Age at that Time.

As to Grant of Extra Pay to Men detained in Service in Cases of Emergency.

III. So much of the said Act of the Fifth and Sixth Years of King *William* the Fourth as provides that every Person detained in the Service in consequence of any special Emergency after the Expiration of his Period of Service shall be entitled to receive for such extra Service One Fourth in addition to the Pay of his Rating, shall be repealed; and every such Person so detained shall be entitled to receive for such extra Service Twopence a Day in addition to the Pay of his Rating.

Sect. 4. of 5 & 6 W. 4. c. 24. repealed.

Persons entering the Navy to be entitled to such Bounty as may be fixed by Royal Proclamation, &c.

IV. The Fourth Section of the said Act of the Fifth and Sixth Years of King *William* the Fourth, entitling to Double Bounty Seamen, seafaring Men, and other Persons entering the Navy within the Time and in manner therein mentioned, after the Issue of any Royal Proclamation calling for the Services of seafaring Men, shall be repealed; and all Persons entering or re-entering the Navy after the issuing of any such Proclamation (whether general or restricted as herein-after mentioned,) shall be entitled to such Bounty or respective Bounties according to their Classes, as may be offered by such Proclamation, with such Increase, if any, as Her Majesty may in the Case of all or any such Persons think fit to direct, in respect of their entering within such Times or in such Manner as in such Proclamation may be in that Behalf appointed.

Sections 5. and 6. of 5 & 6 W. 4. c. 24. repealed.

V. The Fifth Section of the said Act of the Fifth and Sixth Years of King *William* the Fourth, requiring the Service for a Period of Five Years, in case their Services should be so long required, of the Seamen serving on board the Fleet in case of such Proclamation as therein mentioned, and fixing the Bounty to be paid in consideration of such Service, and the Sixth Section of the said Act, concerning the re-entering of Persons whose Period of Service shall expire when any such Proclamation shall be in force, shall be repealed.

Not to affect Rights of Persons now serving.

VI. Provided always, That nothing herein-before contained shall affect the Rights or Liabilities under the said Acts of the Fifth and Sixth Years of King *William* the Fourth and Tenth and Eleventh Years of Her Majesty incident to or consequent upon the existing Terms of Service of the Persons now serving in the Navy, except such Persons as may have entered under the Regulations for continuous and general Service, or may have become or may hereafter become entitled to the Benefit of such Regulations.

Proclamation for Seamen may be general or restricted.

VII. Any Proclamation of Her Majesty, Her Heirs or Successors, calling for the Services of seafaring Men, either during the Time of Peace or War, shall, at the Pleasure of Her Majesty, Her Heirs or Successors, apply to all seafaring Men, or be restricted to any particular Class or Classes of seafaring Men, either according to their Ages, the Numbers of their Register Tickets, or otherwise; and every such restricted Proclamation shall be as valid and effectual in Law as any such Proclamation calling for the

Services

Services of all seafaring Men, and as to the Men within such Class or Classes shall and may be enforced accordingly.

Register Ticket Evidence of the Age of Seamen.

VIII. When any such restricted Proclamation shall have reference to Ages it shall be incumbent on any seafaring Man claiming in respect of Age not to be within such Proclamation to prove his Age by the Production of his Register Ticket, or other Evidence.

Service of Seamen in the Navy may be extended by Royal Proclamation.

IX. In case Her Majesty, Her Heirs or Successors, shall by Proclamation call upon the Seamen or any Class or Classes of Seamen serving in Her Majesty's Navy, or such of them as may be required so to do, to extend the Term of their Services, any Seaman to whom such Proclamation shall extend, and whose Term of Service shall have expired at the Date of such Proclamation, or may expire while such Proclamation shall continue in force, may be required to serve for a Period of Five Years from the Expiration of such Term, if his Services be so long required, and shall be liable to serve accordingly, and shall for such Extension of Service be entitled to such Bounty as may be given by such Proclamation.

Nothing to diminish Power of the Admiralty to enter Seamen for any Periods and to discharge them.

X. Nothing in this Act contained shall control or diminish the Authority vested in the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to enter or cause to be entered Seamen and others for Her Majesty's Navy for any Period or Periods of Service for which they may volunteer, and to detain them in such Service accordingly; and nothing in this Act contained shall control or diminish the Authority vested in the said Lord High Admiral or the said Commissioners to discharge, as he or they may think fit, or to authorize the Discharge of any Seaman or other Person whatever from Her Majesty's Naval Service.

Men entering for continuous and general Service, and Boys, to be entitled to Pay while in Sick Quarters at home, subject to such Deduction after Thirty Days as Admiralty may direct, &c.

XI. So much of the Act of the Eleventh Year of King *George* the Fourth, Chapter Twenty, as provides that no Petty Officers, Seamen, or Marines, (except those wounded in Action with the Enemy,) who shall be discharged from Hospitals or Sick Quarters at home, either to a Ship or from the Service, shall be allowed Wages for more than Thirty Days of the Time they shall remain in such Hospital or Sick Quarters, shall not apply to Petty Officers or Seamen entered for continuous and general Service in the Navy, or to Boys entered under this Act, and any such Petty Officer, Seaman, or Boy who may be sent to any Hospital or Sick Quarters at home shall be allowed his Pay for the whole Time he shall remain in such Hospital or Sick Quarters, subject to such Deduction therefrom, after the Expiration of Thirty Days, as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral may from Time to Time direct, and the Time such Petty Officer, Seaman, or Boy may be in such Hospital or Sick Quarters shall reckon as Part of his Time of Service: Provided that no such Deduction as aforesaid shall be made in any Case where such Petty Officer, Seaman, or Boy would have been entitled to his full Pay, under the said Act.

Spirituous or fermented Liquors not to be brought on board Her Majesty's Ships without the Commander's Consent.

Penalty on Offenders.

XII. It shall not be lawful for any Person to bring on board any of Her Majesty's Ships or Vessels any spirituous or fermented Liquor of any Description, without the previous Consent of the Officer commanding the Ship or Vessel on board of which the same may be brought; and it shall be lawful for any Officer in Her Majesty's Service, or Warrant or Petty Officer of the Navy, or Non-commissioned Officer of Marines, with or without Seamen or Persons under his Command, to search any Boat or Vessel hovering about or approaching or which may have hovered about or approached any of Her Majesty's Ships or Vessels, and if any spirituous or fermented Liquor be found on board such Boat or Vessel to seize such spirituous or fermented Liquor, and the same shall be forfeited to Her Majesty; and if any Person shall bring any spirituous or fermented Liquor on board any of Her Majesty's Ships or Vessels without such previous Consent as aforesaid, or shall approach or hover about any of Her Majesty's Ships or Vessels for the Purpose of bringing any spirituous or fermented Liquor on board the same, without such previous Consent, or for the Purpose of giving or selling, without such previous Consent, spirituous or fermented Liquor to Men in Her Majesty's Service, or of aiding or assisting any Officer, Seaman, or Marine in Her Majesty's Service to desert or improperly absent himself from his Ship or Vessel, every such Person shall, upon a summary Conviction thereof before a Justice or Justices of the Peace, forfeit and pay any Sum not exceeding Ten Pounds for every such Act or Offence; and it shall be lawful for any Officer in Her Majesty's Service, or any such Warrant or Petty Officer, or Non-commissioned Officer as aforesaid, or for any Constable or Peace Officer, with or without any Warrant or other Process, to apprehend or cause to be apprehended any such Offender or Person so acting, and to bring him or cause him to be brought before any Justice or Justices of the Peace, for the Purpose of having the Offender summarily convicted of the same; and any pecuniary Forfeiture under this Provision shall and may be recovered, with Costs, and paid and applied, in manner provided by the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Sixty-two, concerning Penalties and Forfeitures imposed by that Act.

Men absent for 48 Hours without Leave to forfeit Pay during their Absence.

XIII. Every Officer, Seaman, Marine, or other Person serving in Her Majesty's Navy, who shall wilfully, or by reason of Imprisonment under any Commitment by any Civil Magistrate or other Civil Authority, or under any Civil Process, be absent from his Ship for Forty-eight Hours or upwards, without Leave of his Commanding Officer, shall thereby, if such Commanding Officer so direct, lose and forfeit all Wages, Pay, and other Allowances (any Portion allotted to Wife or Relatives commonly called Allotments only excepted) to which he would have been entitled in respect of his Services during the Period of such his Absence without Leave; and for the Purposes of this Provision any Part of a Day included in the Period of such Absence shall be deemed the whole Day, and the Wages, Pay, and Allowances in respect of such Day shall be forfeited accordingly: Provided always, that nothing herein contained shall be taken to lessen or affect any Liability of such Officer, Seaman, Marine, or other Person

as

as aforesaid for or in respect of Desertion, or otherwise to affect any Provision, Law, or Regulation applicable to Deserters or Persons sentenced by Court-martial.

Power to try or punish Persons guilty of Desertion summarily.

XIV. In any Case of Desertion of a Petty Officer or Seaman, or Non-commissioned Officer of Marines or Marine, from Her Majesty's Navy, or from any One of Her Majesty's Ships, it shall be lawful either to try the Offender by Court-martial, or, instead of so trying him, for any Flag Officer of Her Majesty's Navy on Full Pay, or for the Officer commanding the Ship to which the Deserter may belong, or the Ship to which he may be brought or on the Books of which he may be borne, upon any such Flag Officer or Officer commanding being satisfied of the Identity of the Offender, and of the Offence having been committed, to order the Offender to be imprisoned for any Period not exceeding Six Calendar Months from the Date of such Order in any public Prison, Gaol, or House of Correction in any Part of Her Majesty's Dominions, or in any Naval Prison appointed or to be appointed under the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Sixty-two; and such Imprisonment may be with or without Hard Labour, as any such Order shall direct; or in any such Case of Desertion as aforesaid it shall be lawful for any such Flag Officer or Officer commanding to order the Offender to be disrated if a Petty Officer or a Non-commissioned Officer of Marines, or if a Seaman or Marine to be summarily punished, in the same Manner as such Offender would be liable to be punished according to the Custom of the Service for being absent without Leave, without Trial by Court-martial; but when any such Order as aforesaid is not made by the Senior Naval Officer present the same shall not have any Force or Effect until the same shall have been approved of by Writing under the Hand of such Senior Officer; and in all Cases upon the Home Station no such Order when made by any such Officer commanding shall have any Force or Effect until the same shall have been approved of by Writing under the Hand of the Commander-in-Chief under whom the Officer making such Order shall be serving; and all the Provisions of the said Act of the Tenth and Eleventh Years of Her Majesty relating to or concerning Governors, Gaolers, or Keepers of any public Prison, Gaol, or House of Correction, and Officers having Charge of Naval Prisons, receiving and confining Offenders, and to Orders for the Discharge or Removal of Offenders, to the Subsistence of Prisoners, as to Prisoners not being entitled to Pay or Wages, or to reckon Time for Pay, Wages, or Pension, while in Confinement, and as to Penalties which may be incurred by any such Governor, Gaoler, Keeper, or Officer, and as to the Recovery and Application of such Penalties, shall be applicable to all Cases of Offenders imprisoned under or by virtue of any such Order as herein-before provided.

Imprisonment under Sentence of Naval Courts-martial may be with or without Hard Labour.

XV. In all Cases in which Naval Courts-martial are or may be authorized to adjudge Imprisonment they may adjudge the same with or without Hard Labour at their Discretion, and with or without any other Punishment which they are competent to award; and the Term of Imprisonment under Sentence of such Courts-martial shall be reckoned as commencing on the Day on which the Sentence was passed.

Persons making fraudulent Representations on entering Navy to be punished as Rogues and Vagabonds under 5 G. 4. c. 83.

XVI. Every Person who, upon entering or offering himself to enter the Naval Service of Her Majesty, shall make or give any false Statement, whether orally or in Writing, with Intent to deceive any Officer or Person authorized to enter or enlist Seamen or others in or for such Naval Service, shall be deemed a Rogue and Vagabond within the Intent and Meaning of the Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-three, and shall upon Conviction thereof be punished accordingly; and all the Provisions of the said Act, and of any Act amending the same, shall take effect and apply as if a Person so offending as aforesaid had, by the said Act of the Fifth Year of King *George* the Fourth, been declared a Rogue and Vagabond within the true Intent and Meaning of that Act.

Courts-martial may try Offences committed by Persons in full Pay in the Navy in Dockyards or Victualling Yards.

XVII. 'And whereas under the Act of the Twenty-second Year of King *George* the Second, Chapter 'Thirty-three, Courts-martial constituted by virtue of that Act have Authority for the Trial and 'Punishment of Offences committed upon the Main Sea or in great Rivers only beneath the Bridges of 'the said Rivers nigh to the Sea, or in any Haven, River, or Creek within the Jurisdiction of the 'Admiralty, by Persons in actual Service and Full Pay in the Fleet or Ships of War of Her Majesty:'

Any Court-martial constituted by virtue of the said last-mentioned Act shall have the same Power for the Trial and Punishment of Offences committed in any of Her Majesty's Dockyards or Victualling Yards by such Persons as at the Time of the Offence committed shall be in actual Service and Full Pay in the Fleet or Ships of War of Her Majesty as if such Offences had been committed upon the Main Sea or in any Haven within the Jurisdiction of the Admiralty, and all Persons in actual Service and Full Pay in any of the Ships of War of Her Majesty shall while within any of Her Majesty's Dockyards or Victualling Yards be subject to the same Discipline, Laws, and Customs as if on board such Ships of War of Her Majesty upon the Main Sea or in any such Haven as aforesaid.

Railway Companies to convey Naval Forces upon the same Terms as Military and Police.

XVIII. Whenever it shall be necessary to move any of the Officers or Men in Her Majesty's Navy, or belonging to any Naval Coast Volunteers, or any other Officers or Men under the Command or Government of the Admiralty, every Railway Company shall, upon the Production of a Route or Order for the Conveyance of such Officers or Men, signed by any Officer or Person authorized by the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral in that Behalf, be bound to provide Conveyance for such Officers or Men and their personal Luggage, and also any public Baggage, Stores, Arms, Ammunition, and other Necessaries and Things, by the Railway of such Company, at the usual Hours of starting, in like Manner and at the like Fares and Rates of Charge, and upon the like Conditions, as under the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-five, or any other Act applicable to such Company, such Company would be bound to provide such Conveyance for the Officers and Men of Her Majesty's Forces of the Line, Ordnance Corps, Marines,

Marines, Militia, and Police Force, and their personal Luggage, and any public Baggage, Stores, Arms, Ammunition, and other Necessaries and Things of the said Forces.

Sect. 8. of 4 & 5 W. 4. c. 25. repealed, and other Provisions made for Payment of Monies to a certain Amount due in the Naval Department to Persons deceased, without requiring Probate or Letters of Administration.

XIX. 'And whereas by the Eighth Section of the Act of the Session holden in the Fourth and Fifth 'Years of King *William* the Fourth, Chapter Twenty-five, Provision is made to facilitate the obtaining 'by the Relations of Persons deceased of small Sums payable to them in the Naval Department: And 'whereas it is expedient to make more effectual Provision for that Purpose:'

The said Eighth Section of the said Act of the Fourth and Fifth Years of King *William* the Fourth shall be repealed; and where upon the Death (either before or after the passing of this Act) of any Commissioned, Warrant, or Petty Officer, Seaman, Commissioned or Non-commissioned Officer of Royal Marines, or Private Marine, or of any Widow entitled to a Pension on the Establishment of the Navy, or of any Person entitled to an Allowance from the Compassionate Fund, or of any Person having been employed in any of Her Majesty's Dockyards, Naval, Victualling, or Medical Establishments, or in any of the Civil Departments of the Navy, or of any Person entitled to any Prize Money, Bounty, Grant, or other Money in the Nature of Naval Prize, the whole Amount of Monies payable in the Naval Department which may be due to the Deceased shall not exceed the Sum of Fifty Pounds, it shall be lawful for the Inspector of Seamen's Wills in the Admiralty Office, after having satisfied himself by due Investigation of the Right of any Claimant to Probate of the Will (if the Deceased shall have left a Will), or in case of Intestacy to Letters of Administration, to issue a Certificate in Admission of the Claim, which Certificate shall be in such Form as by the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral shall be deemed expedient, and shall, so far as regards any Monies payable in the Naval Department, and not exceeding Fifty Pounds, have the same Force and Effect as a Probate of the Deceased's Will or a Grant of Administration of the Deceased's Effects; and Payment under the Authority of such Certificate of any Monies, not exceeding in the whole the said Sum of Fifty Pounds, due to the Deceased on account of any Naval Pay or Wages, or Pay or Wages of the ordinary or any Marine Pay, or of any Half Pay, Pension, or Prize, or Bounty, Grant, or other Money in the Nature of Prize, or of any Allowance from the Compassionate Fund, or Monies due on account of the Deceased's Services, or Superannuation Allowances granted on Retirement from any Services in any of Her Majesty's Dockyards, Naval, Victualling, or Medical Establishments, or in any of the Civil Departments of the Navy, or any Department under the Direction of the said Lord High Admiral or Commissioners, shall be valid and conclusive against all Parties as effectually as if the same had been paid under Probate or Letters of Administration.

CAP. LXX.

An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition, and their Estates.

[15th *August* 1853.]

FOR removing or diminishing the Delays and Expenses now attending on the Execution of Commissions in the Nature of Writs De lunatico inquirendo, and the Proceedings consequent on Inquisitions taken thereon, and for regulating and amending the Practice and Course of Procedure in Matters of Lunacy, and for consolidating and amending the several Acts of Parliament respecting the Care and Management of the Persons and Estates of Lunatics so found by Inquisition, and the Appointments, Duties, and Salaries of Officers in Lunacy, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts and Parts of Acts named in First Schedule repealed, but Validity of Proceedings, &c. not to be affected.

I. The several Acts of Parliament mentioned in the First Schedule hereunder written shall be and the same are hereby repealed, to the Extent specified concerning the same Acts respectively in the Third Column of the same Schedule, but so that the Validity of any Proceeding taken or pending under the said Acts or any of them, before or at the Commencement of this Act, or any Appointments, Salaries, Annuities, Compensations, or Allowances made or given by or under the said Acts or any of them, before the Commencement of this Act, shall not be taken away, diminished, or in anywise injuriously affected by the Repeal aforesaid; and no new or further Order, Minute, or Direction whatsoever shall be deemed to be necessary by reason or in consequence of the Repeal aforesaid, respecting any such Appointment, Salary, Annuity, Compensation, or Allowance as aforesaid, except where by this Act any Salary or other Payment is made payable out of a Fund not heretofore chargeable therewith; and all Proceedings respecting the Person or Estate of every Person before the Commencement of this Act, found by Inquisition idiot, lunatic, or of unsound Mind, and incapable of managing himself or his Affairs, or any Proceedings for the Purpose of procuring such a Finding, shall be carried on, as far as may be practicable, according to the Provisions of this Act, and, subject thereto, according to the Provisions of the said Acts or any of them, which shall for that Purpose be deemed to continue in force notwithstanding the Repeal aforesaid, or in case of Doubt as to the Mode of Procedure in such of the Modes aforesaid as the Masters in Lunacy shall direct.

Mode of Proceeding in existing Cases.

Interpretation of Terms.

II. In this Act, unless there be something in the Subject Matter or Context repugnant to the Construction,—

The Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being, and to include or be applicable to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being;

And the Expression "the Lord Chancellor intrusted as aforesaid" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being intrusted by virtue of the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind; and when and so long as the Lords Justices of the Court of Appeal in Chancery for the Time being shall be intrusted as aforesaid concurrently with the Lord Chancellor, then and so long the last-mentioned Expression shall be construed to include or be applicable to the Lords Justices aforesaid, so that all the Powers, Authorities, and Duties to be had, exercised, and performed under this Act by the Lord Chancellor intrusted as aforesaid shall and may be had, exercised, and performed as well by the Lord Chancellor acting either alone or jointly with both or either of the Lords Justices aforesaid, as by both of the Lords Justices aforesaid acting jointly apart from the Lord Chancellor;

And the Expression "the Lords Justices" shall be construed to mean the Lords Justices aforesaid for the Time being, or One of them;

And the Expression "the Lord Chancellor of *Ireland*" shall be construed to comprehend the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Ireland* for the Time being;

And the Expression "the Masters" shall be construed to mean the Masters in Lunacy for the Time being, jointly or severally;

And the Expression "the Registrar" shall be construed to mean the Registrar in Lunacy for the Time being;

And the Word "Commission" shall be construed to mean a Commission in the Nature of a Writ De lunatico inquirendo, and to comprehend the General Commission by this Act authorized to be issued;

And the Word "Land" shall be construed to comprehend any Manor, Messuage, Tenement, Hereditament or Real Property of whatsoever Tenure, and also Property of every Description transferable otherwise than in Books kept by any Company or Society, or any Share thereof or Charge thereon, or Estate or Interest therein;

And the Word "Stock" shall be construed to comprehend any Fund, Annuity, or Security transferable in Books kept by any Company or Society, or any Money payable for the Discharge or Redemption thereof, or any Share or Interest therein;

And the Word "Dividends" shall be construed to comprehend Interest or other annual Produce;

And the Provisions relating to "the Bank of *England*" shall be construed to extend and be applicable to the *East India* Company, the *South Sea* Company, and every other Company or Society established or to be established;

And the Word "Conveyance" shall be construed to comprehend any Release, Surrender, Assignment, or other Assurance, including all Acts, Deeds, and Things necessary for making and perfecting the same;

And the Word "Transfer" shall be construed to comprehend any Assignment, Payment, or other Disposition;

And the Word "Lunatic" shall be construed to mean any Person found by Inquisition idiot, lunatic, or of unsound Mind, and incapable of managing himself or his Affairs;

And the Expression "next of Kin" shall be construed to refer to the next of Kin of a Lunatic, and to comprehend his Heir or Heirs-at-Law, and also the Person or Persons who would be entitled to his Estate, or to Shares thereof, under the Statutes for the Distribution of the Effects of Intestates, in case he were dead intestate;

And the Word "Person" or "Party" shall be construed to comprehend a Body Corporate.

Schedules Parts of Act.

III. The Schedules hereunder written shall be deemed to be Parts of this Act.

Extent of Act.

IV. This Act shall extend to *England* and *Wales*, and to *Ireland* where the same is specifically mentioned.

Commencement and Short Title of Act.

V. This Act shall take effect from the 28th Day of *October* 1853, and may be cited as "The Lunacy Regulation Act, 1853."

Officers.

And with respect to the several Officers in Lunacy, be it further enacted as follows:

Power to Lord Chancellor to appoint Two Masters in Lunacy, who before acting shall take Oath in the Second Schedule.

VI. There shall be Two Masters in Lunacy, who shall hold their Offices during good Behaviour, and the present Masters in Lunacy shall be continued and be the Masters in Lunacy during good Behaviour, and the Lord Chancellor shall, from Time to Time as any Vacancy shall occur in the Office of Master in Lunacy, appoint a fit Person, being a Serjeant or Barrister-at-Law of not less than Ten Years standing at the Bar, to fill the Vacancy, and the Person to be so appointed shall, before being capable of acting as Master in Lunacy, take before the Lord Chancellor, in the Manner now used, the Oath set forth in the Second Schedule hereunder written, and the Masters in Lunacy for the Time being shall have the same Rank and Precedence as the present Masters now take.

Masters to have Powers of Commissioners.

VII. The Masters in Lunacy shall have, perform, and execute all the Powers, Duties, and Authorities which were at the Time of the passing of the Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Eighty-four, had, performed, and executed by Commissioners named in Commissions in the Nature of Writs De lunatico inquirendo.

All References connected with Lunatics to be made to Masters.

VIII. All the Inquiries and Matters connected with the Persons and Estates of Lunatics which were at the Time of the passing of the last-mentioned Act of Parliament usually referred to the Masters in Ordinary of the High Court of Chancery (except Inquiries and Matters which may be or might have been

been referred under the Trustee Act, 1850, or any Act thereby repealed,) shall henceforth, where References shall be made, be referred to the Masters in Lunacy, who shall have, perform, and execute all the Powers, Duties, and Authorities relating to the Inquiries and Matters so to be referred to them as aforesaid which were at the Time last aforesaid had, performed, and executed by the Masters in Ordinary of the High Court of Chancery, and shall perform such other Duties for the Security and Advantage of Lunatics and their Estates as the Lord Chancellor intrusted as aforesaid shall from Time to Time direct.

Masters to perform Duties under Regulations of the Lord Chancellor.

IX. All the Powers and Authorities by or under this Act vested or to be vested in the Masters shall be joint and several, and they shall execute Commissions and conduct Inquiries connected with Lunatics or their Estates, and perform all other Duties committed or to be committed to them by or by virtue of any Act hereby repealed or this Act, either separately or together, and at such Places, within such Times, and in such Manner as any General Order in Lunacy, and subject thereto, as any Special Order of the Lord Chancellor intrusted as aforesaid, shall from Time to Time direct.

Registrar to perform Duties under Regulations of Lord Chancellor.

X. The Lord Chancellor shall have, as at present, an Officer called "The Registrar in Lunacy," who shall perform the Duties committed to him by or by virtue of this Act, and such other Duties connected with Lunatics and their Estates, at such Places, within such Times, and in such Manner, as the Lord Chancellor shall from Time to Time direct.

Duties of Clerk of the Custodies to be performed by Masters and Registrar.

XI. The Masters and the Registrar respectively shall continue to discharge all Duties which formerly belonged to the Office of Clerk of the Custodies of Idiots and Lunatics, and which were, under the Provisions of the Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Eighty-four, on the Abolition of that Office, transferred to them respectively, so far as the same may be necessary to be discharged, according to the Practice for the Time being subsisting in Lunacy.

As to the Masters Salaries and retiring Annuities.

XII. The Masters shall receive Salaries of Two thousand Pounds *per Annum* each; and the Lord Chancellor may, on a Petition presented to him for that Purpose, order (if he shall so think fit) Annuities, not exceeding the Sum of One thousand two hundred Pounds each, to be paid to the Persons continued and to be appointed Masters respectively, if and when they respectively shall be afflicted with some permanent Infirmity disabling them respectively from the due Execution of their respective Offices, and shall be desirous of resigning the same.

Power to Lord Chancellor to remove, and grant Annuities to future Masters, if afflicted with Infirmity.

XIII. The Lord Chancellor may by Order remove any One of the Masters in Lunacy to be appointed after the Commencement of this Act, who shall be afflicted with any permanent Infirmity disabling him from the due Execution of his Office, and who shall refuse to resign or be incapable of resigning the same, and may, upon such Removal, order to be paid to him an Annuity or retiring Allowance not exceeding in Amount Two equal Third Parts of his yearly Salary.

Salary of Registrar.

XIV. The Registrar shall receive such Salary as the Lord Chancellor, with the Approbation of the Commissioners of Her Majesty's Treasury, has directed or shall from Time to Time direct.

Number and Salaries of the Clerks of the Masters and the Registrar.

XV. Such Officers, Clerks, and Messengers shall and may be from Time to Time appointed by the Masters and the Registrar respectively in their respective Offices as the Lord Chancellor, with the Approbation of the Lords Commissioners of Her Majesty's Treasury, has directed or shall from Time to Time direct, but the Appointment of the Chief Clerk of the Masters shall be made with the Approbation of the Lord Chancellor; and the present Officers, Clerks, and Messengers shall be continued as if this Act had not been passed, and without Prejudice to any Right or Claim of them or any of them in respect of Length of Service or otherwise; and the Officers, Clerks, and Messengers for the Time being shall respectively receive such Salaries as the Lord Chancellor, with the Approbation of the said Commissioners of the Treasury, has directed or shall from Time to Time direct.

Power to Lord Chancellor to appoint Visitors.

XVI. There shall be Two Medical Visitors and One Legal Visitor of Lunatics, who shall hold their Offices during Pleasure; and the present Visitors shall be continued and be the Visitors during Pleasure; and the Lord Chancellor shall, from Time to Time as any Vacancy shall occur in the Office of Medical Visitor or Legal Visitor, appoint, by Writing under his Hand, a fit Person, being a Physician in actual Practice, to succeed a Medical Visitor, and a fit Person, being a Barrister of not less than Five Years standing, to succeed a Legal Visitor.

Masters to be ex-officio Visitors.

XVII. The Masters for the Time being shall, by virtue of their Appointments to be Masters, become and be Visitors of Lunatics jointly with the Visitors for the Time being.

Visitors not to be interested in Houses for Reception of Insane Persons.

XVIII. No Person shall be appointed to be a Visitor who shall be or shall have been within the Two Years then next preceding directly or indirectly interested in the keeping of any House licensed for the Reception of Insane Persons; and if any Person shall after his Appointment become so interested, his Appointment as Visitor shall *ipso facto* become null and void, and thereupon his Salary shall cease.

Salaries of Visitors.

XIX. The Medical Visitors shall receive such Salaries, not exceeding the Sum of Five hundred Pounds *per Annum* each, and the Legal Visitor to be appointed after the Commencement of this Act shall receive such Salary, not exceeding the like Sum, as the Lord Chancellor, with the Approbation of the said Commissioners of the Treasury, shall from Time to Time order; and the Salary of the present Legal Visitor shall remain at its present Amount.

The Visitors and Masters to form a Board.

XX. The Medical and Legal Visitors and the Masters, or so many of them, not being less than Three in Number, as may from Time to Time be able, consistently with the Discharge of their other Duties, to attend, shall from Time to Time form themselves into a Board for their mutual Guidance and Direction

on Matters connected with the visiting of Lunatics; and the Board shall be at liberty to report to the Lord Chancellor intrusted as aforesaid upon any Matter connected with the Duties of the Visitors or of the Board, as they think proper.

Medical or Legal Visitor may appoint a Substitute during his Illness, &c.

XXI. Where a Medical or a Legal Visitor is temporarily prevented from discharging his Duty by Illness or unavoidable Absence, but not otherwise, he may, with the Approbation of the Lord Chancellor intrusted as aforesaid, appoint a Physician in actual Practice, or a Barrister of not less than Five Years standing, (as the Case may require,) to act in his Stead during his Illness or unavoidable Absence; and the Physician or the Barrister so appointed shall, while his Appointment remains in force, have, perform, and execute all the Powers, Duties, and Authorities belonging to the Office of Medical Visitor or of Legal Visitor (as the Case may be) with full Validity and Effect to all Intents and Purposes.

Lord Chancellor to appoint a Secretary to Visitors.

XXII. There shall be a Secretary to the Visitors, who shall hold his Office during Pleasure; and the present Secretary shall be continued and be the Secretary during Pleasure; and the Lord Chancellor shall, from Time to Time as a Vacancy shall occur in the Office of Secretary, appoint, by Writing under his Hand, a fit Person to fill the Vacancy.

The Salary of the Secretary and his Clerk.

XXIII. The Secretary shall receive such Salary, not exceeding the Sum of Three hundred Pounds *per Annum*, as the Lord Chancellor has ordered or shall from Time to Time order; and a Clerk to the Secretary may be appointed by him, with the Approbation of the Lord Chancellor, who shall receive such Salary, not exceeding the Sum of One hundred and fifty Pounds *per Annum*, as the Lord Chancellor shall from Time to Time order.

Masters, Visitors, &c. to be allowed travelling and other Expenses.

XXIV. Such Allowances as the Lord Chancellor, with the Approbation of the said Commissioners of the Treasury, shall from Time to Time order, shall be made to the Masters and the Visitors for their respective travelling and other Expenses, and to the Masters and the Registrar, and the Secretary to the Visitors, (but in the latter Case under the Direction of the Visitors,) for providing and maintaining suitable Offices, and for the other Expenses incident to the Discharge of the Duties of their respective Offices.

Salaries, &c. to be paid quarterly out of Suitors Fee Fund.

XXV. All Salaries and Annuities continued or given by or under this Act (inclusive of the Salaries of the Visitors and their Secretary, as from the Day on which the Account entitled "The Account of the Board of Visitors for the better Care and Treatment of Lunatics" shall be closed as herein-after mentioned,) shall grow due from Day to Day, and the same, with all Allowances continued or given by or under this Act, (inclusive of the Allowances to the Visitors and their Secretary as from the same Day,) shall be payable and paid under Order of the Lord Chancellor to the several Persons entitled thereto, or to their respective Executors or Administrators, out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the Account entitled "The Suitors Fee Fund Account," on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time direct, free from Deduction; and all such Salaries, Annuities, and Allowances as aforesaid which are continued by or under this Act shall be payable out of the aforesaid Fund in such Priority as they respectively would have had if the several Acts hereby repealed had not been repealed; and all such Salaries, Annuities, and Allowances as aforesaid which are or shall be originally by or under this Act charged upon the aforesaid Fund shall be payable and paid out of the same Fund, subject and without Prejudice to the Payment of all other Sums of Money by any former Act or Acts now in force directed or authorized to be paid thereout.

Per-centage and Fees.

'And whereas it would greatly facilitate the Simplification and Improvement of the Practice in 'Lunacy, and would be attended with Convenience, and with a Saving of Expense to the Estates of 'Lunatics, that the Charges incident to the Administration of the Estates of Lunatics under the Autho- 'rity of the Lord Chancellor should be defrayed in part by means of a Per-centage, graduated in an 'equitable Manner as between the richer and poorer Estates, and in part by means of Fees on Proceedings:' 'Be it therefore enacted as follows:

Per-centage on clear Incomes to be paid according to the Scale herein specified.

XXVI. A Per-centage on the respective clear annual Incomes of all Lunatics shall be paid according to the several Rates following; that is to say,

The Rate of Four *per Centum* for each clear annual Income amounting to One hundred Pounds and not amounting to One thousand Pounds, but so that no larger Sum be payable in any such Case in any One Year than Thirty Pounds;

The Rate of Three *per Centum* for each clear annual Income amounting to One thousand Pounds and not amounting to Five thousand Pounds, but so that no larger Sum be payable in any such Case in any One Year than One hundred Pounds; and

The Rate of Two *per Centum* for each clear annual Income amounting to Five thousand Pounds or upwards, but so that no larger Sum be payable in any such Case in any One Year than Two hundred Pounds:

And in every Case the fractional Parts less than One Moiety of the Pound Sterling shall be disregarded in the Calculation of the Amount payable for Per-centage, and shall not be levied or paid.

Masters to certify Amount, &c., which shall be paid out of Income of the Lunatic.

XXVII. The Masters shall from Time to Time certify what is the Amount of each such clear annual Income as aforesaid, and of the Per-centage payable thereon, and who is the Committee or other Person who is to pay the same, and thereupon such Committee or other Person as aforesaid shall pay the same out of the first Monies coming to his Hands in respect of the Income of the Lunatic.

XXVIII. The

Per-centage to be paid notwithstanding Death, &c. before Payment.

XXVIII. The Per-centage aforesaid, or a proper proportionate Part thereof, (as the Case may require,) shall be chargeable and charged upon the Estate of a Lunatic, and be payable thereout, although before Payment thereof he die, or the Inquisition in his Case be superseded, or be vacated and discharged on a Traverse; but in either of the Two Cases last aforesaid the Lord Chancellor intrusted as aforesaid may, if he see fit, remit or reduce the Amount of the Sum to be paid; and the Payment of the Amount in every Case shall be enforced in such Manner and under such Regulations as the Lord Chancellor, with the Advice and Assistance of the Lords Justices, being intrusted as aforesaid, shall from Time to Time direct.

Present Fees abolished, and new Fees substituted.

XXIX. All Fees now payable in relation to Proceedings in Lunacy shall be and the same are hereby abolished, and in lieu thereof there shall be paid the following Fees only; that is to say,

	£	s.	d.
For each Order or Fiat of the Lord Chancellor intrusted as aforesaid - - - -	2	0	0
For each Report or Certificate of the Masters and Taxing Masters respectively (other than a Certificate of the Masters respecting Income and Per-centage only) - -	1	0	0
For attending any Court by the Clerk, *per Diem* - - - - - - -	1	0	0

And for all Engrossments, Transcripts, and Copies of Documents and Papers, the actual Amount of the Stationer's Charges paid by the Masters and Registrar respectively for the same.

Power to Lord Chancellor to alter Per-centage and Fees.

XXX. The Lord Chancellor may, with the Advice and Assistance aforesaid, by Order, from Time to Time reduce the several Rates of Per-centage aforesaid or any of them, and again, if it shall seem to him expedient, from Time to Time raise the same several Rates or any of them, but not to Rates higher than those respectively herein-before prescribed, and also may, with the like Advice and Assistance, by Order, from Time to Time vary or abolish the Fees aforesaid or any of them, or other the Fees for the Time being payable in relation to Proceedings in Lunacy, or any of them, and, if and when it shall seem to him necessary or expedient, fix and impose other Fees, or Fees of altered Amount.

Per-centage and Fees to be collected by Stamps, and Provisions of 15 & 16 Vict. c. 87. respecting Stamps, &c. extended to this Act.

XXXI. The Per-centage and the Fees for the Time being payable under this Act shall be collected by means of Stamps, which shall be under the Management of the Commissioners of Inland Revenue; and the Provisions of the Act of the last Session of Parliament for "The Relief of the Suitors of the High Court of Chancery," respecting Stamps, and the Monies arising from the Sale thereof, shall be and are and every of them is hereby extended so as to be applicable and applied, *mutatis mutandis*, to Stamps to be used under this Act, and the Monies arising from the Sale thereof.

Power to exempt small Properties.

XXXII. Where it is made to appear to the Lord Chancellor intrusted as aforesaid that the net Amount or net estimated Value of the Property of a Lunatic does not exceed the Sum of Seven hundred Pounds Sterling in respect of the Corpus thereof, or the Sum of Fifty Pounds Sterling *per Annum* in respect of the Income thereof, he may order (if he shall think fit) that no Fee shall be taken or paid, or Per-centage be levied or paid, in relation to the Proceedings in the Matter or the Property, as from the Date of the Order or such other Time as he shall direct, during the Continuance of the Lunacy or until further Order.

Provisions respecting Per-centage and Fees to apply to Cases under 8 & 9 Vict. c. 100., and to certain Cases where Lunatic is out of Jurisdiction.

XXXIII. All the foregoing Provisions respecting Fees and Per-centage shall be applicable to the Proceedings in the Matter of and to the Property of a Lunatic under the Protection of the Lord Chancellor intrusted as aforesaid by virtue of Proceedings taken under the Provisions of the Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred, Section Ninety-five, and also to the Proceedings in the Matter of and to the Property of a Lunatic under the Protection of the Lord Chancellor intrusted as aforesaid by virtue of the Transmission of the Record of an Inquisition from *Ireland*, and its Entry of Record in the Chancery of *England*, and also to the Proceedings in the Matter of and to the Property of a Person residing out of *England* and *Wales*, and declared idiot, lunatic, or of unsound Mind according to the Laws of the Place where he is residing, where the Lord Chancellor intrusted as aforesaid makes an Order affecting the Stock or any Portion of the Capital Stock or Shares of such Person as last aforesaid, or the Dividends thereof; and the aforesaid Provisions shall be applied to the several Classes of Cases mentioned in this present Section in such Manner and under such Regulations as the Lord Chancellor shall, with the Advice and Assistance aforesaid, from Time to Time order, but so that no Per-centage be levied or paid in either of the Two last-mentioned Cases except in respect of Income arising from Property being within the Jurisdiction of the Lord Chancellor intrusted as aforesaid, and being administered by him or under his Authority and Direction.

Recital of 3 & 4 W. 4. c. 36. imposing a Per-centage for Visitors of Lunatics.

'And whereas the Per-centage which is now, under the Provisions of the Act passed in the Session 'of Parliament holden in the Third and Fourth Years of the Reign of King *William* the Fourth, 'Chapter Thirty-six, imposed upon the Estates of Lunatics, and paid into the Bank of *England*, in the 'Name and with the Privity of the Accountant General of the Court of Chancery, to an Account 'entitled "The Account of the Board of Visitors for the better Care and Treatment of Lunatics," will 'be discontinued under this Act:' Be it therefore further enacted as follows:

Sums due for this Per-centage to be paid.

XXXIV. Every Committee, Receiver, or other Person who is or shall be liable to pay any Money in respect of the Per-centage last aforesaid shall, notwithstanding this Act, pay the same into the Bank, in the Manner now used, either to the Account last aforesaid, or, after it has been closed as herein-after provided, to the said "Suitors Fee Fund Account," and be allowed the same on passing his Accounts before the Masters.

XXXV. All

Salaries, &c. charged on this Per-centage to be payable thereout for a limited Time.

XXXV. All Salaries and other Sums of Money payable out of the Monies standing to the Credit of the "Account of the Board of Visitors for the better Care and Treatment of Lunatics" shall continue to be payable thereout, until the Account shall be closed as herein-after is provided, and shall be paid thereout accordingly in the Manner now used.

Account to be closed and Balance carried to Suitors Fee Fund.

XXXVI. The last-mentioned Account shall be closed on the Third Day of *December* next after the passing of this Act, or on such other Day as the Lord Chancellor, with the Advice and Assistance aforesaid, shall order, and the Balance which shall then be remaining on the same Account shall be carried over to the said "Suitors Fee Fund Account," under Order of the Lord Chancellor.

Account to be audited.

XXXVII. The Account of Monies received and paid on the "Account of the Board of Visitors for the better Care and Treatment of Lunatics," not previously audited, shall, as soon as may be after the closing of the Account, be made out by the Secretary to the Visitors, and be audited and signed by the Master in Ordinary of the High Court of Chancery, or other Officer to whom the Matter of the Account shall then stand referred, and shall be afterwards filed with the Registrar in Lunacy, and no Fee shall be charged or taken upon, for, or in respect of the auditing or filing thereof.

Inquisition.

And with respect to the Inquisition, be it further enacted as follows:

Commissions may be directed to fewer than Three Persons, and shall be directed to Masters.

XXXVIII. Any Commission in the Nature of a Writ De lunatico inquirendo directed to One Person or to Two Persons, and the Inquisition returned thereon, shall be as valid and effectual to all Intents and Purposes as if directed to and returned by more than Two Persons; and every Commission shall (subject to the Provision herein-after contained) be directed to the Masters, or One of them, and may be varied in Form from that now in use in such Manner as to the Lord Chancellor may seem necessary or expedient.

General Commission may be issued directed to Masters.

XXXIX. In lieu of the Commission now issued specially in each Case of alleged Lunacy, a General Commission to the like Effect, with such Variations as may be necessary or expedient, may from Time to Time be issued in Duplicate under the Great Seal, directed to the Masters by Name, jointly and severally, who shall by virtue thereof proceed, in each Case of alleged Lunacy concerning which the Lord Chancellor intrusted as aforesaid shall order them to inquire, in like Manner and with all the like Powers and Authorities (subject to the Provisions herein-after contained) as if a Commission had issued specially in such Case, and every Inquisition found and returned thereon shall be as valid and effectual to all Intents and Purposes as if the same had been found and returned on a separate Commission.

Alleged Lunatic, within Jurisdiction, to have Notice, and may demand Inquiry before a Jury.

XL. Where the alleged Lunatic is within the Jurisdiction, he shall have Notice of the Presentation of the Petition for Inquiry, and may, by a Notice, signed by him, and attested by his Solicitor, and filed with the Registrar, either before the Presentation of the Petition or within Seven Days after such Notice had by him as aforesaid, or at or within such other Time as the Lord Chancellor intrusted as aforesaid shall order in the particular Case, demand an Inquiry before a Jury.

Where alleged Lunatic demands a Jury, Lord Chancellor may examine him as to Competency, and order a Jury.

XLI. Where the alleged Lunatic demands an Inquiry before a Jury, the Lord Chancellor intrusted as aforesaid shall in his Order for Inquiry direct the Return of a Jury, unless he be satisfied, by personal Examination of the alleged Lunatic, that he is not mentally competent to form and express a Wish for an Inquiry before a Jury; and the Lord Chancellor intrusted as aforesaid may, where he shall deem it necessary, after Presentation of the Petition for Inquiry, and for the Purpose of personal Examination, require the alleged Lunatic to attend him at such convenient Time and Place as he may appoint.

Cases where a Jury may be dispensed with.

XLII. Where the alleged Lunatic does not demand an Inquiry before a Jury, or the Lord Chancellor intrusted as aforesaid is satisfied by personal Examination of him that he is not mentally competent to form and express a Wish in that Behalf, and it appears to the Lord Chancellor intrusted as aforesaid, upon Consideration of the Evidence adduced before him on the Petition for Inquiry, and of the Circumstances of the Case, so far as they are before him, to be unnecessary or inexpedient that the Inquiry should be before a Jury, and he accordingly does not in his Order for Inquiry direct the Return of a Jury, then the Masters shall, by virtue of their General Commission, and under such Order for Inquiry, but without a Jury, personally examine the alleged Lunatic, and take such Evidence, upon Oath or otherwise, and call for such Information, as they may think fit or the Lord Chancellor intrusted as aforesaid may direct, in order to ascertain whether or not the alleged Lunatic is of unsound Mind, and shall certify their Finding thereon.

Jury to be had, if Masters certify that it is expedient.

XLIII. Where the Lord Chancellor intrusted as aforesaid, under such Circumstances as herein-before mentioned, does not in his Order for Inquiry direct the Return of a Jury, but the Masters acting under the Commission, upon Consideration of the Evidence before them, certify to him that in their Opinion an Inquiry before a Jury is expedient, they shall, without further Order, issue their Precept to the Sheriff, and shall proceed in like Manner in all respects, and their Proceedings shall be as valid and effectual, to all Intents and Purposes, as if the Lord Chancellor intrusted as aforesaid had directed the Return of a Jury in the first instance.

Certificate of Masters without a Jury to be deemed an Inquisition.

XLIV. Where the Masters certify that the alleged Lunatic is of unsound Mind, and incapable of managing himself or his Affairs, or that he his of unsound Mind, and incapable of managing himself or his Affairs, and has been so from a Time past, or, on the contrary, certify that the alleged Lunatic is of sound Mind, and capable of managing himself and his Affairs, the Certificate shall be and be deemed to be an Inquisition, and be of the same Force and Effect, to all Intents and Purposes, and be returned, filed, and proceeded on in the same Manner in all respects as an Inquisition taken upon the Oath of a Jury.

XLV. Where

Jury to be had if Lunatic out of Jurisdiction.

XLV. Where the alleged Lunatic is not within the Jurisdiction the Inquiry shall be before a Jury, and no further or other Notice shall be necessary to be given to him than he would have been entitled to receive if this Act had not been passed.

Lord Chancellor may regulate Number of Jury.

XLVI. The Lord Chancellor may from Time to Time, by Order, regulate the Number of Jurors to be sworn, but so that every Inquisition upon the Oath of a Jury be found by the Oaths of Twelve Men, at the least.

Inquiry not to be carried back, except under Special Order.

XLVII. The Inquiry, whether with or without a Jury, shall, as far as relates to the State of Mind of the alleged Lunatic, be confined to the Question whether or not the alleged Lunatic is of unsound Mind, and incapable of managing himself or his Affairs, at the Time of the Inquiry, except where the Lord Chancellor intrusted as aforesaid, under special Circumstances, shall direct that there be also an Inquiry from what Time the alleged Lunatic has been of unsound Mind, and incapable of managing himself or his Affairs, or shall direct that there be also an Inquiry whether or not the alleged Lunatic was of unsound Mind, and incapable of managing himself and his Affairs, at a previous Time specified, and thenceforth down to the Time of the Inquiry.

Commissioner, with Jury, to have certain Powers.

XLVIII. The Person executing an Inquiry with a Jury shall, while so employed, have all the like Powers, Authorities, and Discretion as a Judge of a Court of Record.

The foregoing Provisions prospective only.

XLIX. The foregoing Provisions "with respect to the Inquisition" shall apply only where the Petition for Inquiry is presented after the Commencement of this Act; and every Petition for Inquiry theretofore presented, and on which an Order has not then been made, shall, with respect to the Inquisition, be proceeded on as if this Act had not been passed.

Nothing to preclude the Lord Chancellor from issuing a Special Commission.

L. Nothing in this Act contained shall be taken to preclude the Lord Chancellor from issuing a Commission specially in any Case of alleged Lunacy, or from issuing a Commission directed to any fit Person or Persons, in addition to the Masters, or One of them, if he shall upon any Occasion deem it proper to do so; and the foregoing Provisions shall be deemed to extend to every Commission so issued specially, or so directed as aforesaid, so far as they may be applicable.

Reference in other Acts shall apply to General Commission hereby authorized to be issued.

LI. Where in any Act of Parliament, Order or Rule of Court, or Instrument whatsoever, Reference is made to a Commission in the Nature of a Writ De lunatico inquirendo, or the Inquisition thereon, the General Commission hereby authorized to be issued, and such Inquisition, or Certificate operating as an Inquisition, as is hereby authorized to be made and returned, shall be deemed to be intended by or comprehended in the Reference.

Inquisition and Supersedeas may be transmitted from and to Ireland and England, and be acted upon there respectively.

LII. Where it is desired that an Inquisition taken on a Commission issued under, or a Writ of Supersedeas thereof issued under, the Great Seal of the United Kingdom or under the Great Seal of *Ireland* respectively, should be acted upon in *Ireland* or in *England* respectively, the proper Officer may, under Order of the Lord Chancellor of *Great Britain*, or the Lord Chancellor of *Ireland*, as the Case may be, transmit a Transcript of the Record of the Inquisition, or of the Writ, to the Chancery of *Ireland* or of *England*, as the Case may be, which Transcript shall thereupon be entered and be of Record there respectively, and shall, when so entered of Record, and if and so long only as the Lord Chancellor of *Ireland* intrusted as aforesaid, and the Lord Chancellor of *Great Britain* intrusted as aforesaid, as the Case may be, shall see fit, be acted upon by them respectively, and be of the same Validity and Effect, to all Intents and Purposes, as if the Inquisition had been taken on a Commission issued under, or the Writ of Supersedeas had been issued under, the Great Seal of *Ireland* or of the United Kingdom respectively.

'And whereas Proceedings under Commission confer larger and more effectual Powers for the due 'Protection, Care, and Management of the Persons and Estates of Persons of unsound Mind than Pro-'ceedings under the Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign 'of Her Majesty, Chapter One hundred, Sections Ninety-four to Ninety-eight (both inclusive), and the 'Expenses of Proceedings under Commission will be much diminished by this Act:' Be it therefore further enacted as follows:

Proceedings under 8 & 9 Vict. c. 100, to be discontinued.

LIII. It shall not be lawful for the Lord Chancellor intrusted as aforesaid to direct that One of the Masters shall make such Examination as by the Ninety-fifth Section of the last-mentioned Act is authorized in any Case in which a Petition or a Report upon which such Direction of the Lord Chancellor intrusted as aforesaid might be founded shall not have been presented or made before the Commencement of this Act.

Inquiry may be ordered on Report of Commissioners.

LIV. Where the Commissioners in Lunacy for the Time being shall after the Commencement of this Act, by virtue of any Authority for the Time being enabling them in that Behalf, report to the Lord Chancellor intrusted as aforesaid that they are of opinion that the Property of any Person alleged to be a Lunatic, or detained or taken charge of as a Lunatic, but not so found by Inquisition, is not duly protected, or that the Income thereof is not duly applied for his Benefit, or to the same Effect, the Report shall be filed with the Registrar, and shall be deemed and taken to be tantamount to an ordinary Petition for Inquiry supported by Evidence, and the alleged Lunatic shall have Notice of the Report from such Person as the Lord Chancellor intrusted as aforesaid shall from Time to Time direct, and the Case shall proceed and be conducted as nearly as may be in all respects as is herein-before directed upon the Presentation of a Petition for Inquiry.

And

Proceedings after Inquisition.

And with respect to certain of the Proceedings after Inquisition, be it further enacted as follows:

Evidence may be oral, &c.

LV. The Masters may direct that the Evidence in the Matter of a Lunatic or on any particular Proceeding in the Matter be taken orally, or partly orally and partly by Affidavit, and it shall be so taken accordingly.

Masters may administer Oaths and take Recognizances.

LVI. The Masters may, in the Matter of a Lunatic or alleged Lunatic, administer an Oath to any Witness, whether his Deposition or Affidavit is to be used before themselves or not, and Recognizances may be taken and acknowledged before them.

Swearing of Affidavits in the Colonies, &c.

LVII. The Provisions of the Act of the last Session of Parliament, Chapter Eighty-six, Sections Twenty-two, Twenty-three, and Twenty-four, respecting Affidavits made in Causes or Matters depending in the High Court of Chancery, shall be and the same are hereby extended so as to be applicable, *mutatis mutandis*, to Affidavits made in Matters in Lunacy.

Form of Affidavits.

LVIII. Every Affidavit to be used in a Matter in Lunacy shall be taken and expressed in the First Person of the Deponent, and shall be divided into Paragraphs numbered consecutively, and respectively confined, as nearly as may be, to distinct Portions of the Subject Matter.

Short Form of Affidavit for Verification of Documents, as in Schedule III.

LIX. Where an Affidavit is required for verifying all or some of the Statements contained in a Petition, State of Facts, Proposal, or other Document, the Affidavit may be annexed or underwritten thereto, and may be in the Form set forth in the Third Schedule hereunder written, with such Variations as the Circumstances may require; and where the aforesaid Form is, in the Opinion of the Taxing Master, applicable, no further or greater Costs of any Affidavit shall be allowed on Taxation than would be allowed for an Affidavit in the aforesaid Form.

Witnesses may be cross-examined orally.

LX. Every Person giving Evidence by Affidavit shall be liable to oral Cross-examination by or before the Masters, in the same Manner as if the Evidence given by him in his Affidavit had been given by him orally before the Masters, and after Cross-examination may be re-examined orally by or on behalf of the Person filing the Affidavit; and every Person giving Evidence by Affidavit shall be bound to attend before the Masters, to be so cross-examined and re-examined, upon receiving due and proper Notice, and Payment or Tender of his reasonable Expenses, in like Manner as if he had been duly served with a Writ of Subpœna ad testificandum before an Examiner of the High Court of Chancery; and the Expenses attending on such Cross-examination and Re-examination shall be paid in the first instance by the Parties respectively, in like Manner as if the Witness cross-examined were the Witness of the Party cross-examining, and shall on Taxation be ultimately borne and paid by the Estate, or the Parties respectively, or One of them, as the Lord Chancellor intrusted as aforesaid shall direct.

How Expenses to be paid.

Masters may issue Advertisements.

LXI. The Masters shall be at liberty to cause to be issued from Time to Time such Advertisements as may to them seem expedient with reference to the Subject Matter of a Proposal or Inquiry.

Masters to approve of Security to be given by Committee of Estate.

LXII. The Masters shall, instead of Her Majesty's Attorney General, approve, on behalf of Her Majesty, of the Security to be from Time to Time given by the Committee of the Estate, under Order of the Lord Chancellor intrusted as aforesaid; and the Acts of the Masters with respect to the Security and to the Grant of the Custody shall have the same Force and Effect to all Intents and Purposes as the Acts of Her Majesty's Attorney General with respect to the same Matters now have.

If Her Majesty do not by Her Warrant direct Grant of Custody to be under Great Seal, Order of Lord Chancellor shall have the same Effect.

LXIII. In case Her Majesty shall think fit to authorize the Lord Chancellor intrusted as aforesaid to make Orders from Time to Time for the Custody of Persons already found or who may hereafter be found Idiots or Lunatics as aforesaid, and of their Estates, without requiring that any Grant or Commitment of such Custody should be passed under the Great Seal, then any Order to be made by the Lord Chancellor intrusted as aforesaid in pursuance of such Authority shall (as to the Custody of the Person immediately, and as to the Custody of the Estate upon the Masters Certificate of Completion of the Committee's Security,) have the same Force and Validity as a Grant and Commitment of the Custody of such Idiots or Lunatics and their Estates would have had in case the same had been made under the Great Seal, by virtue of any Authority for that Purpose given by Her Majesty to the Lord Chancellor intrusted as aforesaid, and the Provisions of this Act respecting the Grant shall be deemed to extend to any Order to be made as aforesaid.

Masters may authorize Payment or Transfer into Court of Money or Stock as Security for Committee.

LXIV. Where it is desired and the Masters allow that the approved Committee of the Estate should, in lieu of giving Security in the Manner now usual by Bond or Recognizance with Sureties, give Security, in the whole or in part, by bringing into Court an adequate Sum of Money or Stock, the Masters may by Certificate direct or give Liberty for the Payment into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to the Credit of the Matter of the Lunatic, of any Sum of Money, or the Transfer into the Name and with the Privity of the said Accountant General, in trust in the Matter of the Lunatic, of any Sum of Stock, and may specify the Account to which the Sum of Money or Stock is to be placed, and may direct how any Money is to be invested, or how any Dividends are to be applied, and such Payment, Transfer, Investment, and Application, as the Case may require, shall be made by virtue of such Certificate, and the said Accountant General shall declare the Trust of the Sum of Money or Stock when so paid or transferred accordingly, subject to the Order of the Lord Chancellor intrusted as aforesaid.

Masters may receive and deliver out Deeds, &c. of Lunatic,

LXV. Where it appears expedient, either with a view to the Reduction of the Amount of the Security of the Committee of the Estate, or for any other Reason, the Masters may without Order receive or deliver out any Deed or Security belonging to the Lunatic, and may by Certificate direct or give Liberty for

for the Payment into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to the Credit of the Matter of the Lunatic, of any Sum of Money belonging to the Lunatic, or the Transfer into the Name and with the Privity of the said Accountant General, in trust in the Matter of the Lunatic, of any Sum of Stock belonging to the Lunatic, and such Payment or Transfer, as the Case may require, shall be made by virtue of such Certificate, and the said Accountant General shall declare the Trust of the Sum of Money or Stock when so paid or transferred accordingly, subject to the Order of the Lord Chancellor intrusted as aforesaid.

and authorize Payment or Transfer into Court of Money or Stock belonging to Lunatic.

LXVI. Where the Masters find and report that several Persons are the most fit Persons to be appointed the Committees of the Estate or of the Person, and they are of opinion that it is expedient that One or more of the same several Persons should continue to be the Committee or Committees after the Death or Discharge of the others or other of them, and such Persons are willing so to continue, the Masters may report accordingly; and where the Report is confirmed the approved Committees of the Estate may perfect their Securities in such Form as to extend to the Acts and Defaults of One or more of them, in accordance with the Report, and thereupon the Grant of the Custody of the Estate or of the Person (as the Case may be) shall be made conformably with the Order of Custody; and the continuing or surviving Committee or Committees to whom separately the Grant extends shall and may continue until further Order to act after the Death or Discharge of the others or other of them, with all the like Powers, Authorities, and Discretions, and subject to all the like Liabilities, as the original Committees.

Grant of Custody may be extended to surviving or continuing Committees in certain Cases.

LXVII. The Masters Allowance of the Account of a Committee for Receiver shall be signified under their Hands and be written under the Account, but no Certificate shall be made, except where it may be specially required with a view to Payment of Money into Court or for some other Purpose.

Form of Allowance of Accounts.

LXVIII. Where the Masters are of opinion that any small Expenses included in the Committee's or Receiver's Account have been properly and reasonably incurred for the Benefit or Enjoyment of the Lunatic, or the Improvement, Security, or Advantage of his Estate, and there is no Opposition to the Allowance thereof, but it may not be competent to them to allow the same to the Committee or Receiver without the Sanction of the Lord Chancellor intrusted as aforesaid, they shall distinguish the Items by some Mark in their Allowance of the Account, which shall be made subject to the Approval of the Lord Chancellor intrusted as aforesaid, and the Account as passed by the Masters shall be submitted by them to the Lord Chancellor, without Petition, for his Allowance or Disallowance in respect of the Items so distinguished by them.

Masters to distinguish Items in Account which they cannot allow, and the Account to be submitted to Lord Chancellor.

LXIX. The Masters shall be at liberty, without an Order of Reference, to receive any Proposal and conduct any Inquiry respecting the managing, repairing, setting, or letting of the Estate, and to report thereon.

Masters to receive Proposals in certain Cases.

LXX. The Masters shall also be at liberty, without an Order of Reference, to receive any Proposal and conduct any Inquiry relating to the Estate, not respecting the managing, repairing, setting, or letting thereof, and any Proposal or Inquiry whatsoever relating to the Person, and to report thereon respectively, if and when they shall be of opinion that if Application were made to the Lord Chancellor intrusted as aforesaid concerning the Matter of any such Proposal or Inquiry a Reference thereon would be made to the Masters.

Masters may receive Proposals in other Cases.

LXXI. Where the Masters, without an Order of Reference, receive any Proposal or proceed in any Inquiry relating to the Estate, not respecting the managing, repairing, setting, or letting thereof, or any Proposal or Inquiry whatsoever respecting the Person, any Person attending before them shall be at liberty to apply by Petition to the Lord Chancellor intrusted as aforesaid, as he may be advised; and thereupon the Masters shall, pending the Application, cease from proceeding on the Proposal or in the Inquiry, unless the Lord Chancellor intrusted as aforesaid otherwise direct.

Persons objecting to Masters receiving Proposal may apply to Lord Chancellor.

LXXII. Where the Masters, without an Order of Reference, receive and proceed on a Proposal or conduct an Inquiry, but arrive at the Opinion that the Proposal ought not to be adopted and carried into effect, or that the Inquiry was unnecessary, they shall be at liberty to certify whether or not, regard being had to the Circumstances, the Proposal or Inquiry was proper to be made; and if they certify in the affirmative, usual and proper Costs of the Proposal or Inquiry and Proceedings thereon shall be allowed on Taxation by virtue of their Certificate, but if they certify in the negative the Lord Chancellor intrusted as aforesaid shall direct by whom and in what Manner the Costs shall be paid and borne.

Masters may certify as to Propriety of Proposal with regard to Costs.

LXXIII. Where any Person requires that the Masters should report on a Proposal which they have received and proceeded on without an Order of Reference, notwithstanding their Opinion that it should not be adopted and carried into effect, the Masters shall report on the Proposal, and the Report shall be brought before the Lord Chancellor intrusted as aforesaid by Petition, who shall make such Order upon the Report and respecting the Costs as to him shall under the Circumstances seem just.

Person insisting on Report liable to Costs.

LXXIV. Where an Application is made by Petition to the Lord Chancellor intrusted as aforesaid, either concerning a Matter which might have been brought before the Masters in the first instance, or in consequence of the Masters receiving any Proposal or proceeding in any Inquiry relating to the Estate or the Person, the Lord Chancellor intrusted as aforesaid may make such Order respecting the Costs of the Application and of the consequent Proceedings as to him shall, under the Circumstances, seem just.

On Application not being made to Masters, Costs may be ordered to be paid.

LXXV. Subject to the Provisions herein-after contained, the Masters shall, as soon as may be after the Return of the Inquisition, and may afterwards from Time to Time as they may think it expedient, inquire

Masters to inquire as to next of Kin, and

they are to have Notice of Proceedings.

inquire and certify who are the next of Kin, and, subject to the Provisions herein-after contained, due Notice of attending on the Proceedings in the Matter shall be given to the Persons for the Time being found to be the next of Kin.

No Inquiry as to next of Kin where Property exempted from Fees.

LXXVI. Where the Lord Chancellor intrusted as aforesaid, by virtue of the Power herein-before given, exempts the Property of a Lunatic from Payment of Fees and Per-centage, the Masters shall not during the Continuance of the Exemption inquire respecting his next of Kin, without special Order.

Lord Chancellor may dispense with or limit Inquiry as to next of Kin.

LXXVII. The Lord Chancellor intrusted as aforesaid may in any Case by Order defer an Inquiry respecting next of Kin, or direct that the Inquiry shall be carried on to such limited Extent only, and under such Restrictions and Provisions, and in such Manner, as he may under the Circumstances of the Case think expedient, and may, where he deems it just and expedient, order that Persons alleging themselves to be next of Kin be left to make out their Claim at their own Expense, and may in any Case, if from the Smallness of the Property of the Lunatic (although it be not such as to entitle it to Exemption from Payment of Fees and Per-centage) he think it safe and just, by Order wholly dispense with the Inquiry.

Masters to report where Inquiry as to next of Kin inexpedient.

LXXVIII. Where the Masters are of opinion that by reason of the Smallness of the Property of a Lunatic or for any other Reason an Inquiry or a subsequent Inquiry (as the Case may be) respecting next of Kin should be dispensed with or deferred, or be carried on to a limited Extent only, they shall report accordingly.

Masters may dispense with strict Proof of Pedigree in certain Cases.

LXXIX. Where the Masters, in conducting an Inquiry respecting next of Kin, without any special Direction of the Lord Chancellor intrusted as aforesaid concerning the Mode of conducting the same, are of opinion that the Circumstances of the Case render it expedient and safe that strict Proof of Pedigree should not be gone into, they may dispense with the same to such Extent and in such Manner as may to them seem expedient, and may require and receive such Evidence as may appear to them sufficient and satisfactory respecting the Family and the next of Kin, and shall certify the Mode in which they have conducted the Inquiry.

Lord Chancellor may dispense with Attendance of next of Kin.

LXXX. The Lord Chancellor intrusted as aforesaid may, by Order, dispense with and disallow the Attendance on the Proceedings in the Matter of all or some of the next of Kin either wholly, or except at their own Expense, or except upon special Leave first obtained, as he shall under the Circumstances think expedient; and such Notice only of attending on the Proceedings shall be given as shall be conformable with the Order of the Lord Chancellor intrusted as aforesaid.

Masters to determine which of next of Kin to attend before them, and to certify, and the same only to attend before Lord Chancellor.

LXXXI. Subject to the Provisions herein-before contained, the Masters shall once in the Matter of each Lunatic, and may afterwards from Time to Time as they think it expedient, determine whether any One or more, and if any, how many and which, of the next of Kin is or are to attend on the Proceedings or on any particular Proceeding before them in the Matter (but exclusively, as at present, of the Heir-at-Law, with respect to Notice of or Attendance on the Account of the Committee of the Estate), and the Person or Persons alone (if any) to whom the Masters have given Liberty to attend shall be entitled to Notice of or shall be allowed to attend, at the Cost of the Estate, on any Proceeding, or on such particular Proceeding as aforesaid, (as the Case may be,) before the Masters, except upon their special Leave first obtained; and the same Person or Persons alone (if any) to whom the Masters have given Liberty to attend on the Proceedings before them in the Matter generally shall be entitled to Notice of or shall be allowed to attend, at the Cost of the Estate, on any Proceeding before the Lord Chancellor intrusted as aforesaid, except upon his special Leave first obtained, and for that Purpose the Masters shall, from Time to Time as Occasion may require, certify who is or are the Person or Persons (if any) to whom they have given Liberty to attend on the Proceedings before them in the Matter generally.

Masters may appoint Guardian for Lunacy.

LXXXII. Where an Infant, being One of the next of Kin, and being at liberty to attend on the Proceedings, has no Guardian, the Masters may from Time to Time, by Certificate, appoint a fit Person to be his Guardian for the Purposes of the Lunacy, who shall thereupon, for the Purposes of the Lunacy only, and not further or otherwise, have all the same Powers, Authorities, and Discretion as if he had been duly constituted Guardian by the Court of Chancery; and the Masters may, from Time to Time, by Certificate, revoke any such Appointment, and appoint another fit Person to be the Guardian, *toties quoties*.

In Cases of Members of same Family, Proceedings may be consolidated, &c.

LXXXIII. The Masters may, where it seems expedient, consolidate or carry on together similar Proceedings before them in the Matters of several Persons being Members of the same Family, and may in that Case, and also where it does not seem expedient that the Proceedings should be consolidated or carried on together, use in the Matter of One Member of a Family Evidence filed or taken in the Matter of another Member or other Members of the same Family, when and so far as it may be applicable.

Masters may open and deliver out Will.

LXXXIV. The Masters may, on being satisfied of a Lunatic's Death, without Order, open and read any Paper Writing deposited with them, and purporting or alleged to be his Will, for the Purpose of ascertaining who is therein nominated Executor thereof, and also whether or not there is any and what Direction therein contained concerning his Funeral or Place of Interment, and then deliver the same to the Registrar or other proper Officer of the Prerogative or other proper Ecclesiastical Court, to the Intent that the same may be exhibited in the usual Course, and dealt with according to Law, and shall certify the Death, and the opening and delivering out of the Paper Writing accordingly.

Masters may inquire respect-

LXXXV. The Masters shall be at liberty, without Order of Reference, to inquire and report whether or not any Person residing out of *England* and *Wales*, and where, has been declared idiot, lunatic, or of unsound

unsound Mind, and whether or not his Personal Estate, or some and what Part thereof, has been vested in a Curator or other and what Person appointed for the Management thereof, according to the Laws of the Place where the Person is residing, and whether or not any and what Stock, Portion of the Capital Stock, or Share of any and what Company or Society, is standing in the Name of or is vested in that Person, and what is his Interest therein. ing Interest in Stock of Lunatic residing out of Jurisdiction.

LXXXVI. Subject to the Provisions of this Act, and to the General Orders in Lunacy for the Time being in force, and to any Order of the Lord Chancellor intrusted as aforesaid, the Masters may, if they think fit, dispense with any Summons ordinarily taken out in the Course of the Proceedings before them, and direct and require any Party attending before them to take out a Summons for a particular Purpose or within a particular Time, and fix the Time at which any particular Summons shall be returnable before them, or at or within which any Proceeding necessary or proper to be taken before them shall be taken, and may proceed *de die in diem* or adjourn the Proceedings before them, as they may see fit. Masters may direct Times, &c. of proceeding before them.

LXXXVII. The Masters shall from Time to Time inquire into the Circumstances of any Delay in the Conduct of Proceedings before them, or in proceeding upon their Reports, Certificates, or Decisions, and for that Purpose may call before them all Parties concerned, and may report accordingly, where it seems expedient. Masters to inquire into Delays.

LXXXVIII. The Masters may, by Certificate, disallow, wholly or in part, the Costs of any Proceeding or Document taken or used or proposed to be taken or used before them; and the Costs of the Attendance of Counsel before them shall not be allowed on Taxation, unless they certify that such Attendance was proper, and for the Security or Advantage of the Lunatic or his Estate. Masters may disallow Costs.

LXXXIX. The Affidavits, Petitions, and other Documents brought in to the Offices of the Masters or Registrar shall not contain unnecessary Recitals or Statements of Proceedings or Documents previously taken or used in the Matter; and the Taxing Masters shall look into all such Affidavits, Petitions, and other Documents as aforesaid, and deal in such Manner as to them seems just with the Costs of any Affidavit, Petition, or other Document appearing to them to be unnecessary or improper, in the whole or in part, or of unnecessary Length. Documents not to be of unnecessary Length.

XC. The Masters shall be at liberty to report specially to the Lord Chancellor intrusted as aforesaid any Decision at which they may arrive, or any other Matter relating to any Inquiry or Proposal pending before or under Consideration by them, in order to obtain a Decision or Direction by or from him for their Guidance in the further Prosecution of the Inquiry or Consideration of the Proposal. Masters may report Decision pending Inquiry.

XCI. The Masters Reports shall be divided into Paragraphs numbered consecutively, and respectively confined, as nearly as may be, to distinct Portions of the Subject Matter, and with such appropriate Headings prefixed to all or any of the Paragraphs as may be convenient. Form of Reports.

XCII. The Reports of the Masters, whether confirmed by Fiat or not, under the Provisions hereinafter contained, and their Certificates, and all other Reports and Certificates made in Matters in Lunacy, (except the Reports of the Visitors herein-after provided for,) shall be left by the Masters, Taxing Masters, and other Officers making the same respectively, with the Registrar in Lunacy, by whom the same shall be filed, and it shall not be necessary that they or any of them should be filed elsewhere; and the Accountant General of the Court of Chancery, and all other Persons, and the Governor and Company of the Bank of *England*, shall, as Occasion may require, act upon or in relation to any Report, and the Fiat thereon (if any), or any Certificate so filed, in like Manner as if the Report or Certificate had been filed also in the Report Office of the Court of Chancery, according to the Practice formerly used. Reports to be filed with Registrar in Lunacy only.

XCIII. Any Person objecting to a Draft Report of the Masters, and desiring to prosecute the Objection, shall bring in before the Masters a Statement of Objections in Writing, and thereupon the Masters shall be at liberty to review the Draft objected to; and after Review, or the Refusal of the Masters to review, the Person objecting may bring in before the Masters a Notice in Writing, stating that he insists on the Objections or any One or more of them; and all the Objections not so insisted on shall be considered as abandoned. Objections to Report may be brought in.

XCIV. No Person shall, except upon special Leave of the Lord Chancellor intrusted as aforesaid first obtained, present a Petition against the Confirmation of a Report, but in every Case, on the Hearing of the Petition for Confirmation of the Report, any Objections insisted on as aforesaid may be brought forward in opposition to the Confirmation of the Report, without any Exceptions or Cross Petition. No Petition against Confirmation, of Report.

XCV. Where no Statement of Objections is brought in, or all the Objections contained in a Statement brought in are abandoned, the Report shall be submitted to the Lord Chancellor intrusted as aforesaid, for Confirmation, without Petition, and without the Attendance of Parties, except where from the special Nature or Circumstances of the Case the Masters are of opinion that the Report ought to be brought before the Lord Chancellor intrusted as aforesaid by Petition, and by Endorsement on the Report under their Hands shall so direct accordingly. Reports not objected to may be confirmed without Petition.

XCVI. Where a Report is to be submitted for Confirmation without Petition it shall contain the Directions consequential on the Confirmation thereof, and the Fiat of the Lord Chancellor intrusted as aforesaid on the Report shall give it the Operation of an Order of the Lord Chancellor intrusted as aforesaid, made upon Petition, subject to such other Directions and Provisions (if any) as the Lord Chancellor intrusted as aforesaid may think fit. Such Reports to contain consequential Directions, &c.

Cases in which Reports shall not be confirmed without Petition.

XCVII. The Reports of the Masters shall be brought before the Lord Chancellor intrusted as aforesaid, for Confirmation, by Petition, in each of the Cases following:—

1. Where the Lord Chancellor intrusted as aforesaid, on referring a Matter to the Masters to inquire and report, so directs;
2. Where a Statement of Objections is brought in, and all the Objections are not abandoned;
3. Where the Masters, having regard to the special Nature or Circumstances of the Case, as herein-before provided, so direct;
4. Where no Order is made on the Report being submitted for Confirmation without Petition;

And in such other Cases as are herein mentioned, and as the Lord Chancellor, with the Advice and Assistance aforesaid, shall from Time to Time by General Order direct.

Orders.

And with respect to Orders in Lunacy, be it further enacted as follows:

Form of Orders.

XCVIII. Every Petition shall be filed before an Order thereon shall be passed, and the Order shall not recite any Part of the Statements contained in the Petition, and only such Part (if any) of the Prayer as may be necessary, and an Order shall not state any Part of a Report, except the Masters Conclusion or Opinion, or so much thereof as may be necessary; and the Lord Chancellor, with the Advice and Assistance aforesaid, may and shall from Time to Time make such General Orders as to him shall seem meet for embodying (as far as may be) such Provisions and Directions as are now commonly or frequently inserted in Orders, and are not provided for by this Act, and for dispensing (as far as may be) with the formal Parts of Orders as now drawn up.

Orders to be communicated to Masters.

XCIX. Every Order of the Lord Chancellor intrusted as aforesaid in a Matter in Lunacy shall be communicated by the Registrar to the Masters, whether any Matter is thereby referred to them or not.

Orders to be entered by the Registrar, and Office Copies to be furnished and signed by him.

C. Every Order made in a Matter in Lunacy by the Lord Chancellor intrusted as aforesaid, when drawn up by the Registrar in Lunacy, and signed by the Lord Chancellor intrusted as aforesaid, shall be entered by the Registrar in Lunacy in a proper Book to be provided by him for that Purpose, and he shall furnish Office Copies of any Order or of any Report, confirmed by Fiat, or of any Part thereof respectively, signed by him, and sealed or stamped with the Seal of his Office, to every Party in the Matter or other Person entitled thereto who shall require the same; and every Office Copy of the whole of an Order or Report confirmed as aforesaid, purporting to be so signed and sealed or stamped with such Seal, shall at all Times, and on behalf of all Persons, and whether for the Purposes of this Act or otherwise, be admitted as Evidence of the Order or Report confirmed as aforesaid of which it purports to be a Copy, without any further Proof thereof.

Money Orders to be acted upon by Accountant General as if drawn up by the Registrar of the Court of Chancery.

CI. Where an Order or a Report confirmed by Fiat relates to the Payment, Transfer, carrying over, or depositing of any Cash, Stocks, Funds, Annuities, Securities, or other Effects to or into the Name of or in the Custody of the Accountant General of the Court of Chancery, to the Credit of the Matter of a Lunatic, or to the Payment, Transfer, or carrying over or other Disposal by the said Accountant General of any Cash, Stocks, Funds, Annuities, Securities, or other Effects standing in his Name or deposited in his Custody to the Credit of the Matter of a Lunatic, or of any Cash, Stocks, Funds, Annuities, Securities, or other Effects to or in which a Lunatic is entitled or beneficially interested, and which are not standing in trust in a Cause or Matter depending in the Court of Chancery, the said Accountant General, and all other Persons, and the Governor and Company of the Bank of *England*, shall act upon the Order signed by the Lord Chancellor intrusted as aforesaid, after the same has been entered as herein-before provided, or upon an Office Copy of the Report confirmed by Fiat, and thence receiving the Operation of an Order after the same has been filed as herein-before provided, in the same Manner as if an Order had been drawn up by the Registrar of the Court of Chancery, and passed and entered in the Court of Chancery according to the Practice formerly used; and the Registrar in Lunacy in case of an Order, and the Masters in case of a Report confirmed by Fiat, shall certify under their Hands respectively to the said Accountant General what Stocks, Funds, Annuities, Securities, or other Effects are by virtue of any such Order or Report confirmed as aforesaid (as the Case may be) to be sold, transferred, or delivered out, in the same Manner as the Registrars of the Court of Chancery were formerly accustomed to do.

Registrar to certify to Accountant General.

Persons forging the Signature or Seal of the Registrar guilty of Felony.

CII. If any Person shall forge the Signature of the Registrar in Lunacy, or shall forge or counterfeit the Seal of his Office, or knowingly concur in using any such forged or counterfeited Signature or Seal, or shall tender in Evidence any Document with a false or counterfeit Signature of such Registrar, or with a false or counterfeit Seal, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred and thirteen.

These Provisions to apply to Cases under 8 & 9 Vict. c. 100. s. 95.

CIII. The foregoing Provisions "with respect to certain of the Proceedings after Inquisition," and "with respect to Orders," shall be applicable and applied, as far as may be, to the Proceedings in the Matters of Lunatics under the Protection of the Lord Chancellor intrusted as aforesaid, by virtue of Proceedings taken under the Act of the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred, Section Ninety-five.

Visiting.

And with respect to the visiting of Lunatics, be it further enacted as follows:

Lunatics to be visited at least once a Year.

CIV. Each Lunatic shall be personally visited and seen by One at the least of the Visitors, according to the Provisions of the next following Section, once at the least in each Year, or oftener, and at such Times

Times as the Lord Chancellor intrusted as aforesaid may direct, or, in the Absence of his Directions, as the Board of Visitors may think expedient.

Medical Visitors and future Legal Visitors to visit either together or in succession.

CV. The Medical Visitors shall continue to visit Lunatics as at present, and the Legal Visitors to be appointed after the Commencement of this Act shall also respectively visit Lunatics; and the Visits of the several Visitors shall be from Time to Time regulated as the Lord Chancellor intrusted as aforesaid may direct, or, in the Absence of his Directions, as the Board of Visitors may deem necessary or advisable, in such Manner that, as far as Circumstances will admit, every Lunatic may from Time to Time and in due Succession be visited by the Legal Visitor either alone or in Company with One of the Medical Visitors.

Visitors to report to Lord Chancellor.

CVI. The Visitors shall respectively, within a convenient Time after each Visit, make a Report in Writing to the Lord Chancellor intrusted as aforesaid of the State of Mind and bodily Health and of the general Condition and also of the Care and Treatment of each Person visited and seen by them respectively, which Reports shall, annually or oftener, as the Lord Chancellor intrusted as aforesaid may direct or the Board of Visitors may think expedient, be submitted to the Lord Chancellor intrusted as aforesaid; and the Visitors respectively shall make separate or special Reports on any Case to the Lord Chancellor intrusted as aforesaid as and when they or the Board of Visitors may think expedient, and in particular shall report to him, without Delay, any Instance in which they respectively, on proceeding to visit, have been unable to discover the then Residence of or have been by any other Circumstance prevented from actually seeing on that Occasion the Lunatic whom they intended to visit.

Visitors Reports to be kept secret and destroyed on Death, &c.

CVII. The Reports of the Visitors shall be filed and kept secret in their Office, and shall be open to the Inspection of no Person save the Members of the Board of Visitors, their Secretary and his Clerk, and the Lord Chancellor intrusted as aforesaid, and such Persons as he may specially appoint; and all the Reports relating to any particular Patient shall be destroyed on the Death of the Patient, and shall also be destroyed on the Inquisition in his Case being superseded, or being vacated and discharged on a Traverse, unless the Lord Chancellor intrusted as aforesaid, within Fourteen Days after the Supersedeas, or the vacating and Discharge on a Traverse, specially order that the same be not destroyed until the Death.

Management and Administration of Estate.

And with respect to the Management and Administration of the Estates of Lunatics, be it further enacted as follows:

Committee to appear and take Admittance to Copyholds.

In default, Lord may appoint Attorney.

CVIII. Where a Lunatic is entitled to be admitted Tenant of Copyhold Land, the Committee of his Estate may appear at One of the Three next Courts holden for the Manor (for the holding whereof the usual Notice shall be given), and there offer himself to be admitted Tenant in the Name and on behalf of the Lunatic; and in default of his Appearance, or of his Acceptance of Admittance, the Lord or his Steward may, after Three Courts duly holden, and Proclamations thereat regularly made, at any subsequent Court appoint any fit Person to be Attorney for the Lunatic for that Purpose only, and by that Attorney admit the Lunatic Tenant of the Land, according to such Estate as the Lunatic shall be legally entitled to therein.

Fine upon Admittance may be imposed and demanded.

CIX. The Lord or his Steward may upon the Admittance impose such Fine as might have been legally imposed if the Lunatic had been of sound Mind, which Fine may be demanded by the Lord's Bailiff or Agent, by a Note in Writing signed by the Lord or his Steward, to be left with the Committee of the Estate, or with the Tenant or Occupier of the Land.

If not paid, &c., Lord may enter, and receive Profits of the Copyhold till he is satisfied, &c.

Lord to account yearly;

and to deliver up Possession, on Satisfaction.

CX. If the Fine be not paid or tendered to the Lord or his Steward within Three Months after Demand, then the Lord may enter upon and hold the Land, and receive the Rents and Profits thereof, (but without Liberty to fell any Timber standing thereon,) until he be thereby fully paid the Fine, with his reasonable Costs and Charges of raising the same, and of obtaining the Possession of the Land, although the Lunatic die before the Fine and Costs and Charges have been raised; of which Rents and Profits received by the Lord, his Steward, Bailiff, or Servant, the Lord shall yearly, on Demand by the Person entitled to the Surplus thereof, after Payment of the Fine and Costs and Charges, or by the Person then entitled to the Land, render a just and true Account, and shall pay the same Surplus, if any, to the Person entitled thereto; and as soon as the Fine and Costs and Charges have been fully paid, or if, after the Lord's Entry, the Fine and Costs and Charges be lawfully tendered to him, then the Lunatic, by the Committee of his Estate or other the Person entitled, may enter upon and hold the Land, according to his Estate or Interest therein; and the Lord shall deliver Possession thereof accordingly, and if he refuse so to do he shall make Satisfaction to the Person kept out of Possession for all the Damages which he shall thereby sustain, and all his Costs and Charges of recovering Possession.

Committee paying Fine may reimburse himself out of Rents.

CXI. If the Committee pay the Fine and Costs and Charges, then he, his Executors and Administrators, may enter upon and hold the Land, and receive the Rents and Profits thereof to his and their own Use, until he and they be thereby fully paid the Amount disbursed upon that Account, although the Lunatic die before his and their Reimbursement.

Unlawful Fines may be controverted; and no Forfeiture in certain Cases.

CXII. If the Fine imposed be not warranted by the Custom of the Manor, or be unlawful, the Lunatic may controvert its Legality, as if this Act had not been made; and no Lunatic shall forfeit any Land for his Neglect or Refusal to appear at any Court, or to be admitted thereto, or to pay the Fine imposed upon his Admittance.

CXIII. Where

Committee may surrender Lease, and accept Renewal.

CXIII. Where a Lunatic is entitled to a Lease for a Life or Lives or for a Term of Years, either absolute or determinable on a Death, or otherwise, the Committee of his Estate may, in his Name and on his Behalf, under an Order of the Lord Chancellor intrusted as aforesaid, by Deed surrender the Lease, and in the Name and on behalf and for the Benefit of the Lunatic accept a new Lease of the Premises comprised in the Lease surrendered, for such Number of Lives, or for such Term of Years, either absolute or determinable as aforesaid, as was mentioned or contained in the Lease surrendered at the making thereof, or otherwise as the Lord Chancellor intrusted as aforesaid shall order.

Charges of Renewal to be charged on Estates.

CXIV. Every Sum of Money and other Consideration paid by a Committee or other Person, in the Nature of or as a Fine, Premium, or Income upon Renewal, and all reasonable Charges incident thereto, may be paid out of the Lunatic's Estate, or may, with Interest, be a Charge upon the Leasehold Premises, as the Lord Chancellor intrusted as aforesaid shall order.

New Leases to be to the same Uses.

CXV. Every Lease renewed shall operate and be to the same Uses, and be liable to the same Trusts, Charges, Incumbrances, Dispositions, Devises, and Conditions, as the Lease surrendered was subject to, or would have been subject to if the Surrender had not been made.

Lunatic's Property may be sold, mortgaged, &c. for Debts, Maintenance, &c.

CXVI. Where it appears to the Lord Chancellor intrusted as aforesaid to be just and reasonable, or for the Lunatic's Benefit, he may order that any Estate or Interest of the Lunatic in Land or Stock, either in possession, reversion, remainder, contingency, or expectancy, be sold, or charged by way of Mortgage, or otherwise disposed of, as may to him seem most expedient, for the Purpose of raising Money to be applied, and may accordingly order that the Money when raised may be applied, for or towards all or any of the Purposes following:

1. The Payment of the Lunatic's Debts or Engagements;
2. The Discharge of any Incumbrance on his Estates;
3. The Payment of any Debt or Expenditure incurred or made after Inquisition, or authorized by the Lord Chancellor intrusted as aforesaid to be incurred or made, for the Lunatic's Maintenance or otherwise for his Benefit;
4. The Payment of or Provision for the Expenses of his future Maintenance;
5. The Payment of the Costs of applying for, obtaining, and executing the Inquiry, and of opposing the same;
6. The Payment of the Costs of any Proceeding under or consequent on the Inquisition, or incurred under Order of the Lord Chancellor intrusted as aforesaid; and
7. The Payment of the Costs of any such Sale, Mortgage, Charge, or other Disposition as is hereby authorized to be made:

And the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute, make, and do all such Conveyances, Deeds, Transfers, and Things relative to any such Sale, Mortgage, Charge, or other Disposition as aforesaid, and for effectuating this present Provision, as the Lord Chancellor intrusted as aforesaid shall order.

Modes in which future Maintenance may be charged when Interest not in possession.

CXVII. In case of a Charge or Mortgage being made under this Act upon an Interest in contingency, or in reversion, remainder, or expectancy, for the Expenses of future Maintenance, the Lord Chancellor intrusted as aforesaid may direct the same to be payable and paid either contingently, if the Interest charged be a contingent one, or upon the happening of the Event, if the Interest be depending on an Event which must happen, and either in a gross Sum or in annual or other periodical Sums, and at such Times, in such Manner, and either with or without Interest, as he shall deem expedient; and any Charge already made which would have been valid if made after this Act shall be and is hereby declared to be valid.

Expenses of Improvements may be charged on Estate.

CXVIII. Where it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit, he may order that the whole or any Part of any Monies expended or to be expended under his Order for the permanent Improvement, Security, or Advantage of the Land of the Lunatic or of any particular Part thereof, shall, with Interest, be a Charge upon and be raisable out of the Lunatic's Estate and Interest in the Land or such particular Part thereof as aforesaid, but so that no Right of Sale or Foreclosure during the Lifetime of the Lunatic be given or acquired under or by virtue of the Charge; and the Interest shall be kept down during the Lunatic's Lifetime, out of the Income of his general Estate, as far as the same shall be sufficient to bear it; and the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute and do all such Conveyances and Things for effectuating this present Provision as the Lord Chancellor intrusted as aforesaid shall order; and such Charge may be made either to some Person advancing the Money, or, if the Money is paid out of the Lunatic's general Property, to some Person as a Trustee for him, as Part of his Personal Estate.

Surplus of Monies to be of the same Nature as the Estate.

CXIX. On any Monies being raised by Sale, Mortgage, Charge, or other Disposition of Land made in pursuance of any of the foregoing Provisions, the Person whose Estate is sold, mortgaged, charged, or otherwise disposed of, and his Heirs, next of Kin, Devisees, Legatees, Executors, Administrators, and Assigns, shall have such and the like Interest in the surplus Monies remaining after the Purposes for which the Monies have been raised shall have been answered as he or they would have had in the Estate if no Sale, Mortgage, Charge, or other Disposition thereof had been made, and the surplus Monies shall be of the same Nature and Character as the Estate sold, mortgaged, charged, or otherwise disposed of; and the Lord Chancellor intrusted as aforesaid may make such Orders, and direct such Conveyances, Deeds, and Things to be executed and done (which may and shall accordingly be executed and done),

as may be necessary for the effectuating this present Provision, and for the due Application of the surplus Monies.

Where Property very small, Lord Chancellor may apply same directly for Lunatic's Maintenance, without Grant, &c.

CXX. Where it is made to appear to the Lord Chancellor intrusted as aforesaid that the net Amount or net estimated Value of the Property of a Lunatic does not exceed the Sum of Five hundred Pounds Sterling, and it appears to him, having regard to the Situation and Condition in Life of the Lunatic and his Family, and the other Circumstances of the Case, to be expedient that the Amount or Value of his Property should be made available for his Maintenance in a direct and inexpensive Manner, and that the same can be safely and properly done, he may, instead of proceeding to order a Grant of the Custody of the Estate, order or allow that the Amount of the Property, if in Money or Stock, or if of any other Description the Produce thereof when realized, be paid or transferred to such Relative of the Lunatic, or such other Person as he may think proper to intrust with the Application thereof, to be by him applied in or towards the Maintenance of the Lunatic, either at his Discretion or in such Manner and subject to such Control as the Lord Chancellor intrusted as aforesaid may direct; and for the Purpose of giving effect to any such Order, the Lord Chancellor intrusted as aforesaid may order any small Real Estate or other Property of the Lunatic to be sold, and a valid Conveyance or Transfer thereof to be executed or made by such Person as he shall direct.

Where Lunacy temporary, Lord Chancellor may apply Cash arising from Income for temporary Maintenance, without Grant, &c.

CXXI. Where it appears to the Lord Chancellor intrusted as aforesaid, upon a Report of the Masters, that there is Reason to believe that the Unsoundness of Mind of any Lunatic so found by Inquisition is in its Nature temporary, and will probably be soon removed, and that it is expedient that temporary Provision should be made for the Maintenance of the Lunatic, or of the Lunatic and the Members of his immediate Family who are dependent upon him for Maintenance, and that any Sum of Money arising from or being in the Nature of Income or of ready Money belonging to the Lunatic, and standing to his Account with a Banker or Agent, or being in the Hands of any Person for his Use, is readily available and may be safely and properly applied in that Behalf, the Lord Chancellor intrusted as aforesaid may allow thereout such Amount as he may think proper for the temporary Maintenance of the Lunatic, or of the Lunatic and the Members of his immediate Family who are dependent upon him for Maintenance, and may, instead of proceeding to order a Grant of the Custody of the Estate, order or give Liberty for the Payment of any such Sum of Money as aforesaid, or any Part thereof, to such Person as he may, under the Circumstances of the Case, think proper to intrust with the Application thereof, and may direct the same to be paid to such Person accordingly, and when received to be applied, and the same shall accordingly be applied, in or towards such temporary Maintenance as aforesaid; and the Receipts in Writing of the Person named in the Order to whom Payment is to be made for any Monies payable to him by virtue thereof shall effectually discharge the Banker, Agent, or other Person paying the same from the Monies therein respectively expressed to be received, and they respectively are hereby directed to act upon and obey every such Order; and the Person so receiving any Monies by virtue of this present Provision shall pass an Account thereof before the Masters, when required.

Committee may convey Land in Performance of Contracts.

CXXII. Where a Person having contracted to sell, mortgage, let, divide, exchange, or otherwise dispose of any Land afterwards becomes Lunatic, and the Contract is not disputed, and is such as the Lord Chancellor intrusted as aforesaid thinks ought to be performed, or a specific Performance of the Contract, either wholly or so far as the same remains to be performed, has been decreed or ordered by the Court of Chancery, either before or after the Lunacy, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, on the Application of the Party claiming the Benefit of the Contract with the Lunatic, or any Plaintiff in the Suit, receive and give an effectual Discharge for the Money payable to the Lunatic, or so much thereof as remains unpaid, and make such Conveyance of the Land to such Person and in such Manner as the Lord Chancellor intrusted as aforesaid may order.

Lord Chancellor may dissolve Partnership, and Committee may convey Partnership Property.

CXXIII. Where a Person, being a Member of a Copartnership Firm, becomes Lunatic, the Lord Chancellor intrusted as aforesaid may, by Order made on the Application of the Partner or Partners of the Lunatic, or of such other Person or Persons as the Lord Chancellor intrusted as aforesaid shall think entitled to require the same, dissolve the Partnership; and thereupon, or upon a Dissolution of the Partnership by Decree of the Court of Chancery, or otherwise by due Course of Law, the Committee of the Estate, in the Name and on behalf of the Lunatic, may join and concur with such other Person or Persons in disposing of the Partnership Property, as well real as personal, to such Persons, upon such Terms, and in such Manner, and may and shall execute and do such Conveyances and Things for effectuating this present Provision, and apply the Monies payable to the Lunatic in respect of his Share and Interest in the Copartnership, in such Manner as the Lord Chancellor intrusted as aforesaid shall order.

Committee may make Sale, Partition, or Exchange.

CXXIV. Where a Lunatic is seised of or entitled to an undivided Share of Land, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit and to be expedient that a Sale of the Land, or Part thereof, or a Partition of the Land, should be made, and where a Lunatic is seised of or entitled to Land, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit and to be expedient that an Exchange thereof, or of Part thereof, for other Land, should be made, the Committee of the Estate, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, may concur with such other Person in making such Sale or Partition, or may make such Exchange, and receive such Monies payable on the Sale, and give or receive such Monies for Equality of Partition or Exchange, or otherwise in relation thereto, as the Order may direct; and all Monies received by the Committee of the Estate upon any such Sale, Partition, or Exchange as aforesaid shall

shall be applied and disposed of in manner directed in Section One hundred and thirty-five of this Act respecting the Fines, Premiums, and Sums of Money therein mentioned; and the Land taken in Exchange shall be held and assured (as nearly as may be) to the same Uses, and upon the same Trusts, and subject to the same Powers and Provisions (if any), to, upon, and subject to which the Land given in Exchange was held; and the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute and do all such Conveyances and Things for effectuating this present Provision as the Lord Chancellor intrusted as aforesaid shall order.

Committee may sell Land for Building Purposes.

CXXV. Where a Lunatic is seised of or entitled to Land in Fee Simple, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit that the same or any Part thereof should be made available for Building Purposes, and that to that end the same should, in lieu of being demised for long Terms of Years, be absolutely sold, he may order the same to be sold accordingly, to such Persons, in such Quantities, upon such Terms, and in such Manner as to him may seem expedient, and the Monies arising thereby shall be applied and disposed of in manner directed in Section One hundred and thirty-two of this Act respecting the surplus Monies therein mentioned; and the Committee of the Estate may and shall, in the Name and on behalf of the Lunatic, execute and do all such Conveyances and Things for effectuating this present Provision as the Lord Chancellor intrusted as aforesaid shall order.

Committee may assign Business Premises.

CXXVI. Where a Lunatic has been engaged in a Trade or Business, and it appears to the Lord Chancellor intrusted as aforesaid to be for the Benefit of the Lunatic or his Estate that the Business Premises should be disposed of, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Conveyance of the Messuages, Buildings, or Hereditaments of or belonging to the Trade or Business, or used in connexion therewith, according to the Lunatic's Estate and Interest in the same, to such Person, and shall apply the Monies arising thereby in such Manner, as the Lord Chancellor intrusted as aforesaid shall order.

Committee may dispose of undesirable Lease.

CXXVII. Where a Lunatic is entitled to a Lease for a Life or Lives or for a Term of Years, either absolute or determinable on a Death or otherwise, or to an Under-lease, of whatsoever Nature, and it appears to the Lord Chancellor intrusted as aforesaid to be desirable and for the Benefit of the Lunatic or his Estate that the Lease or Under-lease should be disposed of, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, surrender, assign, or otherwise dispose of the Lease or Under-lease, to such Person, for such valuable or nominal or other Consideration, upon such Terms, by such Conveyances, and in such Manner, and shall apply the Monies (if any) arising thereby in such Manner, as the Lord Chancellor intrusted as aforesaid shall order.

Committee may make Agreements under 1 G. 1. c. 10.

CXXVIII. The Committee of the Estate of a Lunatic may, with the Approbation of the Lord Chancellor intrusted as aforesaid, signified by Order on the Application of the Committee, enter into any Agreement for or on behalf of the Lunatic which the Guardian of an Infant might have entered into for or on behalf of the Infant by virtue of the Act passed in the Session of Parliament holden in the First Year of the Reign of King *George* the First, Chapter Ten, if so much of that Act as related to Agreements of Guardians for or on behalf of Infants or Idiots under their Guardianship had not been repealed by the Act passed in the Session of Parliament holden in the First Year of the Reign of King *William* the Fourth, Chapter Sixty-five, Section Twenty-five.

Committee may make Building and other Leases, subject to such Covenants as Lord Chancellor shall order.

CXXIX. Where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, or to Leasehold Land for an absolute Interest, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit that a Lease or Under-lease should be made thereof for Terms of Years, for encouraging the Erection of Buildings thereon, or for repairing Buildings actually being thereon, or otherwise improving the same, or for farming or other Purposes, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Lease of the Land or any Part thereof, according to the Lunatic's Estate and Interest therein, and to the Nature of the Tenure thereof, for such Term or Terms of Years and subject to such Rents and Covenants as the Lord Chancellor intrusted as aforesaid shall order.

Committee may make Leases of Mines already opened.

CXXX. Where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, and it appears to the Lord Chancellor intrusted as aforesaid to be for his Benefit that any Mine or Quarry already opened in, upon, or under the Land should be worked, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Lease of the Mines, Quarries, Minerals, Stones, and Substances, in, upon, or under the Land, either with or without any Land convenient to be held therewith, and with or without the Surface, to such Person, for such Term or Terms of Years, and subject to such Rents, Royalties, Reservations, Covenants, and Agreements, and in such Manner and Form, as the Lord Chancellor intrusted as aforesaid shall order.

Committee may, where necessary for Maintenance of Lunatic, or expedient, make Leases of Mines unopened.

CXXXI. Where a Lunatic is seised or possessed of or entitled to Land in Fee or in Tail, and it appears to the Lord Chancellor intrusted as aforesaid either to be necessary for the Maintenance of the Lunatic and the Members of his immediate Family for whom Provision is directed to be made, or to be expedient in a due Course of Management, that any Mine or Quarry, being in, upon, or under the Land, should be opened and worked, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, make such Lease of the Mines, Quarries, Minerals, Stones, and Substances in, upon, or under the Land, although not already opened or worked, and either with or without any Land convenient to be held therewith, and with or without the Surface, to such Person, for such Term or Terms of Years, and subject to such Rents, Royalties, Reservations,

vations, Covenants, and Agreements, and in such Manner and Form, as the Lord Chancellor intrusted as aforesaid shall order.

Produce of newly-opened Mines, where necessary for Lunatic's Maintenance, to be so applied; otherwise to be carried to separate Account, and be considered Real Estate.

CXXXII. Where the Lord Chancellor intrusted as aforesaid makes any such Order as in and by the last preceding Section is authorized to be made, by reason of its appearing to him to be necessary for the Maintenance of the Lunatic and such Members of his immediate Family as aforesaid, that the Mine or Quarry should be opened and worked, then the Monies arising thereby shall be applied in or towards such Maintenance as aforesaid, in such Manner as the Lord Chancellor intrusted as aforesaid shall direct; but in such Case the Surplus thereof, and in every other Case all the Monies so arising, shall be carried to a separate Account, and may be applied for or towards all or any of the Purposes for which Monies are herein-before authorized to be raised by Sale of the Lunatic's Estate, or in such other Manner for the Lunatic's Benefit as the Lord Chancellor intrusted as aforesaid shall direct; and upon the Lunatic's Death the Monies remaining on the Credit of such separate Account shall, as between the Representatives of his Real and of his Personal Estate, be considered as Real Estate.

Committee may execute leasing Powers of Lunatic having limited Estate.

CXXXIII. Where a Lunatic has a limited Estate only in Land, and any Power whatsoever of leasing the same is vested in him, the Committee of his Estate may and shall from Time to Time, in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor intrusted as aforesaid, execute the Power, to such Extent and in such Manner as the Order shall direct; and all Fines, Premiums, and Sums of Money (if any) received for or upon the granting of any Lease under this present Provision shall be applied and disposed of in manner directed in Section One hundred and thirty-five of this Act respecting the Fines, Premiums, and Sums of Money therein mentioned.

Committee may accept Surrender, and make new Lease.

CXXXIV. Where a Lunatic is entitled or has a Right to renew, and either it would be for his Benefit to renew, or he might, in pursuance of any Covenant or Agreement, if not under Disability, be compelled to renew, a Lease made for a Life or Lives, or for a Term of Years, either absolute or determinable on a Death or otherwise, the Committee of his Estate may, in his Name, under an Order of the Lord Chancellor intrusted as aforesaid, upon the Application of the Committee, or of any Person entitled to the Renewal, accept a Surrender of the Lease, and make and execute a new Lease, of the Premises comprised in the Lease surrendered, for such Number of Lives, or for such Term or Terms of Years determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as was or were mentioned or contained in the Lease surrendered at the making thereof, or otherwise as the Lord Chancellor intrusted as aforesaid shall order, but so that no renewed Lease be executed by virtue of this Act, in pursuance of any Covenant or Agreement, unless the Fine (if any) or such other Sum of Money (if any) as ought to be paid on Renewal, and such Things (if any) as ought to be performed in pursuance of the Covenant or Agreement by the Lessee or Tenant, be first paid and performed, and a Counterpart be duly executed by the Lessee.

Fines, how to be paid.

On Death of Lunatic, Quality of Money arising by Fines.

CXXXV. All Fines, Premiums, and Sums of Money received upon Renewal shall, after Deduction of all necessary incidental Charges and Expenses, be paid to the Committee of the Estate, and be applied for the Lunatic's Benefit as the Lord Chancellor intrusted as aforesaid shall order; but upon the Lunatic's Death all such Monies as have arisen by such Fines, Premiums, or Sums of Money, or so much thereof as then remains unapplied for his Benefit, shall, as between the Representatives of his Real and of his Personal Estate, be considered as Real Estate, unless the Lunatic be Tenant for Life only, and then the same shall be considered as Personal Estate.

Committee may exercise Power vested in Lunatic for his own Benefit, or give Consent.

CXXXVI. Where a Power is vested in a Lunatic for his own Benefit, or the Consent of a Lunatic is necessary to the Exercise of a Power, and such Power of Consent is in the Nature of a beneficial Interest in the Lunatic, and it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit, and also to be expedient, that the Power should be exercised or the Consent given (as the Case may be), the Committee of the Estate may, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, made upon the Application of the Committee of the Estate, exercise the Power or give the Consent, as the Case may be, in such Manner as the Order shall direct.

Committee may exercise Power vested in Lunatic in Character of Trustee or Guardian, &c.

CXXXVII. Where a Power is vested in a Lunatic in the Character of Trustee or Guardian, or the Consent of a Lunatic to the Exercise of a Power is necessary in the like Character, or as a Check upon the undue Exercise of the Power, and it appears to the Lord Chancellor intrusted as aforesaid to be fit and expedient that the Power should be exercised or the Consent given (as the Case may be), the Committee of the Estate, in the Name and on behalf of the Lunatic, under an Order of the Lord Chancellor intrusted as aforesaid, made upon the Application of any Person interested in the Exercise of the Power, may exercise the Power or give the Consent, as the Case may be, in such Manner as the Order shall direct.

Appointment of new Trustees under Power to have Effect of Appointments by Court of Chancery, and like Orders may be made as under Trustee Act, 1850.

CXXXVIII. Where under this Act the Committee of the Estate, under Order of the Lord Chancellor intrusted as aforesaid, exercises, in the Name and on behalf of the Lunatic, a Power of appointing new Trustees vested in the Lunatic, the Person or Persons who shall, after and in consequence of the Exercise of the Power, be the Trustee or Trustees, shall have all the same Rights and Powers as he or they would have had if the Order had also been made by the Court of Chancery, under the Trustee Act, 1850, or any Act amending the same, or if he or they had been appointed by Decree of that Court in a Suit duly instituted; and the Lord Chancellor intrusted as aforesaid may in any such Case, where it seems to him to be for the Lunatic's Benefit, and also expedient, make any and every such Order respecting the Land or Stock or Choses in Action subject to the Trust as might have been made in the same Case under the Provisions of the Trustee Act, 1850, or any Act amending the same, on the Appointment thereunder of a new Trustee or new Trustees.

Deeds, &c. executed under this Act to be as valid as if Lunatic of sound Mind.

CXXXIX. Every Surrender, Lease, Agreement, Deed, Conveyance, Mortgage, or other Disposition granted, accepted, made, or executed by virtue of this Act shall be as valid and legal to all Intents and Purposes as if the Person in whose Name or Place or on whose Behalf the same was granted, accepted, made, or executed had been of sound Mind, and had granted, accepted, made, or executed the same.

Stock belonging to Lunatic may be ordered to be transferred.

CXL. Where any Stock is standing in the Name of or is vested in a Lunatic beneficially entitled thereto, or is standing in the Name of or vested in a Committee of the Estate of a Lunatic, in trust for the Lunatic, or as Part of his Property, and the Committee dies intestate, or himself becomes lunatic, or is out of the Jurisdiction of or not amenable to the Process of the Court of Chancery, or it is uncertain whether the Committee be living or dead, or he neglects or refuses to transfer the Stock, and to receive and pay over the Dividends thereof, to a new Committee, or as he directs, for the Space of Fourteen Days next after a Request in Writing for that Purpose made by a new Committee, then the Lord Chancellor intrusted as aforesaid may order some fit Person to transfer the Stock to or into the Name of a new Committee, or into the Name of the Accountant General of the Court of Chancery, or otherwise, and also to receive and pay over the Dividends thereof, or such Sum or Sums of Money, and in such Manner as the Lord Chancellor intrusted as aforesaid may order.

Stock in Name of Lunatic residing out of England and Wales may be ordered to be transferred.

CXLI. Where any Stock, or any Portion of the Capital Stock, or any Share of any Company or Society, whether transferable in Books or otherwise, is standing in the Name of or vested in a Person residing out of *England* and *Wales*, the Lord Chancellor intrusted as aforesaid, upon Proof to his Satisfaction that the Person has been declared idiot, lunatic, or of unsound Mind, and that his Personal Estate has been vested in a Curator or other Person appointed for the Management thereof, according to the Laws of the Place where he is residing, may order some fit Person to make such Transfer of the Stock, or such Portion of the Capital Stock or Share as aforesaid, or any Part or Parts thereof respectively, to or into the Name of the Curator or other Person appointed as aforesaid, or otherwise, and also to receive and pay over the Dividends thereof, as the Lord Chancellor intrusted as aforesaid may think fit.

Who shall be appointed to make Transfer.

CXLII. Where an Order is made under this Act for the Transfer of Stock, the Person to be named in the Order for making the Transfer shall be some proper Officer of the Company or Society in whose Books the Transfer is to be made; and where the Transfer is to be made in Books kept by the Governor and Company of the Bank of *England*, the Officer to be named shall be the Secretary or Deputy Secretary, or Accountant General or Deputy Accountant General for the Time being, of the said Governor and Company.

Transfers, &c. to be binding.

CXLIII. All Transfers and Payments made in pursuance of this Act shall be valid and binding to all Intents and upon all Persons whomsoever.

Indemnity to Bank of England, &c.

CXLIV. This Act shall be a full Indemnity and Discharge to the Governor and Company of the Bank of *England*, their Officers and Servants, and all other Persons respectively, for all Acts and Things done or permitted to be done pursuant thereto, which Acts and Things respectively shall not be questioned or impeached in any Court of Law or Equity to their Detriment.

Costs may be paid out of Estate.

CXLV. The Lord Chancellor intrusted as aforesaid may order the Costs and Expenses of and relating to the Petitions, Applications, Orders, Directions, Conveyances, and Transfers to be made in pursuance of this Act, or any of them, to be paid and raised out of or from the Land or Stock, or the Rents or Dividends in respect of which the same respectively shall be made, in such Manner as he may think proper.

Act not to subject Lunatic's Property to Debts.

CXLVI. Nothing in this Act contained shall extend to subject any Part of a Lunatic's Property to the Debts or Demands of his Creditors, further or otherwise than as the same is now subject thereto by due Course of Law.

Powers to extend to Colonies, &c.

CXLVII. The Powers and Authorities given by this Act to the Lord Chancellor intrusted as aforesaid shall extend to all Land and Stock within any of the Dominions, Plantations, and Colonies of Her Majesty (except *Scotland* and *Ireland*).

Traverse.

And with respect to the Traverse of an Inquisition, be it further enacted as follows:

Petitions for Traverse to be presented within a limited Time.

CXLVIII. Any Person desiring to traverse may, within the Three Months next after the Day of the Return of the Inquisition, present a Petition for that Purpose to the Lord Chancellor intrusted as aforesaid, who is hereby required to hear and determine the Petition, and shall, in his Order upon it for a Traverse, limit a Time, not exceeding Six Months from the Date of the Order, within which the Person desiring to traverse and all other proper Parties are to proceed to Trial of the Traverse, and who may by the same or any other Order direct that the Person desiring to traverse, not being the Person the Object of the Inquisition, shall, within the Three Weeks next after the Date of the Order, give sufficient Security to and to the Satisfaction of the Masters for all proper Parties proceeding to Trial within the Time to be limited as aforesaid.

Persons not petitioning, or not proceeding to Trial within limited Time, barred.

CXLIX. Every Person having Right to traverse who shall not within the Time herein-before limited present his Petition for that Purpose, or who shall refuse or neglect to give such Security as aforesaid, or who shall not proceed to Trial within the Time to be limited as aforesaid, and his Heirs, Executors, and Administrators, and all others claiming by, through, or under him, shall be absolutely barred of his and their Right of Traverse, unless the Lord Chancellor intrusted as aforesaid shall, under the special Circumstances of any particular Case, think fit, upon Petition for that Purpose, to allow the Traverse to be had or tried after the Time by this Act limited, in all which special Cases the Lord Chancellor intrusted as aforesaid may make such Orders as to him shall seem just.

CL. If

Lord Chancellor may direct new Trials.

CL. If the Lord Chancellor intrusted as aforesaid be dissatisfied with the Verdict returned upon a Traverse, he may order One or more new Trial or Trials thereon, as to him shall seem meet, and as is usual in Cases of Issues directed by the Court of Chancery; but no Person shall be admitted to traverse oftener than once.

Lord Chancellor may, notwithstanding Traverse, make Orders for Management of Person and Estate.

CLI. The Lord Chancellor intrusted as aforesaid and the Masters may from Time to Time, after the Return of the Inquisition, and notwithstanding a Petition or Order depending relative to a Traverse thereof, make such Orders and do such Acts relative to the Custody and Commitment of the Person, and the Commitment, Management, and Application of the Estates and Effects of the Person, the Object of the Inquisition, as he or they shall think necessary or proper (inclusive of the Imposition and levying of Fees and Per-centage as herein-before provided); and all Things done by any Person appointed Committee of the Person or Estate, or by any other Person, shall be as valid and effectual, and all Committees and other Persons respectively, and their respective Heirs, Executors, and Administrators, are hereby indemnified in respect of all such Things as aforesaid from and against all Actions, Suits, and Proceedings, Damages, Costs, Charges, and Expenses, to be brought, commenced, had, or recovered by the Person the Object of the Inquisition, his Heirs, Executors, or Administrators, or any other Person whomsoever, as fully and effectually as if the Inquisition had not been traversable, but not further or otherwise.

Supersedeas.

Inquisition may be superseded upon Terms.

And with respect to the Supersedeas of an Inquisition, be it further enacted as follows:

CLII. Where any Person has been found of unsound Mind by Inquisition, but the Question of Unsoundness of Mind is disputed, and Liberty to traverse has been applied for, and whether granted or not, and it appears to the Lord Chancellor intrusted as aforesaid to be for the Lunatic's Benefit and also to be expedient that the Inquisition should be superseded on Terms and Conditions, and subject to an Arrangement respecting the Lunatic's Estate, he may, upon the Consent of the Lunatic and of the Person entitled or claiming to traverse, and of such other Persons, if any, whose Consent he may deem necessary, order the Inquisition to be superseded on such Terms and Conditions to be fulfilled by the Lunatic or such other Person, and subject to such Arrangement respecting the Lunatic's Estate, as he may under the Circumstances of the Case think proper, and may by the same or any other Order direct the Lunatic and any other Persons, being consenting Parties to the Arrangement, to execute, make, and do, before or after the issuing of the Writ of Supersedeas, and he and they shall accordingly execute, make, and do, all such Conveyances, Transfers, and Things as may to the Lord Chancellor intrusted as aforesaid seem necessary or proper for or for securing the Fulfilment of such Terms and Conditions and the Completion of such Arrangement as aforesaid, and generally may make such Orders as to him may seem proper for effectuating this present Provision; and all Conveyances, Transfers, and Things executed, made, and done under any such Order of the Lord Chancellor intrusted as aforesaid, either before or after the issuing of the Writ of Supersedeas, shall be as valid and binding to all Intents and upon all Persons whomsoever as if the Lunatic had not been found or had not been of unsound Mind, but not further or otherwise.

General Orders.

Power to Lord Chancellor to make General Orders.

And be it declared and further enacted as follows:

CLIII. The Lord Chancellor, with the Advice and Assistance aforesaid, may from Time to Time make such Orders as to him shall seem meet for carrying into effect the Purposes of this Act, and for regulating the Form and Mode of Proceeding before and by the Masters and the Practice in Matters in Lunacy, and for regulating the Duties of the several Officers in Lunacy, and, so far as to him may seem expedient, for altering the Course of Proceeding herein-before prescribed in respect of the Matters to which this Act relates, or any of them; and any such Order as aforesaid may be from Time to Time rescinded or varied by the like Authority; and every such Order as aforesaid which shall alter the Course of Proceeding herein-before prescribed in respect of the Matters to which this Act relates, or any of them, shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, if Parliament be then assembled, and if not then within Fourteen Days after the Meeting of Parliament then next following; and if either House of Parliament shall, by Resolution, passed within Thirty-six Days, next after any such Order as aforesaid has been laid before it, resolve that the whole or any Part thereof ought not to continue in force, in that Case the whole Order or the Part of the Order specified in the Resolution (as the Case may be) shall from and after the passing of the Resolution cease to be binding.

The SCHEDULES above referred to.

SCHEDULE I.—(Section I.)

The ACTS REPEALED by this Act, wholly or in part.

Date of Act.	Title of Act.	Extent of Repeal.
6 Geo. 4. c. 53. [22d June 1825.]	An Act for limiting the Time within which Inquisitions of Lunacy, Idiotcy, and Non compos mentis may be traversed, and for making other Regulations in the Proceedings pending a Traverse.	The whole Act, except so far as it relates to Ireland.

Date of Act.	Title of Act.	Extent of Repeal.
1 Wm. 4. c. 65. [23d July 1830.]	An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covert, Idiots, Lunatics, and Persons of unsound Mind.	So much of the Act as relates to or affects Idiots, Lunatics, and Persons of unsound Mind, or their Property, except so far as it relates to Ireland, but excluding from this Exception Section 41. which is in Substance re-enacted by this Act.
3 & 4 W. 4. c. 36. [24th July 1833.]	An Act for diminishing the Inconvenience and Expense of Commissions in the Nature of Writs De lunatico inquirendo, and to provide for the better Care and Treatment of Idiots, Lunatics, and Persons of unsound Mind, found such by Inquisition.	The whole Act.
3 & 4 W. 4. c. 84. [28th Aug. 1833.]	An Act to provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished.	So much of the Act as relates to the Office or Place of "The Secretary of Lunatics."
5 & 6 Vict. c. 84. [5th August 1842.]	An Act to alter and amend the Practice and Course of Proceeding under Commissions in the Nature of Writs De lunatico inquirendo.	The whole Act, except Sections 10, 12, and 16, which relate to the Abolition of an Office, and to the Suitors Fee Fund, and to certain Compensations.
15 & 16 Vict. c. 48. [30th June 1852.]	An Act for the Amendment of the Law respecting the Property of Lunatics.	Sections 1, 2, and 3, except so far as the same relate to Ireland.
15 & 16 Vict. c. 87. [1st July 1852.]	An Act for the Relief of the Suitors of the High Court of Chancery.	Sections 14, 30, 31, 32, and 33, all which are in Substance re-enacted by this Act.

SCHEDULE II.—(Section VI.)

The Oath of the Masters.

I, , do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Knowledge, execute the several Powers and Trusts given to and reposed in me as One of the Masters in Lunacy, and that without Favour or Affection, Prejudice or Malice. So help me GOD.

SCHEDULE III.—(Section LIX.)

Short Form of Affidavit.

In the Matter of *A.B.*, a Person of unsound Mind.

I, *C.D.*, the Petitioner named in the above-written [*or* annexed, *as the Case may be,*] Petition, [*or* the Person bringing in the above-written (*or* annexed) State of Facts, *&c.*] make Oath and say, That so much of the above-written Petition, *&c.* [*as before*] as relates to my own Acts and Deeds is true, and so much thereof as relates to the Acts and Deeds of any and every other Person I believe to be true.

Sworn, *&c.*

CAP. LXXI.

An Act to amend the Law relating to the Stamp Duties upon Newspapers. [15th *August* 1853.]

'WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter Seventy-six, and by the Schedule to the said Act annexed it is declared that the following Papers (amongst others) shall be deemed and taken to be Newspapers chargeable with the Duties by the said Act granted on Newspapers; that is to say, any Paper containing any Public News, Intelligence, or Occurrences, or any Remarks or Observations thereon, printed in any Part of the United Kingdom for Sale, and published periodically, or in Parts or Numbers at Intervals not exceeding Twenty-six Days between the Publication of any Two such Papers, Parts, or Numbers, where any of the said Papers, Parts, or Numbers respectively shall not exceed Two Sheets of the Dimensions herein-after specified (exclusive of any Cover or Blank Leaf or any other Leaf upon which any Advertisement or other Notice shall be printed), or shall be published for Sale for a less Sum than Sixpence, exclusive of the Duty by the said Act imposed thereon; and it is provided, that no Quantity of Paper less than a Quantity equal to Twenty-one Inches in Length and Seventeen Inches in Breadth, in whatever Way or Form the same may be made or may be divided into Leaves, or in whatever Way the same may be printed, shall, with reference to any such Paper, Part, or Number as aforesaid, be deemed or taken to be a Sheet of Paper; and it is provided also, that any of the several Papers herein-before described shall be liable to the Duties by the said Act imposed thereon, in whatever Way or Form the same may be printed or folded, or divided into Leaves, or stitched, and whether the same shall be folded, divided, or stitched, or not: And whereas it is expedient to amend the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: That from and after the passing of this Act so much of the aforesaid Act as is herein-before recited shall be and the same is hereby repealed: Provided always, that no Paper containing any Public News, Intelligence, or Occurrences shall be deemed to be a Newspaper within the Meaning of the said Act, or of any Act relating to the Stamp Duties on Newspapers, unless the same shall be published periodically, or in Parts or Numbers at Intervals not exceeding Twenty-six Days between the Publication of any Two such Parts or Numbers.

6 & 7 W. 4. c. 76.

Schedule to recited Act in part repealed. No Paper containing News, &c. to be a Newspaper, unless published at Intervals not exceeding 26 Days.

CAP. LXXII.

An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland*. [15th *August* 1853.]

[11 & 12 *Vict. c.* 2. *continued until the* 31*st of August* 1854.]

CAP. LXXIII.

An Act for the Establishment of a Body of Naval Coast Volunteers, and for the temporary Transfer to the Navy, in case of Need, of Seafaring Men employed in other Public Services. [15th *August* 1853.]

'WHEREAS it is expedient to establish and train a Body of Volunteers, who may be called forth and employed when the Defence of the Realm may require with or in aid of Her Majesty's Naval Forces, and to provide for the Service in the Navy upon the like Emergency of Seafaring Men who may be employed in any Department of the Public Service:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral to raise and from Time to Time to keep up a Number of Men, not exceeding Ten thousand, to be called "The Royal Naval Coast Volunteers," such Men to be raised by voluntary Entry (from among Seafaring Men and others who may be deemed suitable for the Services in which such Volunteers may be employed), and to be so raised and entered at such Times, in such Places in the United Kingdom, and the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, or any of them, by such Persons, and in such Manner as such Lord High Admiral or Commissioners shall from Time to Time direct.

Power to Admiralty to raise "Royal Naval Coast Volunteers," not to exceed 10,000 Men.

II. Every Volunteer raised under this Act shall be entered for the Term of Five Years, and shall continue subject as a Volunteer to the Provisions of this Act during such Term, and no longer, save as herein-after otherwise provided.

Volunteers to be entered for Five Years.

III. The Lord High Admiral or Commissioners for executing the Office of Lord High Admiral may cause the Volunteers under this Act to be instructed, trained, and exercised in Seamanship, Gunnery, and the Use of Arms, and generally in such Manner as to the said Lord High Admiral or Commissioners may seem most suitable for rendering such Volunteers fit to be employed in aiding the Regular Naval Forces of Her Majesty, and may cause all or any of such Volunteers to be instructed, trained, and exercised on shore or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels, and at and for such Time or Times as the said Lord High Admiral or Commissioners may think fit; and for the Purpose of such Instruction, Training, and Exercise, all or any of such Volunteers may be called out together at the same Time or Times of any Year, or in different Parts and at different Times

Volunteers may be trained and exercised for 28 Days in each Year, and on shore or on board Ship.

Times of any Year, and may be required to attend at such Times and Places, and may be placed under and shall be subject to the Command of such Officers, as the said Lord High Admiral or Commissioners may think fit and direct, and may appoint for that Purpose, and where he or they so direct shall for such Purpose form Part of and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join for such Purpose: Provided always, that no Volunteer shall under this Enactment be required to attend more than Twenty-eight Days in the whole in any Year, or be taken or sent beyond Fifty Leagues from the Shore of some Part of the United Kingdom.

In case of imminent National Danger, &c. Her Majesty may order the Volunteers into actual Service.

IV. It shall be lawful for Her Majesty in case of imminent National Danger or of great Emergency (the Occasion being first communicated to Parliament if Parliament be sitting, or declared in Council and notified by Proclamation if Parliament be not sitting or in being,) to order and direct that the Volunteers under this Act, or so many or such Part of them as Her Majesty may deem necessary, shall be called into actual Service.

Volunteers to be called into actual Service accordingly, not to be liable to be sent beyond 100 Leagues from the Shore of the United Kingdom.

V. Whenever Her Majesty shall as aforesaid order all or any Number or Part of the Volunteers under this Act to be called into actual Service, the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral shall cause the said Volunteers, or such Number or Part of them as Her Majesty may have ordered, to be called into actual Service accordingly; and the Volunteers so called into actual Service shall be liable to serve on shore, or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels, as the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral may direct, but so that no such Volunteer be taken or sent beyond One hundred Leagues from the Shore of some Part of the United Kingdom; and such Volunteers may be placed under the Command of such Officers as the said Lord High Admiral or Commissioners may direct, and where he or they so direct shall form Part of and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join; and every such Volunteer so called into actual Service shall be liable to such Service for One Year from the Time of being so called into actual Service, and at the Expiration of such Service shall be entitled to be discharged: Provided always, that it shall be lawful for Her Majesty, in case She see fit, by Proclamation to declare that such Volunteers as may at the Date of such Proclamation be in actual Service as aforesaid shall continue in such actual Service for One Year from such Date if their Services be so long required, and every such Volunteer who may be in actual Service at the Date of such Proclamation shall be liable to such Service accordingly; and every Volunteer whose Period of actual Service is extended under or in consequence of such Proclamation, shall be entitled to receive for his Services during the extra Period for which they are required Twopence a Day in addition to his ordinary Pay: Provided also, that in case any such Volunteer be called into actual Service and be not at any One Time detained in such Service for a Period exceeding Six Months, he shall be and remain liable to be again called into actual Service during the Remainder of his Term of Five Years, in the same Manner and to serve for the like Term as if he had not before been called into such Service, and any Volunteer having been called into actual Service and discharged therefrom after having continued therein for more than Six Months and less than a Year shall be liable to be again called into actual Service as such Volunteer, and to serve for such further Term only as, with the Term during which he may have continued in actual Service as last aforesaid, will make up One Year, subject nevertheless to such Extension of Service as herein-before mentioned under Her Majesty's Proclamation.

Term of Service One Year, subject to being extended for another Year by Royal Proclamation.

Volunteers whose Service is extended entitled to extra Pay.

After required Period Volunteers entitled to Discharge; but may be continued for specified Period of actual Service, notwithstanding Expiration of 5 Years.

VI. Provided also, That in case any such Volunteer be discharged from actual Service after having completed such a Period of such Service as under the foregoing Provision would exempt him from being again called into the like Service, he shall be entitled to be also discharged from all other Service and Liability as a Volunteer, although his Term of Five Years may not have expired; but, except as aforesaid, every Volunteer whose Term of Five Years shall not have expired at the Date of Her Majesty's Order directing Volunteers to be called into actual Service may be called into actual Service under such Order, and shall (notwithstanding the Expiration of such Term of Five Years) be liable to be continued in such actual Service for such Period or extended Period as herein-before provided, and shall remain subject to the Provisions of this Act accordingly.

During Exercise and actual Service, Men to have the Pay of able Seamen and Allowances when afloat.

VII. The Volunteers under this Act shall for such Time as they shall be called out for and shall attend Instruction, Training, and Exercise, and for such Time as they shall be in actual Service under this Act, be entitled when on shore to the Pay of able Seamen in the Royal Navy entered for Ten Years continuous and general Service, and when afloat to the same Pay and Allowances as such able Seamen, and shall be entitled to such Conduct Money in respect of travelling to and from any Place at which they may be required to attend for Instruction, Training, and Exercise, or for the Purpose of entering into actual Service as aforesaid, as may be allowed by the Regulations made under this Act: Provided always, that any such Volunteer who may be appointed to be or perform the Duties of a Petty Officer shall be entitled when on shore to the Pay, and when afloat to the Pay and Allowances, of a Petty Officer in the Royal Navy of the same Rank in lieu of the Pay or Pay and Allowances of an able Seaman in the Navy.

Volunteers protected from Service in the Navy.

VIII. Every Volunteer under this Act shall while he shall be such Volunteer be protected from Service in the Royal Navy, save under the Circumstances and for the Time and in the Manner herein expressly provided, and be exempt from Service in the Militia, and from serving as a Peace Officer or Parish Officer.

IX. All

IX. All Provisions for the Time being in force for and in relation to the billeting of the Royal Marines shall extend and be applicable to the Volunteers under this Act during such Time as they shall attend Instruction, Training, and Exercise, or be in actual Service; and all Powers and Authorities for or in relation to the billeting of the Royal Marines which may be exercised by any Colonel Commandant or Commanding Officer of any Division of Royal Marines may, for the Purpose of billeting such Volunteers, be exercised by any Officer in the Royal Navy holding the Rank of Commander or any higher Rank authorized in this Behalf by the Regulations made under this Act.

Provisions relating to billeting Marines to extend to Volunteers.

X. It shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral from Time to Time to make Regulations as to the Sums to be paid to Volunteers under this Act by way of Bounty or periodical Payment or Allowance in consideration of their entering under this Act, and to Volunteers or Persons who may have served as Volunteers in consideration of their re-entering under this Act, (such Bounty in no Case to exceed Six Pounds, and such periodical Payment or Allowance in no Case to exceed after the Rate of Two Shillings and Sixpence *per* Month during the Term of Service for which the Volunteer is entered), and as to the Time or respective Times, Conditions, and Manner of the Payment thereof, and as to the Manner and Form in which such Volunteers shall be entered to serve, and generally as to the entering and re-entering of Men as such Volunteers, and as to the Arms, Clothing, and Accoutrements with which such Volunteers are to be provided, and for forming such Volunteers into Divisions or other Bodies, and as to the Manner in which Notices of the Times and Places at which such Volunteers may be required to attend Instruction, Training, and Exercise, and for the Purpose of entering into actual Service under the Provisions of this Act, shall be published or given, and for securing and enforcing Attendance, good Conduct, and Discipline of and among such Volunteers, and imposing Fines, or Forfeitures of Bounty, Pay, and Allowances, for Misconduct and Breach of Discipline or of any such Regulations, and as to the Pay and Allowance to Officers commanding such Volunteers, and generally as to all other Matters and Proceedings under this Act; and the said Lord High Admiral or Commissioners may, if he or they so think fit, provide by such Regulations that Volunteers under this Act shall be protected from Service in the Royal Navy for such Term or different Terms after the Determination of their Services as Volunteers under this Act as, with reference to the Circumstances or Duration of their Services, may be mentioned in such Regulations.

Power to Admiralty to make Regulations as to Sums to be paid by way of Bounty, &c.

XI. All Regulations made under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the making thereof if Parliament be sitting, or if Parliament be not sitting, then within Twenty-one Days after the next Meeting of Parliament.

Regulations to be laid before Parliament.

XII. It shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, in his or their Discretion at any Time to discharge all or any of the Volunteers raised under this Act.

Admiralty may discharge Volunteers.

XIII. Whenever any Emergency shall arise which in the Opinion of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral renders it advisable to require the Services in Her Majesty's Navy of all or any of the Officers and Men of the Coast Guard, and of Her Majesty's Revenue Cruizers, and Seamen-Riggers employed under the Crown, it shall be lawful for such Lord High Admiral or Commissioners to order such Officers and Men of the Coast Guard, and of Her Majesty's Revenue Cruizers, and Seamen-Riggers, or any of them, to join Her Majesty's Navy, and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall continue to serve in Her Majesty's Navy during such Time as such Emergency may in the Opinion of the said Lord High Admiral or Commissioners continue, but in no Case without their Consent for a longer Period than Five Years, and while so serving shall be entitled to the same Pay and Allowances according to their respective Ratings on board such Ships or Vessels as Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service.

In case of Emergency Officers and Men of the Coast Guard, Revenue Cruizers, and Seamen-Riggers may be required to serve in the Navy for a limited Period.

XIV. Upon the making by Her Majesty of any such Order as herein-before provided in case of actual Invasion or imminent Danger thereof, it shall be lawful for the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral to require and direct all or any of the Out-door Officers and Boatmen in the Employment of the Board of Customs receiving daily Pay, and all or any other Seafaring Officers and Men holding Appointments under the Crown or in the Public Service, and in active Service, not being Officers or Men of the Coast Guard, or of Her Majesty's Revenue Cruizers, or Seamen-Riggers, to join Her Majesty's Navy, and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall be entitled to the same Pay and Allowances according to their respective Ratings on board such Ships or Vessels as Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service, provided that no such Person shall be liable to be detained in the Naval Service of Her Majesty for a longer Period than One Year, to be computed from the Time of his joining any of Her Majesty's Ships or Vessels in pursuance of any such Requisition or Direction as aforesaid.

Upon Invasion or Danger thereof, Seafaring Men in Public Departments liable to temporary Service in the Navy.

XV. Provided always, That where the Pay according to his Rating in the Navy received by any Officer or Man of the Coast Guard, of Her Majesty's Revenue Cruizers, Seaman-Rigger, Out-door Officer, or Boatman in the Employment of the Board of Customs, or other Seafaring Officer or Man holding any Appointment under the Crown or in the Public Service, while serving in Her Majesty's Navy under either of the Two last preceding Sections, shall be less than what he would be entitled to in respect of his respective Appointment or Employment if he had not been so required to serve in Her Majesty's Navy,

Pay of Coast Guard Men and others required to serve in the Navy not to be diminished.

Navy, the Excess of the Pay to which he may or would have been entitled in respect of such Appointment or Employment over the Pay of his Rating in the Navy shall be from Time to Time paid to such Person or Persons as he may direct; and no such Officer or Person shall be deprived of his former Employment under the Crown at the End of such Servitude if he shall have conducted himself in a proper Manner and not be incapacitated by bodily Infirmity, and such Service in the Navy shall count in regard to Pensions for the Service from which he may have been taken.

In case of Emergency Pensioners may be required to serve in the Navy.

XVI. Whenever any Emergency shall arise which, in the Opinion of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral, renders it advisable to require the Services in Her Majesty's Navy of any of the Persons who may have served as Petty Officers or Seamen in Her Majesty's Navy and may be in the Receipt of Pensions in respect of such Service, it shall be lawful for such Lord High Admiral or Commissioners to order any of such Persons to join Her Majesty's Navy; and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall continue to serve in Her Majesty's Navy during such Time as such Emergency may in the Opinion of the said Lord High Admiral or Commissioners continue, and while so serving shall be entitled to the same Pay and Allowances, according to their respective Ratings on board such Ships or Vessels, as Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service, and shall also continue to receive their Pensions.

Laws relating to the Government of the Navy extended to Volunteers during Exercise, and to such Volunteers and others when in actual Service.

XVII. All the Laws and Customs for the Time being in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and applicable to any Person in or belonging to the Fleet, or to any Person being in actual Service and Full Pay, and Part of the Crew of any of Her Majesty's Ships or Vessels, shall be applicable in like Manner to every Volunteer during such Period as he shall be on board any Ship or Vessel for the Purpose of Instruction, Training, and Exercise, or shall be otherwise under Instruction, Training, and Exercise, and to every such Volunteer, and to every Officer and Man of the Coast Guard, of Her Majesty's Revenue Cruizers, Seaman-Rigger, or other Person required to serve in the Navy under this Act during such Time as he shall be in actual Service either on board any Ship or Vessel or otherwise under this Act, and to all Officers having any Command over any such Volunteers during the Time of Instruction, Training, and Exercise, or while in actual Service; and the said Volunteers and Officers and Men of the Coast Guard, of Her Majesty's Revenue Cruizers, Seamen-Riggers, and other Persons required to serve in the Navy under this Act, shall, while in actual Service, have the same Privileges of making Allotments of Wages to Relatives, and of making Remittances, and otherwise have the Benefit of and be subject to the Provisions of the Laws relating to the Pay of the Royal Navy, in like Manner as Officers and Men of their respective Ratings in Her Majesty's Navy; and the Laws concerning the Discharge of Seamen serving on board Her Majesty's Ships, and becoming entitled to be discharged, shall be applicable to and for the Discharge of any of the said Volunteers, Officers, and Men of the Coast Guard, of Her Majesty's Revenue Cruizers, Seamen-Riggers, and others serving on board any of Her Majesty's Ships under this Act, and becoming entitled to be discharged.

Enlistment of Volunteers under this Act in Her Majesty's Regular Forces, &c., and entering of Militia Men as Volunteers under this Act, to be void.

Punishment of Persons offending.

XVIII. In case any Officer, Sergeant, or other Person enlist any Man to serve in Her Majesty's Regular Forces, or in the Forces of the *East India* Company, or in the Militia, who at the Time of such enlisting is entered to serve as a Volunteer under this Act, such enlisting, and in case any Person enter any Man to serve as a Volunteer under this Act who at the Time of such entering is enrolled to serve in the Militia, such entering, shall be null and void, and any such Volunteer offering himself to be enlisted in Her Majesty's Regular Forces, or in the Forces of the *East India* Company, or to be enlisted or enrolled as a Militia Man, and every Militia Man offering himself to be entered as a Volunteer under this Act, shall, on Conviction thereof upon the Oath of One Witness before any Justice of the Peace, be committed to the Common Gaol or House of Correction for any Term not exceeding Six Months; and any Officer or other Person knowingly enlisting or enrolling any Volunteer under this Act to serve in Her Majesty's Regular Forces, or in the Forces of the *East India* Company, or in the Militia, or knowingly entering any Militia Man to serve as a Volunteer under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Penalty on selling or buying Arms, &c. of Volunteers.

XIX. Any Volunteer who shall sell, pawn, or lose any of his Arms, Clothes, Accoutrements, or Ammunition, or refuse or neglect to return the same in good Order to any Person appointed by or under the Authority of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral to receive the same, shall for every such Offence forfeit any Sum not exceeding Three Pounds; and any Person who shall knowingly and willingly buy, take in exchange, receive in Pledge, or otherwise receive or conceal any Arms, Clothes, Accoutrements, or Ammunition belonging to any such Volunteer, and provided for him under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds and the Treble Value of all or any of the Articles so bought, taken in exchange, received, or concealed.

Penalty on Volunteer for not attending Training and Exercise.

XX. Every Volunteer under this Act (not labouring under any Infirmity incapacitating him) who shall not appear at any Time and Place at which he shall be appointed to attend for the Purpose of Instruction, Training, and Exercise according to the Provisions of this Act, Notice of his being required so to attend having been given in such Manner as may be provided by any Regulations made under this Act, and any Volunteer who having so appeared afterwards deserts or absents himself during the Time of such Instruction, Training, and Exercise, shall be subject to a Penalty not exceeding Twenty Pounds.

Persons not attending when called into

XXI. If any Volunteer under this Act, or any Officer or Man of the Coast Guard, or of any of Her Majesty's Revenue Cruizers, Seaman-Rigger, or other Person required to serve in the Navy under this Act,

Act, shall not, at or within such Time as may be appointed by any Order of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral made under this Act, appear for the Purpose of entering into actual Service, or join any of Her Majesty's Ships or Vessels which he may be required to join for that Purpose, every such Person so offending shall be liable to be apprehended and punished in the same Manner as any Person belonging to Her Majesty's Navy, and deserting or improperly absenting himself from Duty.

actual Service may be apprehended and punished as Deserters from the Navy.

XXII. Any Person who by Words or other Means shall persuade any Volunteer under this Act, or any Officer or Man of the Coast Guard, or of any of Her Majesty's Revenue Cruizers, Seaman-Rigger, or other Person required to serve in the Navy under this Act, improperly to absent himself from his Duty, shall forfeit and pay the Sum of Twenty Pounds; and every Person who shall assist or procure any such Volunteer, or any such Officer or Man, Seaman-Rigger, or such other Person as aforesaid, improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, Officer or Man, Seaman-Rigger, or other Person, knowing him to be so improperly absent, shall for every such Offence forfeit and pay the Sum of Thirty Pounds.

Penalty for inducing Persons to absent themselves or harbouring or employing Persons absenting themselves.

XXIII. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and any Forfeiture of Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales* under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months; which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such pecuniary Penalties and Forfeitures, and Forfeiture of Treble Value, as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*, anything in the said Act, or in an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, to the contrary notwithstanding.

Recovery of Penalties.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

XXIV. One Moiety of every such Penalty or Forfeiture, not including the Treble Value of any Articles, shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the Treble Value of any Articles, or where the Offence shall be proved by the Person who shall inform then the whole of the Penalty and such Treble Value, shall be paid over and applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct; anything in an Act passed in the Sixth Year of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same, and his Adjudication thereof, to the Secretary of the Admiralty.

Appropriation of Penalties.

5 & 6 W. 4. c. 76.

CAP. LXXIV.

An Act to reduce the Terms on which the Land Tax in *Great Britain* may be redeemed or purchased. [15th *August* 1853.]

'WHEREAS it is expedient to reduce the Terms on which the Land Tax in *Great Britain* may be redeemed or purchased under the several Acts in force in that Behalf:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From and after the passing of this Act, in lieu of the Consideration mentioned in the Act passed in the Forty-second Year of the Reign of King *George* the Third, Chapter One hundred and sixteen, Sections Twenty-two and Twenty-three, and the Table in the Schedule marked (L.) to the said Act annexed, to be given or paid for the Redemption of the Land Tax in *Great Britain* under the Provisions of the several Acts in force in that Behalf, the Consideration for such Redemption shall be a Sum of the Capital Stocks or One of them mentioned in Section Twenty-two of the said Act less by and at the Rate of Seventeen Pounds Ten Shillings *per* One hundred Pounds than the Amount of the Stock Consideration calculated and ascertained according to the said last-mentioned Enactment, or a Sum of Money less by and at the like Rate than the Amount of the Money Consideration calculated and ascertained according to the said Section Twenty-three and the said Table in Schedule (L.) of the said Act; and the Consideration for the Purchase of Land Tax under the several Provisions contained in the said Act in that Behalf shall be such Sum of Capital Stock or Money at the least as is herein-before directed to be given or paid for the Redemption of Land Tax.

Consideration for the Redemption of Land Tax to be less by 17*l.* 10*s.* per Cent. than the Consideration fixed by 42 G. 3. c. 116. ss. 22. and 23.

CAP. LXXV.

An Act for the Remission of the Consolidated Annuities charged upon Districts in *Ireland*.

[15th *August* 1853.]

13 & 14 Vict. c. 14.

'WHEREAS by an Act of the Thirteenth Year of Her Majesty, "to authorize a further Advance "of Money to certain distressed Poor Law Unions, and to make Provision for the Repayment of "Advances made and authorized to be made to Poor Law Unions and other Districts in *Ireland*," the Commissioners of Her Majesty's Treasury were empowered, where they thought it expedient that the Debts and Liabilities of any of the several Unions and Electoral Divisions and other Districts in *Ireland* in respect of the Loans and Advances of Public Money made under several Acts therein recited, and also in respect of any Loans for building Workhouses, and of any Advances under the Authority of the Act now in recital, should be consolidated and repaid as therein mentioned, to inquire into and cause to be ascertained the whole Amount of such Debts and Liabilities upon an Account taken up to such Time as they might think fit; and the said Commissioners were thereby empowered after such Inquiry to adjust and fix the proportionate Amount which would have been borne by each Townland or other Denomination or Place comprised in any such Union, Electoral Division, or other District, and to cause to be charged on such Townland or other Denomination or Place an Annuity which they should deem equivalent to such proportionate Amount, or (in such Cases as therein mentioned) instead of causing to be charged separate Annuities on the several Townlands, Denominations, or Places in any Electoral Division, to cause to be charged One Annuity on such Electoral Division; and every Annuity to be charged under the Act now in recital was to commence in such Year, and be payable for such Number of Years and on such Day in every Year, as the said Commissioners should think fit; and it was thereby provided, that in case the Board of Guardians should not sooner pay the same, the Treasurer of every Union in *Ireland* should, from all Lodgments made with him from Time to Time of the First or any subsequent Rate or Rates on account of each such Electoral Division in the Union, after every yearly Day of Payment of such Annuities, reserve One equal Third Part thereof, and place the same to the Credit of the Electoral Division in an Account to be entitled the "Loans Repayment Account," until the aggregate Amount which should become payable from Time to Time on account of the Annuity charged on such Electoral Division, or, as the Case might require, the Annuities charged on all the Townlands and other Denominations and Places, if any, in such Electoral Division, and all Arrears, if any, in respect of any previous Year or Years, should have been received and placed to such Account as aforesaid, and that the Treasurer of the Union should pay over from Time to Time all Sums so reserved as aforesaid into the Bank of *Ireland*, to be there placed to a separate Account in the Name of the Paymaster of Civil Services in *Ireland*, to be entitled the "Loans Repayment Account": And whereas the said Commissioners, in pursuance of the Provisions of the said recited Act, caused to be ascertained the Amounts of the said Debts and Liabilities of the several Unions and Electoral Divisions and other Districts in *Ireland* up to the Thirtieth Day of *September* One thousand eight hundred and fifty, and caused to be charged in respect thereof on Electoral Divisions, or the Townlands and other Districts therein, Annuities herein-after referred to as Consolidated Annuities: And whereas

15 & 16 Vict. c. 16.

under the Act of the last Session of Parliament, Chapter Sixteen, the Sums or Parts of the Sums payable in the Year One thousand eight hundred and fifty-one in respect of the Consolidated Annuities charged on certain Electoral Divisions, or the Townlands or other Districts therein, have been remitted on account of the Pressure upon the local Resources of such Electoral Divisions of the necessary Expenditure for the Relief of the Poor: And whereas it is expedient that the said Consolidated Annuities payable in respect of the Year commencing from the Thirtieth Day of *September* One thousand eight hundred and fifty-two and in respect of all subsequent Years be remitted, and that, on account of the continuing Pressure of the Expenditure for the Relief of the Poor in certain Electoral Divisions, the Sums or Parts thereof herein-after mentioned, payable in respect of the Year ending on the said Thirtieth Day of *September* One thousand eight hundred and fifty-two, should also in the Cases herein-after mentioned be remitted:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Sums payable in respect of the Year commencing from the 30th Sept. 1852, and in respect of all subsequent Years, remitted.

I. All the said Consolidated Annuities charged under the said Act of the Thirteenth and Fourteenth Years of Her Majesty shall be deemed to have ceased as from the Thirtieth Day of *September* One thousand eight hundred and fifty-two, and all Sums which have accrued due in respect of Payments of the said Annuities subsequent to the Thirtieth Day of *September* One thousand eight hundred and fifty-two, or which if this Act had not been passed would hereafter become due in respect of such Annuities, shall be remitted and deemed to be discharged without further Payment; and where any Sums payable in respect of the Year commencing from the said Thirtieth Day of *September* One thousand eight hundred and fifty-two have been already paid by the Treasurer of any Union to the said Account standing in the Name of the Paymaster of Civil Services in *Ireland*, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause the said Paymaster of Civil Services in *Ireland* to repay the said Sums so paid to the said Account to the Treasurers of the several Unions in *Ireland* from whom the same shall have been received; and all Sums which may have been or ought to have been reserved by the Treasurer of any Union an account of any Payment hereby remitted of the Annuity charged on such Electoral Division, or of the Annuities charged on Townlands and other Denominations and Places therein,

therein, and which shall not have been paid over to the said Account in the Name of the Paymaster of Civil Services, and all such Sums which shall have been so paid over, and shall be repaid by the Paymaster of Civil Services to such Treasurers as aforesaid, shall be carried by such Treasurer to the Credit of the Electoral Division from the Rates of which such Sums may have been reserved or lodged.

Annuities payable previously to 30th Sept. 1852 may be remitted, in whole or in part, in distressed Districts.

II. In any Case where the Commissioners for administering the Laws for the Relief of the Poor in *Ireland* shall ascertain, and report to the Commissioners of Her Majesty's Treasury, that the Expenditure for the Relief of the Poor and for the Medical Relief of poor Persons under an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Sixty-eight, in any Electoral Division in *Ireland* for the Year ending on the Twenty-ninth Day of *September* One thousand eight hundred and fifty-two amounted to Four Shillings in the Pound or upwards on the Valuation then in force, it shall be lawful for the Commissioners of Her Majesty's Treasury to remit the whole of the Sum payable in respect of such Year on account of any such Annuity or Annuities as aforesaid charged on such Electoral Division, or on any District or Districts therein; and in case the said Commissioners for administering the Laws for the Relief of the Poor shall ascertain and report as aforesaid that the Expenditure aforesaid in any such Electoral Division in the said Year ending on the said Twenty-ninth Day of *September* One thousand eight hundred and fifty-two did not amount to the Sum of Four Shillings in the Pound on such Valuation, but amounted to such a Sum as, with the Payment to be made in respect of such Year on account of the Annuity or Annuities charged as aforesaid on such Electoral Division, or on the District or Districts therein, would exceed the Sum of Four Shillings in the Pound on such Valuation, it shall be lawful for the said Commissioners of Her Majesty's Treasury to remit such Portion of the Sum payable in respect of such Annuity or Annuities as will reduce the aggregate Amount of such Expenditure, and of the Payment on account of such Annuity or Annuities, to such Sum of Four Shillings in the Pound on such Valuation, and to authorize the said Commissioners for administering the Laws for the Relief of the Poor to issue an Order under their Seal to the Treasurers of the several Unions, specifying the Sums and Portions of Sums so remitted in respect of the said Annuities; and all Sums which have been or ought to have been reserved by the Treasurer of any Union out of the Rates of any Electoral Division on account of any Sum or Portion of a Sum so remitted shall be carried by such Treasurer to the Credit of the Electoral Division from the Rates of which the same may have been reserved.

CAP. LXXVI.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland*. [15th *August* 1853.]

4 & 5 Vict. c. 6.

15 & 16 Vict. c. 22.

'WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas the said Acts were further continued from Time to Time, save as specially excepted: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts, save as therein excepted, are further continued, and will remain in force until the Thirty-first Day of *July* in the present Year, or, if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in *Ireland* should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts for making, &c. Turnpike Roads in Ireland which will expire on 31st July 1853, &c., continued.

I. Any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present or next ensuing Session of Parliament, or before the Thirty-first Day of *July* One thousand eight hundred and fifty-four, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the Thirty-first Day of *July* One thousand eight hundred and fifty-four, or, if Parliament be then sitting, until the End of the then Session of Parliament.

Nothing in this Act to apply to 38 G. 3. c. 22. and 39 G. 3. c. 52.

II. Provided always, That nothing herein contained shall extend or apply to an Act of the Thirty-eighth Year of His late Majesty *George* the Third, intituled *An Act for improving and repairing the Turnpike Roads leading from the City of* Cork *to the Brook which bounds the Counties of* Cork *and* Tipperary, *near the Foot of* Kilworth *Mountain, and for repealing the several Laws heretofore made relating to the said Act*, or to an Act of the Thirty-ninth *George* the Third, to explain and amend the said Act.

CAP. LXXVII.

An Act to continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. [15th *August* 1853.]

[15 & 16 *Vict. c.* 14. *continued to* 30*th September* 1854, *and to the End of the then next Session.*]

CAP. LXXVIII.

An Act relating to the Appointment of Persons to administer Oaths in Chancery, and to Affidavits made for Purposes connected with Registration. [15th *August* 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

"Masters Extraordinary" to cease to be so styled, and to be designated "Commissioners."

I. The Persons now styled "Masters Extraordinary in Chancery" shall cease to be so styled, and they and all Persons hereafter appointed by the Lord Chancellor to execute like Duties in *England* shall be designated "Commissioners to administer Oaths in Chancery in *England*," and shall possess and exercise all such Powers and discharge all such Duties as now appertain to the Office of Master Extraordinary in Chancery by virtue of any Statute or Order of the Court of Chancery or of the Lord Chancellor, or Usage in that Behalf, or otherwise.

Power to appoint Solicitors to administer Oaths and take Declarations in Chancery, and to be styled "London Commissioners."

II. It shall be lawful for the Lord Chancellor from Time to Time to appoint any Persons practising as Solicitors within Ten Miles from *Lincoln's Inn Hall* at their respective Places of Business to administer Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, and to possess all such other Powers and discharge all such other Duties as aforesaid; and such Persons shall be styled "*London* Commissioners to administer Oaths in Chancery"; and they shall be entitled to charge and take a Fee of One Shilling and Sixpence for every Oath administered by them, and for every Declaration, Affirmation, or Attestation of Honour taken by them, subject to any Order of the Lord Chancellor varying or annulling the same.

Commissioners may be appointed to administer Oaths in Chancery for the Channel Islands.

III. It shall be lawful for the Lord Chancellor, from Time to Time, to appoint any Persons practising as Solicitors in the *Isle of Man*, in the *Channel Islands*, or any of them, to administer Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, and to possess all such other Powers and discharge all such other Duties as aforesaid; and such Persons shall be styled "Commissioners to administer Oaths in Chancery for the *Channel Islands*," and they shall be entitled to charge and take the same Fees as the said "Commissioners to administer Oaths in Chancery."

Commissioners Appointment to bear a Chancery Stamp of 1*l.*

IV. The Fiat or Document by which any such Commissioners as aforesaid shall be appointed shall bear a Chancery Stamp of One Pound, in lieu of the Stamp of Five Shillings now required; but no other Charge or Fee shall be made or payable in respect of such Appointment, or of anything requisite to be done in order to perfect the same; and it shall not be necessary that any such Appointment should be published in the *London Gazette*.

Not to lessen Power of Lord Chancellor.

V. Nothing herein contained shall abridge or lessen the Power of the Lord Chancellor as it now exists to appoint fit Persons to administer Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, or to regulate the Fees to be taken by them; and where any Act of Parliament refers to the Masters Extraordinary in Chancery, or to their Powers or Duties, the Reference shall be held to apply to and include the Commissioners herein-before mentioned, or to their Powers or Duties, as the Case may be.

Reference to Masters Extraordinary in Acts to apply to Commissioners.

Affidavits for Purposes connected with Registration.

VI. 'And whereas by the Twenty-second Section of an Act passed in the Session of Parliament held 'in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-six, it is 'enacted, that "all Pleas, Answers, Disclaimers, Examinations, Affidavits, Declarations, Affirmations, ' "and Attestations of Honour in Causes or Matters depending in the High Court of Chancery, and also ' "Acknowledgments required for the Purpose of enrolling any Deed in the said Court, shall and may ' "be sworn and taken in *Scotland* or *Ireland*, or the *Channel Islands*, or in any Colony, Island, Plan- ' "tation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Judge, Court, ' "Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, ' "Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any ' "Foreign Parts out of Her Majesty's Dominions; and the Judges and other Officers of the said Court ' "of Chancery shall take judicial Notice of the Seal or Signature, as the Case may be, of any such ' "Court, Judge, Notary Public, Person, Consul, or Vice-Consul attached, appended, or subscribed to ' "any such Pleas, Answers, Disclaimers, Examinations, Affidavits, Affirmations, Attestations of Honour, ' "Declarations, Acknowledgments, or other Documents to be used in the said Court:" And whereas ' by the Twenty-third and Twenty-fourth Sections of the same Act it is also enacted, that "all Persons ' "swearing, declaring, affirming, or attesting before any Person authorized by this Act to administer ' "Oaths, and take Declarations, Affirmations, or Attestations of Honour, shall be liable to all such ' "Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, ' "affirming, or attesting contained therein, as if the Matter sworn, declared, affirmed, or attested had ' "been sworn, declared, affirmed, or attested before any Court or Persons now by Law authorized to ' "administer Oaths, and take Declarations, Affirmations, or Attestations upon Honour;" and that "if ' "any Person shall forge the Signature or the Official Seal of any such Judge, Notary Public, or other ' "Person lawfully authorized to administer Oaths under this Act, or shall tender in Evidence any Plea, ' "Answer, Disclaimer, Examination, Affidavit, or other judicial or official Document with a false or ' "counterfeit Signature or Seal of any such Judge, Court, Notary Public, or other Person authorized ' "as aforesaid attached or appended thereto, knowing the same Signature or Seal to be false or coun- ' "terfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as ' "any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present ' "Majesty,

'"Majesty, intituled *An Act to facilitate the Admission in Evidence of certain official and other Docu-* 8 & 9 Vict.
'"ments;" And whereas it is expedient to extend the recited Provisions of the said first-mentioned Act c. 113.
'for the Purpose of diminishing the Expense of and incident to Registration of Deeds, Wills, and other
'Documents or Things:' Be it enacted, That such Provision shall extend to the *Isle of Man*, and that all Affidavits, Declarations, and Affirmations to be used before any Registrar or other Officer of any Registry Office in *Great Britain* or *Ireland*, for any Purpose connected with Registration of Deeds or Wills, or other Documents or Things, under the Authority of Parliament, may be sworn and taken in *Scotland* or *Ireland*, the *Isle of Man*, or the *Channel Islands*, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty in Foreign Parts, before any Court, Judge, Notary Public, or Person hereby or otherwise lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice-Consuls in any Foreign Parts out of Her Majesty's Dominions; and all Registrars and other Officers of any such Registry Office shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, Person, Consul, or Vice-Consul which shall be attached, appended, or subscribed to any such Affidavit, Declaration, or Affirmation, or any other Document; and that the Enactments contained in the said Twenty-third and Twenty-fourth Sections shall be deemed to be incorporated herein as effectually as if the same Enactments were expressly re-enacted in this Act and applied to Registry Offices.

VII. That where any Person is or shall be authorized to administer Oaths for the High Court of Chancery, such Person is and shall be authorized to administer Oaths for all Suits and Matters whatsoever in the Chancery of the County Palatine of *Lancaster;* and where any Plea, Answer, Affidavit, or other Document whatsoever is or shall be receivable in Evidence in the High Court of Chancery, the same shall be in like Manner receivable in the said Court of the County Palatine. Oaths in Chancery of County Palatine of Lancaster, how to be administered.

VIII. The Term "Lord Chancellor" shall mean also and include the Lord Keeper and Lords Commissioners for the Custody of the Great Seal for the Time being. Term "Lord Chancellor."

CAP. LXXIX.

An Act for making sundry Provisions with respect to Municipal Corporations in *England*.

[15th *August* 1853.]

'WHEREAS the following Acts, to wit, the Acts of the Sixth and Seventh Years of King *William* 'the Fourth, Chapters One hundred and four and One hundred and five, of the Seventh Year of 'King *William* the Fourth and the First Year of Queen *Victoria*, Chapter Seventy-eight, of the Second 'and Third Years of Queen *Victoria*, Chapter Twenty-eight, of the Third and Fourth Years of Queen '*Victoria*, Chapter Twenty-eight, of the Fourth and Fifth Years of Queen *Victoria*, Chapter Forty-eight, 'and of the Sixth and Seventh Years of Queen *Victoria*, Chapter Eighty-nine, or some of the Provisions 'thereof respectively, which might properly be made applicable as well to all the Municipal Cor-'porations in *England* which have been erected since the passing of the Act of the Sixth Year of '*William* the Fourth for regulating Municipal Corporations in *England* as to the Municipal Corporations 'specified in the Schedules to that Act, do not apply to such recently erected Municipal Corporations 'by reason of those Acts or Provisions being restricted in Terms to the Municipal Corporations specified 'in those Schedules: And whereas it is expedient that all Acts relating generally to the Municipal 'Corporations in *England* specified in those Schedules should apply as well to all Municipal Cor-'porations in *England* erected after the passing of that Act, and that further Provision be made with 'respect to Municipal Corporations in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for any Purpose as "The Municipal Corporation Act, 1853." Short Title.

II. In every Case in which an existing or future Act, passed after the Act of the Sixth Year of *William* the Fourth, Chapter Seventy-six, for the Regulation of Municipal Corporations, or any Provision of any such Act, applies generally to the Municipal Corporations specified in the Schedules to that Act, or applies generally to Municipal Corporations in *England*, every such Act and every such Provision shall (except only so far as by any Act hereafter passed is otherwise expressly provided) extend and apply, not only to every Municipal Corporation in *England* specified in those Schedules, but also to every Municipal Corporation in *England* erected after the passing of that Act of the Sixth Year of *William* the Fourth, and whether erected by Charter under that Act or otherwise. Acts applying to Corporations specified in Schedule of 5 & 6 W. 4. c. 76. to extend to Corporations erected after passing of that Act.

III. Every Matter to which any Municipal Corporation erected after the passing of that Act of the Sixth Year of *William* the Fourth has at any Time heretofore been or now is party or privy, and which would have been or would now be valid, if any Act, or any Provision of any Act passed after that Act, applying generally to the Municipal Corporations specified in the Schedules to that Act, or applying generally to Municipal Corporations in *England*, but not applying expressly to the Municipal Corporations then or thereafter so erected, had applied expressly to all Municipal Corporations then and thereafter so erected, shall to all Intents and Purposes, both in favour of and against such Municipal Corporations so erected, be as valid as if every such Act and every such Provision had applied expressly to every such Municipal Corporation then or thereafter so erected. For the Validity of Matters to which newly erected Corporations are party or privy.

IV. Provided

As to Actions commenced before 18th March 1853.

IV. Provided always, That this Act or anything therein contained shall not affect any Action, Suit, or other Proceeding at Law commenced at any Time before the Eighteenth Day of *March* One thousand eight hundred and fifty-three.

Boroughs appointing Inspectors of Weights and Measures not to be liable to contribute to County Rate in respect of Weights and Measures in Counties.

V. Every City, Borough, and Town Corporate in which an Inspector or Inspectors of Weights and Measures is or are now or hereafter lawfully appointed by the Recorder, Justices, or others having Jurisdiction in this Behalf, shall be exempt from contributing to the Expense of providing or transmitting for the Use of the County, Riding, Division, or Parts within which such Borough or Town Corporate is situate, Copies of the Imperial Standard Weights and Measures, or of the Stamps to be used by the Inspectors, or to the Remuneration to the Inspectors of Weights and Measures appointed for such County, Riding, Division, or Parts; and the Treasurer of every such County, Riding, Division, or Parts shall, out of the Account required by that Act of the Sixth Year of *William* the Fourth to be kept by him of all Sums of Money expended out of the County Rate for other Purposes than such Costs as therein mentioned, exclude such Expense and Remuneration as aforesaid, in like Manner as if the same had been by that Act excepted out of such Account; and the Amount to be paid to the Treasurer of such County, Riding, Division, or Parts by such Borough or Town Corporate shall be varied accordingly.

Town Councillors not disqualified from serving on Grand Juries in certain Boroughs.

VI. So much of that Act of the Sixth Year of *William* the Fourth as exempts or disqualifies Members of the Council for the Time being of every Borough in and for which a separate Court of Quarter Sessions of the Peace is holden, from serving on the Grand Jury at the Quarter Sessions held in and for such Borough, is hereby repealed, so far as respects every Borough which shall not contain Twelve thousand Inhabitants according to the last Census.

Power to Mayors to appoint Deputies in certain Cases.

VII. The Mayor of every City, Borough, and Town Corporate may from Time to Time appoint an Alderman or Councillor of such City, Borough, or Town Corporate to act as the Deputy Mayor during the Illness or Absence of the Mayor, and every such Appointment shall be signified in Writing to the Council, and shall be recorded in the Minutes of their Proceedings.

Power of Deputy appointed by a Mayor.

VIII. Every Deputy appointed by a Mayor under the Provisions of this Act may, during the Illness or Absence of the Mayor, lawfully do and perform all Acts which the Mayor in his official Capacity might himself do and perform: Provided always, that no such Deputy not being a Justice of the Peace shall act as a Justice of the Peace or in any Judicial Capacity, nor shall he preside at any Meeting of the Council unless specially appointed by the Meeting so to do.

On Death, &c. of Mayor, Town Clerk to convene Meeting.

IX. If it shall be necessary by reason of the Death, Resignation, or lawful Removal of the Mayor to convene a Meeting of the Council to supply the Vacancy, the Notice of such Meeting shall be signed by the Town Clerk.

In certain Boroughs Mayor may appoint a Substitute for presiding Alderman.

X. If in any City, Borough, or Town Corporate the Number of Aldermen does not exceed the Number of Wards, the Mayor shall, in case of the Illness or Incapacity to act of any Alderman at an Election, appoint a Councillor (not being a Councillor representing or enrolled on the Burgess List for the Ward within which the Election is to take place) to preside at such Election.

Extraordinary Vacancy how to be filled up.

XI. If an extraordinary Vacancy shall happen in the Office of Councillor, Auditor, or Assessor, the Election to supply such Vacancy shall take place not later than Ten Days after Notice shall have been given to the Mayor or Town Clerk by any Two Burgesses, anything to the contrary notwithstanding.

Mayor may appoint Substitute for a deceased Assessor.

XII. If an extraordinary Vacancy shall happen in the Office of Assessor, the Election to supply such Vacancy shall be held before the Alderman of the Ward, the continuing Assessor, and such Burgess (not being a Burgess representing or enrolled on the Burgess List for that Ward) as the Mayor shall by Writing under his Hand appoint.

Result of Election of Aldermen how to be declared.

XIII. At every Election of Aldermen the Persons, not exceeding the Number of Aldermen then to be chosen, who shall have the greatest Number of Votes according to the Voting Papers signed by the Persons entitled to vote at such Election, and delivered to and openly read by the Mayor, shall be declared by the Mayor to be and thereupon shall be duly elected Aldermen: Provided always, that in every Case of an Equality of Votes the Mayor shall have a Casting Vote.

As to Matters required to be done by Overseers under 5 & 6 W. 4. c. 76.

XIV. Every Matter by that Act of the Sixth Year of *William* the Fourth, or by any Act amending the same, directed to be done by the Overseers of the Poor of any Parish, Township, or Place, may be lawfully done by the major Part of such Overseers; and whenever any Notice is by that Act, or any Act amending the same, required to be given to the Overseers of the Poor of any Parish, Township, or Place, such Notice may be delivered to any One of such Overseers, or may be left at his Place of Abode, or at his Office for transacting Parochial Business.

Act to extend to Cities, &c.

XV. This Act applies to every City, Borough, and Town Corporate in *England* specified in the Schedules to the Act of the Sixth Year of *William* the Fourth, Chaper Seventy-six, and to every Municipal Corporation in *England* erected after the passing of that Act, and whether erected by Charter under that Act or otherwise, and shall be construed and executed as if its Provisions formed Part of that Act, and the Acts from Time to Time in force amending or extending that Act.

CAP. LXXX.

An Act to facilitate Procedure in the Sheriff Courts in *Scotland*. [15th *August* 1853.]

'WHEREAS an Act was passed in the First Year of the Reign of Her present Majesty, intituled 'An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating 'the Establishment of Circuit Courts for the Trial of Small Debt Causes by Sheriffs, in Scotland; and 7 W. 4. & 1 Vict. c. 41. 'another Act was passed in the Session of Parliament held in the First and Second Years of the Reign 'of Her present Majesty, intituled An Act to regulate the Constitution, Jurisdiction, and Forms of Process 'in Sheriff Courts in Scotland: And whereas it is expedient to facilitate Procedure in the Sheriff Courts 1 & 2 Vict. c. 119. 'in Scotland, and to make further Provision for the cheap and speedy Administration of Justice in the 'said Courts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Proceedings in ordinary Causes.

I. With respect to Cases in the Sheriff Court, other than those provided for by the first-recited Act as extended by this Act, be it enacted as follows:

Short Form of Summons.

The Summons shall be in the Form, as nearly as may be, of the Schedule (A.) annexed to this Act, and such short Form shall be equally effectual to all Intents and Purposes, including Arrestment on the Dependence where the Summons contains a Warrant to arrest in Terms of such Schedule, as the Forms at present in use.

Decree in absence.

II. Where no Appearance shall be entered for the Defender the Sheriff may, at any Court held after the Day of Compearance, give Decree in Terms of such Summons, in like Manner as at present where no Appearance is made for the Defender, and such Decree shall be in all respects equivalent to a Decree in absence obtained under the Forms at present in use: Provided always, that the Defender may obtain himself reponed against such Decree, whether extracted or not, at any Time before Implement has followed thereon, or against such Part thereof as may not have been implemented, by lodging with the Sheriff Clerk a Reponing Note in the Form in Schedule (B.) annexed to this Act, and consigning therewith the Sum of Expenses decerned for, a Copy of which Note shall at the same Time be delivered or transmitted through the Post Office to the Pursuer or his Agent in the Action, and a Certificate by the Sheriff Clerk that such Note has been lodged shall operate as a Sist of Diligence; and where such Note shall have been lodged and Consignation made as aforesaid, the Sheriff shall pronounce a Judgment reponing the Defender, and shall also appoint the consigned Money to be paid over to the Pursuer, unless special Cause be shown to the contrary, and the Cause shall thereafter proceed in all respects as if Appearance were made therein, in manner herein-after provided, of the Date of such Judgment: Provided always, that where a Charge has been given, or any Step of Diligence has been taken, on the Decree, prior to the Application to be reponed, it shall be competent to the Sheriff in the course of the Proceedings in the Cause to decern in favour of the Pursuer for the Expense of such Charge or Diligence, or such Part thereof as shall be just.

Provision for reponing.

Procedure where Defender enters Appearance.

III. Where the Defender intends to state a Defence, he shall enter Appearance by lodging with the Sheriff Clerk, at latest on the Day of Compearance, a Notice in the Form of Schedule (C.) annexed to this Act; and on the First Court Day thereafter, or on any other Court Day to which the Diet may be adjourned, not being later than Eight Days thereafter, the Sheriff shall hear the Parties in Explanation of the Grounds of Action and the Nature of the Defence to be stated thereto, and if satisfied that no farther written Pleadings are necessary he shall cause a Minute in the Form of the Schedule (D.) annexed to this Act to be written on the Summons, setting forth concisely the Ground of Defence, which Minute shall be subscribed by the Parties or their Procurators, and the Sheriff shall thereupon close the Record by writing under the said Minute "Record closed," and signing and dating the same; but if the Sheriff shall be satisfied that the Record cannot properly be made up without Condescendence and Defences, he shall pronounce an Order for the same; and in such Event the Pursuer shall, within Six Days thereafter, lodge with the Sheriff Clerk a Condescendence setting forth articulately, and as concisely as may be, without any Argument or unnecessary Matter, the Facts necessary to found the Conclusions of the Summons which he avers and is ready to prove, together with a Note of Pleas in Law; and the Defender shall, within Ten Days after the lodging of such Condescendence, lodge his Defences, setting forth articulately his Answers to such Condescendence, and also, where necessary, setting forth articulately, under a separate Head, any counter Statements necessary for his Defence which he avers and is ready to prove; and there shall be appended to such Defences a Note of the Defender's Pleas in Law, and such Defences shall be framed as concisely as may be, without any Argument or unnecessary Matter.

Condescendence and Defences to be lodged.

Record to be made up and closed.

IV. The Sheriff Clerk shall, as soon as Defences are lodged, transmit the Process to the Sheriff, who shall consider the same, and shall as soon as may be, and at latest within Six Days after the Date of lodging the Defences, appoint the Parties or their Procurators to meet him, and shall at such Meeting, if dilatory Defences have been stated, dispose at once, where possible, of such dilatory Defences, or may reserve Consideration of them till a future Stage of the Cause; and unless where the Pursuer is willing to close on Summons and Defences, the Sheriff may, if he thinks fit, order One Revisal of the Condescendence and Defences respectively, which Revisal shall be made upon the original Papers, unless the Sheriff, for special Cause assigned, shall direct to the contrary; and as soon as revised Defences are lodged, the Sheriff Clerk shall transmit the Process to the Sheriff, who shall thereupon appoint the Parties or their Procurators to meet him as soon as may be, and at latest within Six Days after the Date of the lodging

of

Proceedings in ordinary Causes.

of the revised Defences; and at such Meeting after the lodging of the Defences, or the revised Defences, as the Case may be, or at an adjourned Meeting, if the Sheriff has seen fit to adjourn (which he is hereby authorized to do, where necessary, but for no longer Period than Eight Days), the Sheriff shall allow the Pursuer or his Procurator to put upon Record, in concise and articulate Form, where this has not been already done, his Answers to the Defender's Statement of Facts, or a simple Minute of Denial where that shall be deemed by the Sheriff to be sufficient, and shall allow each Party to adjust his own Part of the Record, and shall strike out of the Record any Matter which he may deem to be either irrelevant or unnecessary; and the Record shall then be closed by the Sheriff writing upon the Interlocutor Sheet the Words "Record closed," and signing and dating the same.

After Record is closed Sheriff to hear Parties, or to appoint Diet for Proof, and to dispose of Case.

V. After the Record is closed the Sheriff shall hear the Parties or their Procurators upon the Merits of the Cause, and upon their respective Pleas, or, where he deems Proof to be necessary, shall appoint a Diet for Proof on an early Day, and shall hear the Parties or their Procurators after such Proof is led; and after such Hearing or such Proof and Hearing, as the Case may be, the Sheriff shall pronounce Judgment with the least possible Delay: Provided always, that it shall be competent to the Sheriff, on the written Consent of both Parties, to dispose of the Cause upon the Papers without further Statement or Argument.

Periods for lodging Papers peremptory; but Prorogations may be granted of Consent, and once on Cause shown.

VI. Where any Condescendence or Defences, or revised Condescendence or revised Defences, or other Paper, shall not be given in within the Periods prescribed or allowed by this Act, the Sheriff shall dismiss the Action, or decern in Terms of the Summons, as the Case may be, by Default, unless it shall be made to appear to his Satisfaction that the Failure to lodge such Paper arose from unavoidable or reasonable Causes, in which Case the Sheriff may allow the same to be received, on Payment of such Sum in Name of Expenses as he shall think just: Provided always, that the Periods appointed for lodging any Paper, or for transmitting any Process to the Sheriff, or for closing a Record, may always be once prorogated by the Sheriff without Consent on special Cause shown, and may always be prorogated by written Consent of Parties, with the Approbation of the Court; and in every Interlocutor prorogating on special Cause shown the Time for lodging any Paper the Nature of such Cause shall be set forth, and a definite Time shall be therein fixed within which the Paper is to be lodged.

Provision for Causes commenced by Petition.

VII. In all Applications before the Sheriff which are at present commenced by Petition, and are not otherwise regulated by this Act, the Petition shall be as nearly as may be in the Form of Schedule (E.) annexed to this Act; and thereafter the Procedure under such Petition shall, as nearly as may be, be the same as herein-before provided in regard to ordinary Actions.

Procedure in Multiplepoindings.

VIII. In Actions of Multiplepoinding, the Party raising the Summons shall set forth in the Body thereof who is the real Raiser of the Action; and the Sheriff shall, at the First Calling of the Cause, where no Defences are stated, or where Defences are stated and repelled at the First Calling thereafter, pronounce an Order for Claims within a short Space; and it shall be competent for any Number of Parties whose Claims in such Action depend upon the same Ground to state such Claims in the same Paper; and as soon as the Parties who shall appear and claim an Interest in the Fund shall have lodged their Claims, or had Opportunity allowed them for doing so, the Sheriff shall appoint the Parties or their Procurators to meet him; and at such Meeting he shall allow each Party to adjust his own Part of the Record, and to meet the Averments of any other Claimant or Claimants so far as necessary, and the Procedure at such Meeting, and in the after Progress of the Cause, shall be as nearly as may be the same as is herein-before provided with reference to ordinary Actions after Defences have been lodged.

Short Forms of Execution provided.

IX. Every Execution of a Summons, and every Execution of Service of a Petition, shall be written at the End of the Summons or Petition itself, and where necessary on continuous Sheets, but not on a separate Paper; and such Execution shall be in the Form, or as nearly as may be in the Form, of Schedule (F.) annexed to this Act, which Form shall be equally valid and effectual in all respects as the longer Form of Execution at present in use.

Written Proofs abolished; and Proofs how to be taken.

X. Where Proof shall be allowed, a Diet of Proof shall be appointed, at which the Evidence shall be led before the Sheriff, who shall with his own Hand take a Note of the Evidence, setting forth the Witnesses examined, and the Testimony given by each, not by Question and Answer, but in the Form of a Narrative, and the Documents adduced, and any Evidence, whether oral or written, tendered and rejected, with the Ground of such Rejection, and a Note of any Objections taken to the Admission of Evidence, whether oral or written, allowed to be received; which Note of the Evidence shall be forthwith lodged in Process, and the Sheriff Clerk shall mark the Documents admitted in Evidence, and also, separately, any Documents tendered and rejected; and the Diet of Proof shall not be adjourned, unless on special Cause shown, which shall be set forth in the Interlocutor making the Adjournment; and the Proof shall be taken as far as may be continuously, and with as little Interval as the Circumstances or the Justice of the Case will admit of; and the Note of the Evidence given by each Witness shall be read over to him by the Sheriff, and signed by the Witness (if he can write) on the last Page in open Court before the Witness is dismissed: Provided always, that in the event of the Sheriff being unavoidably prevented from taking such Notes with his own Hand, he shall dictate the same to any competent Person he may select: Provided always, that it shall be competent to the Sheriff, where any Witness or Haver is resident beyond the Jurisdiction of the Court, or by reason of Age, Infirmity, or Sickness is unable to attend the Diet of Proof, to grant Commission to any Person competent to take and report in Writing the Evidence of such Witness or Haver; provided also, that it shall be competent to the Sheriff to remit to Persons of Skill or other Persons to report on any Matter of Fact, and where such Remit shall be made of Consent of both Parties the Sheriff shall hold the Report to be final and conclusive with respect to the Matter of such Remit.

Certain Witnesses may be examined on Commission.

Remits may be made to Person of Skill, and if of Consent Report to be final.

XI. When

Proceedings in ordinary Causes.

Certified Copy Interlocutor of Proof to be Warrant for citing Witnesses and Havers, and to be operative, by simple Indorsation, in other Counties

XI. When a Diet of Proof shall be appointed by the Sheriff, a Copy, certified by the Sheriff Clerk, of the Interlocutor fixing such Diet, or of that Portion of such Interlocutor which relates to that Matter, shall be a sufficient Warrant to any Sheriff Officer in *Scotland* (acting within his own County) to cite Witnesses and Havers, at the Instance either of the Pursuer or Defender, to attend such Proof; and such Warrant shall have the same Force and Operation in any other County as in the County in which it was issued, the same being, in every Case in which it is executed in another County from that in which it is issued, indorsed by the Sheriff Clerk of such other County, who is hereby required to make and date such Indorsation; and the Citation and Execution thereof shall be in the Form of Schedule (G.) annexed to this Act; and if any Witness or Haver duly cited on a Citation of at least Forty-eight Hours shall fail to appear, he shall forfeit and pay a Penalty not exceeding Forty Shillings, unless a reasonable Excuse be offered and sustained by the Sheriff, for which Penalty Decree shall be given by the Sheriff in favour of the Party on whose Behalf he was cited; and it shall be further competent to the Sheriff to grant Second Diligence for compelling the Attendance of such Witness or Haver, the Expense whereof shall in like Manner be decerned for against the Witness or Haver against whom the same has been issued, unless a special Reason to the contrary be stated, and sustained by the Sheriff.

Written Argument abolished, and oral Pleadings substituted.

XII. The Parties or their Procurators shall be entitled to be heard orally when the Cause shall be ripe for Judgment, and on the Import of any concluded Proof, and at any other Stage of the Cause when Argument may be necessary and shall be appointed by the Sheriff; and it shall not be competent, at any Stage of the Cause, to receive any written argumentative Pleading, excepting as herein-after provided; but the Sheriff shall, if required by either of the Parties, take a Note of the Authorities cited in the course of the oral Argument, and also where he shall see fit of the Argument, and such Note shall form Part of the Process.

Sheriff in deciding to state the Grounds of his Judgment.

XIII. In all Cases where a Sheriff Substitute or Sheriff pronounces an Interlocutor disposing of a dilatory Defence or sisting Process, or deciding on the Admissibility of Evidence or any Plea of Confidentiality, or giving any Interim Decree, or disposing in whole or in part of the Merits of the Cause, it shall be the Duty of such Sheriff Substitute or Sheriff, as the Case may be, to set forth in such Interlocutor, or in a Note appended to and issued along with it, the Grounds on which he has proceeded.

Decree for Expenses to include Expense of Extract.

XIV. Every Decree for Expenses pronounced after the passing of this Act shall be held to include a Decree for the Expense of extracting the same.

Action not prosecuted dismissed.

XV. Where in any Cause neither of the Parties thereto shall during the Period of Three consecutive Months have taken any Proceeding therein, the Action shall at the Expiration of that Period (*eo ipso*) stand dismissed, without Prejudice nevertheless to either of the Parties within Three Months after the Expiration of such First Period of Three Months, but not thereafter, to revive the said Action on showing good Cause to the Satisfaction of the Sheriff why no Procedure had taken place therein, or upon Payment to the other Party of the preceding Expenses incurred in the Cause, whereupon such Action shall be revived and proceeded with in ordinary Form, with Power to the Sheriff, if he shall see fit, to disallow such Expenses or any Part thereof in the Accounts of the Agent of either Party against his Client: Provided always, that nothing herein contained shall apply to Cases in which the Right under such Action has been acquired by a Third Party, by Death or otherwise, within such Period of Six Months.

Judgment of the Sheriff Substitute may be appealed against by Petition or Hearing.

XVI. Where any Judgment shall be pronounced by the Sheriff Substitute, which under this Act may be brought under the Review of the Sheriff, the Party who proposes to appeal against the same shall, within Seven Days from the Date thereof, engross and sign by himself or his Agent under the Interlocutor appealed against the Words "I appeal against this Interlocutor," and thereafter it shall be competent for such Party to lodge with the Sheriff Clerk within Eight Days a Reclaiming Petition against the said Judgment and any prior Judgment which may under this Act be then appealed, which Reclaiming Petition the Sheriff Clerk shall forthwith transmit to the Sheriff, who may order Answers thereto, and shall thereafter dispose of such Appeal, or otherwise the Party appealing may intimate by Notice lodged with the Sheriff Clerk within the Period aforesaid his Desire to be heard orally before the Sheriff on such Judgment or Judgments, in which Case the Sheriff shall hear the Parties or their Procurators on such Appeal, and shall dispose of the same; and the Sheriff shall have Power in Cases requiring extraordinary Despatch to order a Reclaiming Petition and Answers instead of hearing the Parties orally; but it shall not be competent in any Case in reviewing such Judgment both to receive a Reclaiming Petition and to hear the Parties orally: Provided always, that if no Reclaiming Petition shall have been lodged, and if neither Party shall within the Period above mentioned require to be heard before the Sheriff, he may proceed to dispose of such Appeal without farther Argument, and it shall be competent for the Sheriff, where the Cause is before him on Appeal on any Point, to open up the Record *ex proprio motu*, if it shall appear to him not to have been properly made up.

Review by Sheriff to be obtained by simple Appeal.

No Appeal allowed during the leading of the Proof;

XVII. It shall not be competent, prior to the closing of the Proof, to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, on the Admissibility of Evidence pronounced during the leading of the Proof; but it shall be competent, on the Proof being declared closed, or within Seven Days thereafter, to appeal against all or any of such Interlocutors; and the Sheriff shall pronounce such Judgment on the Appeal as shall be just, and shall appoint any Evidence which he may think ought not to have been rejected, to be taken before the Case shall be advised on its Merits.

Proceedings in ordinary Causes.

except by Persons pleading Confidentiality, or objecting to Production of Writings.

XVIII. Provided always, That nothing in this Act contained shall preclude any Person, whether Party to the Cause or not, who may plead Confidentiality, whether with reference to documentary or oral Evidence, or any Person, not being a Party to the Cause, who may object to produce Writings, whether on Pleas of alleged Hypothec or otherwise, from taking to review any Judgment of the Sheriff Substitute or Sheriff disposing of such Pleas, in whole or in part; but the Judgment of the Sheriff Substitute disposing of such Pleas shall only be reviewable by such Person taking an Appeal at the Time in open Court, which Appeal shall be minuted by the Sheriff Substitute, and thereupon such Part of the Proceedings as may be necessary for the Disposal of such Appeal, or as the Sheriff may require, shall be transmitted by the Sheriff Clerk to the Sheriff, who shall dispose of the same summarily, but may appoint a Hearing before giving Judgment: Provided also, that no such Appeals by any such Person pleading Confidentiality as aforesaid, or by any such Person objecting to produce Writings as aforesaid, shall be held to remove the Cause from before the Sheriff Substitute as regards any Point or Points not necessarily dependent on the Interlocutor or Judgment appealed from; but, as to all such Points, the Cause may be proceeded with before the Sheriff Substitute as if no such Appeal had been taken.

No Appeal allowed (except in certain Cases) till Judgment on the Merits.

XIX. Until an Interlocutor shall have been pronounced disposing in whole or in part of the Merits of the Cause, it shall not be competent to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, not being an Interlocutor disposing of a dilatory Defence, or an Interlocutor sisting Process, or an Interlocutor allowing a Proof, or to appeal to the Sheriff against any Interlocutor of the Sheriff Substitute, on the Admissibility of Evidence pronounced during the leading of the Proof, except as herein-before provided for; but it shall be competent in every Case in which an Appeal against any Interlocutor is taken also to appeal against all or any of the Interlocutors previously pronounced, whether before or after the Date of closing the Record, or whether the Record has been closed or not, and the Sheriff shall pronounce such Judgment on the Appeal as shall be just.

Where Mistakes in a Judgment may be corrected.

XX. It shall be competent to any Sheriff Substitute or Sheriff to correct any merely clerical Error in his Judgment at any Time before the Proceedings have been transmitted to the Judge or Court of Review, not being later than Seven Days from the Date of such Judgment.

Procedure in Consistorial, &c. Causes.

XXI. The Procedure in Consistorial and Maritime Causes shall be as nearly as may be the same as is herein-before provided with reference to ordinary Actions.

Judgment of Sheriff in Causes not exceeding 25*l.* to be final.

XXII. It shall not be competent, except as herein-after specially provided for, to remove from a Sheriff Court, or to bring under Review of the Court of Session, or of the Circuit Court of Justiciary, or of any other Court or Tribunal whatever, by Advocation, Appeal, Suspension, or Reduction, or in any other Manner of Way, any Cause not exceeding the Value of Twenty-five Pounds Sterling, or any Interlocutor, Judgment, or Decree pronounced or which shall be pronounced in such Cause by the Sheriff.

Causes of any Value may be tried in a summary Way by Consent of all the Parties.

XXIII. It shall be competent in all Civil Causes above the Value of Twelve Pounds, competent before the Sheriff, for the Parties to lodge in Process a Minute, signed by themselves or by their Procurators, setting forth their Agreement that the Cause should be tried in the summary Way provided in the said first-recited Act, and the Sheriff shall thereupon hear, try, and determine such Action in such summary Way, and in such Case the whole Powers and Provisions of the said first-recited Act shall be held applicable to the said Action: Provided always, that the Parties, or any of them, shall be entitled to appear and plead by a Procurator of Court.

In Cases exceeding 25*l.*, Review limited to final Judgments, &c.

XXIV. It shall be competent, in any Cause exceeding the Value of Twenty-five Pounds, to take to review of the Court of Session any Interlocutor of a Sheriff sisting Process, and any Interlocutor giving Interim Decree for Payment of Money, and any Interlocutor disposing of the whole Merits of the Cause, although no Decision has been given as to Expenses, or although the Expenses, if such have been found due, have not been modified or decerned for; but it shall not be competent to take to review any Interlocutor, Judgment, or Decree of a Sheriff, not being an Interlocutor sisting Process, or giving Interim Decree for Payment of Money, or disposing of the whole Merits of the Cause as aforesaid; and the Provisions of an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for abridging the Form of extracting Decrees of the Court of Session in* Scotland, *and for the Regulation of certain Parts of the Proceedings of that Court*, and also the Provisions of an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better regulating of the Forms of Process in the Courts of Law in* Scotland, are, in so far as inconsistent with this Enactment, hereby repealed: Provided always, that when any Interlocutor shall be brought under Review of the Court of Session, it shall be competent for that Court also to review all the previous Interlocutors pronounced in the Cause.

50 G. 3. c. 112.

6 G. 4. c. 120.

Where either Party desires it, Case to go at once to the Inner House.

XXV. All Cases of Advocation which shall come to depend before the Court of Session may be brought in the first instance before One or other of the Divisions of the Court of Session, or by Consent of both Parties before any Lord Ordinary in the Outer House, in which last Case the Judgment to be pronounced by such Lord Ordinary shall be final, and shall not be subject to Review by the Inner House, or by Appeal to the House of Lords.

Small Debt Jurisdiction extended to Causes not exceeding 12*l.*

XXVI. And with respect to Small Debt Cases not exceeding Twelve Pounds:

The Provisions of the said first-recited Act shall be extended to all Causes, Prosecutions, Applications for Sequestration and Sale, and other Actions and Proceedings of the Nature set forth in the said first-recited Act, wherein the Debt, Demand, or Penalty in question, or the Fund *in medio*, shall not exceed the Value of Twelve Pounds, exclusive of Expenses and Fees of Extract; and the said first-recited Act shall

shall be read and construed as if the Words "Twelve Pounds" were substituted for the Words "Eight Pounds Six Shillings and Eightpence," wherever these latter Words occur in the said first-recited Act: Provided always, that in any Case in which a Decree pronounced by the Sheriff in the Small Debt Court for any Sum exceeding Eight Pounds Six Shillings and Eightpence shall have been put to execution by Imprisonment, the Party so imprisoned shall be entitled to bring such Decree under Review of the Sheriff by way of Suspension and Liberation, and such Suspension and Liberation shall proceed in the Form provided for summary Petitions by this Act.

Proceedings in ordinary Causes.

XXVII. And with respect to Proceedings before the Sheriff Court for Sequestration and Sale for Recovery or in Security of Rents, be it enacted as follows:

Proceedings in Sequestrations for Rent.

Every Petition for Sequestration and Sale for Recovery or in Security of Rents, whether such Petition be presented after the Term of Payment or *currente termino*, may contain a Prayer for a Decree for Payment of the Rent with reference to which the Petition is presented, and it shall be competent to the Sheriff to pronounce, under such Petition, Decree for Payment of such Rent or any Part thereof, and every such Decree shall be extractable in ordinary Form, and shall otherwise have the same Force and Effect in every respect as any Decree for Payment pronounced in any Petition for Sequestration and Sale in which a Decree for Payment of Rent might be competently inserted before the passing of this Act.

Petition for Sequestration may also conclude for Payment.

XXVIII. The Provisions of the said first-recited Act for the summary Trial and Determination of Sequestrations for Rent where the Rent or Balance of Rent does not exceed the Sum of Eight Pounds Six Shillings and Eightpence (and which Provisions are made applicable by this Act to Sequestrations for Rent where the Rent or Balance of Rent does not exceed the Sum of Twelve Pounds), are declared to extend, and the same are hereby extended to all Sequestrations applied for *currente termino* or in Security.

Operation of Provisions in first-recited Act extended.

Proceedings in Actions of Removing.

XXIX. And with respect to Actions of Removing before the Sheriff Court, be it enacted as follows:

When Summons may be raised.

It shall be competent to raise a Summons of Removing at any Time, provided there be an Interval of at least Forty Days between the Date of the Execution of the Summons and the Term of Removal, or where there is a separate Ish as regards Land and Houses or otherwise, between the Date of the Execution of the Summons and the Ish which is first in Date.

Lease, containing Obligation to remove, equivalent to Decree of Removing, provided Forty Days Notice be given.

XXX. Where any Lands or Heritages are held under a Probative Lease, specifying a Term of Endurance, such Lease, or an Extract thereof from the Books of any Court of Record, shall have the same Force and Effect in every respect as any Extract Decree of Removing obtained in any ordinary Action of Removing at the Instance of the Party, Granter of such Lease, or in the Right of the Granter of such Lease, against the Party in possession under such Lease, whether such Party in possession be the Lessee named in such Lease or not, decerning such Party in possession, his Family, Sub-tenants, Cottars, and Dependants, with their Goods and Gear, to be removed and ejected from the said Lands or Heritages at the Term or Terms corresponding to the Expiration of the Term or Terms of Endurance specified in such Lease; and such Lease or Extract thereof shall, along with a written Authority signed by the Landlord or his Factor or Agent, be a sufficient Warrant to any Sheriff Officer or Messenger at Arms of the County within which such Lands or Heritages are situate to remove and eject such Party in possession, and his foresaids, from such Lands or Heritages on the Elapse of such specified Term or Terms respectively, and to return an Execution thereof in common Form: Provided always, that previous Notice to remove shall be given to such Party in possession, at least Forty Days before the Expiration of the Term of Endurance specified in such Lease, or where the Lease has a separate Ish as regards Land and Houses or otherwise, at least Forty Days before that Ish which is first in Date, by causing to be delivered to such Party in possession, or to be left at his ordinary Dwelling House, or to be transmitted to his known Address through the Post Office, previous to the Commencement of such Period of Forty Days, a Notice by a Sheriff Officer of the County in which such Lands or Heritages are situate, or Messenger at Arms, in the Form in Schedule (I.) annexed to this Act; and a Certificate endorsed on such Lease or Extract that such Notice has been duly given, signed by a Sheriff Officer of such County, or Messenger at Arms, and attested by One Witness, in the Form in Schedule (J.) annexed to this Act, or an Acknowledgment to that Effect endorsed thereon by such Party in possession himself, or by his known Agent on his Behalf, shall be sufficient Evidence that such Notice has been given: Provided also, that no such Removal or Ejectment by virtue of this Enactment shall be competent after Six Weeks have elapsed from the Expiration of the Term of Endurance specified in such Lease, or where the Lease has a separate Ish as regards Land and Houses or otherwise, after Six Weeks have elapsed from that Ish which is last in Date; and provided further, that nothing herein contained shall be construed to prevent any Proceedings under this Enactment from being brought under Suspension in common Form.

Letter of Removal granted by Tenant equivalent to Decree of Removing, provided Forty Days Notice be given.

XXXI. Where any Tenant in possession of any Lands or Heritages shall, whether at the Date of entering upon his Lease or at any other Time, grant a Letter of Removal, either holograph or attested by One Witness, in the Form in Schedule (K.) annexed to this Act, such Letter of Removal shall have the same Force and Effect in every respect as any Extract Decree of Removing obtained in any ordinary Action of Removing at the Instance of the Party to whom such Letter of Removal is granted, or of the Party in his Right, against the Party Granter of such Letter of Removal, or the Party in his Right as Tenant, decerning such Party Granter of such Letter, or such Party in his Right, as the Case may be, his Family, Sub-tenants, Cottars, and Dependants, with their Goods and Gear, to be removed and ejected from the said Lands and Heritages at the Term or Terms of Removal respectively specified in such Letter of Removal; and such Letter of Removal shall be a sufficient Warrant to any Sheriff Officer of the County within which such Lands or Heritages are situate to remove and eject such Party Granter of such Letter

Proceedings in Actions of Removing.

of Removal, or such Party in his Right, and his foresaids, from such Lands and Heritages, on the Elapse of such specified Term or Terms respectively, and to return an Execution thereof in common Form: Provided always, that where such Letter of Removal shall bear Date more than Six Weeks before the Term of Removal, or the Ish first in Date, specified in such Letter of Removal, previous Notice to remove shall be given to the Party Granter of such Letter of Removal, or to such Party in his Right, at least Forty Days before such Term of Removal, or where such Letter of Removal specifies a separate Ish as regards Lands and Houses or otherwise, at least Forty Days before that Ish which is first in Date, by causing to be delivered to such Party Granter of such Letter of Removal, or to such Party in his Right, or to be left at his ordinary Dwelling House, or to be transmitted to his known Address through the Post Office, previous to the Commencement of such Period of Forty Days, a Notice by a Sheriff Officer of the County in which such Lands or Heritages are situate, in the Form of Schedule (I.) annexed to this Act; and a Certificate endorsed upon such Letter of Removal that such Notice has been duly given, signed by a Sheriff Officer of such County, and attested by One Witness, in the Form of Schedule (J.) annexed to this Act, or an Acknowledgment to that Effect endorsed thereon by the Granter of such Letter of Removal, or other Party in his Right, or by the known Agent of the Granter of such Letter of Removal, or other Party on his Behalf, shall be sufficient Evidence that such Notice has been given: Provided also, that no such Removal or Ejectment by virtue of this Enactment shall be competent after Six Weeks have elapsed from the Expiration of the Term of Endurance specified in such Letter of Removal, or where such Letter of Removal has a separate Ish as regards Lands and Houses or otherwise, after Six Weeks have elapsed from that Ish which is last in Date; and provided further, that nothing herein contained shall be construed to prevent any Proceedings under this Enactment from being brought under Suspension in common Form.

Arrears of Feu Duties for Subjects of small Amount may be sued for in Sheriff Court.

XXXII. 'And whereas it is desirable that the Jurisdiction of the Sheriff should be extended to 'Questions relating to Nonpayment of Feu Duties for real Subjects of small Amount, wherever, in 'Subjects not exceeding in yearly Value the Sum of Twenty-five Pounds, the Vassal shall have run in 'arrear of his Feu Duty for Two Years:' It shall be competent for the Superior to raise an Action before the Sheriff, in ordinary Form, setting forth that the Subject is of the Value, and that the Feu Duty has run in arrear as aforesaid, and concluding that the Vassal should be removed from his Possession, and that Warrant to that Effect should be granted, and thereafter the Cause shall proceed in the Manner herein provided in ordinary Actions; and if the Defendant shall fail to appear, or if it shall be proved to the Sheriff by such Evidence as he may require that the Subject is of the Value, and that the Feu Duty is in arrear as aforesaid, he shall grant Warrant in Terms of the Conclusions of the Summons, which Warrant shall be executed at the First Term of *Whitsunday* or *Martinmas*, which shall first occur, Four Months after the same is issued by the Sheriff, and such Warrant, so executed, shall have the Effect, in relation to the said Possession, of a Decree of Irritancy *ob non solutum Canonem:* Provided always, that it shall be competent to the Vassal, at any Time within One Year from the Date of such Removal, to raise an Action of Declarator in the Court of Session for Vindication of such Subject on any Ground proceeding on Challenge of the Title of the Superior, which shall not be called in question before the Sheriff except on Grounds instantly verified by the Titles of the Superior, and that it shall be competent to the Vassals, at any Time before such Warrant is executed, to purge the Irritancy incurred by Payment of the Arrears pursued for with the Expenses incurred by the Superior in such Proceedings; provided also, that in Leases for a longer Endurance than Twenty-one Years the Landlord shall have the like Remedies against his Tenant, in case of the Nonpayment of Rent, *mutatis mutandis*, that are hereby given to the Superior against his Vassal.

Proceedings in Criminal Prosecutions.

XXXIII. And in respect of Criminal Prosecutions before the Sheriff, be it enacted as follows:

Libels may be written or printed, or partly both.

The Principal or Record Copies of all Criminal Libels before the Sheriff Courts may be either written or printed, or partly written and partly printed, provided that the same shall be authenticated in the same Manner as the written Criminal Libels now in use are authenticated.

Libel printed or partly printed to be inserted in Record Book.

XXXIV. When a Criminal Libel in any Sheriff Court is either wholly or partly printed, a Copy of it, either wholly or partly printed, shall, instead of being copied in Writing into the Record Book of Court, as at present, be inserted in such Book, either in its proper Place in the Body thereof or at the End of the Volume wherein the relative Procedure is recorded, in which last Case it shall be distinctly referred to as so appended.

The Will of Criminal Libels to contain Two Diets of Compearance as in Schedule, and Accused to be called upon at First Diet to plead Guilty or Not Guilty.

XXXV. In the Prosecution of all Criminal Offences which shall not be tried summarily the Will of the Criminal Libel shall contain Two Diets of Compearance in the Form of the Schedule (L.) hereunto annexed; and at the First of such Diets, which shall not be sooner than Five Days from the Service of the Libel, the Court sitting in Judgment shall call upon the accused Party to plead Guilty or Not Guilty to the Crime of which such Party may be therein accused; and if such Party shall plead Guilty the Court shall forthwith pronounce Sentence upon such Party according to the Form now in use; and if the Party accused shall plead Not Guilty the Trial of such Party shall take place on the Second Diet of Compearance set forth in the Will of the Libel, which Second Diet shall not be sooner than Nine clear Days after the First Diet, and at such Second Diet the Party accused shall again be called upon to plead as aforesaid, and if such Party shall then plead Guilty the Sentence of the Law shall be forthwith pronounced according to the Form now in use; and if such Party shall plead Not Guilty a Jury shall then be empannelled, and the Trial shall proceed and be followed out according to Law, unless the Diet shall be further adjourned or deserted according to the existing Law and Practice.

XXXVI. It

Party not to be asked more than once to plead.

XXXVI. It shall not be necessary for the Sheriff at each such Diet to ask the Party accused more than once whether such Party pleads Guilty or Not Guilty.

Salaries of Sheriffs and Sheriff Substitutes.

XXXVII. And with respect to the Salaries and Remuneration of Sheriffs and Sheriff Substitutes, be it enacted as follows:

Salaries of Sheriffs and Sheriff Substitutes may be increased;

It shall be lawful to grant to any Sheriff such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, not being less than Five hundred Pounds by the Year, and to any salaried Sheriff Substitute now in Office, or to his Successor, or to any Sheriff Substitute who may be hereafter appointed by virtue of this Act, such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, the same not in any Case exceeding One thousand Pounds by the Year, and not less than Five hundred Pounds by the Year; and every Salary payable to such Sheriff or Sheriff Substitute shall be paid by Four equal quarterly Instalments out of the Funds from which the Salaries of Sheriffs are payable; and it shall be lawful for Her Majesty and Her Heirs and Successors, upon the joint Recommendation of the Lord President of the Court of Session, Her Majesty's Advocate, and the Lord Justice Clerk, all for the Time being, to grant Authority to any Sheriff to appoint One or more additional Sheriff Substitutes: Provided always, that such joint Recommendation shall expressly bear that the Appointment of such additional Officer or Officers is essentially necessary for the Public Service; and provided also, that no more than Two additional Sheriff Substitutes in each County shall be appointed under the Powers hereby conferred.

and additional Sheriff Substitutes may be appointed.

Provision for Retiring Allowance to Sheriffs and Sheriff Substitutes disabled after long Service.

XXXVIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant to any Person who has held, now holds, or may hereafter hold the Office of Sheriff Substitute such Annuity as is by the said second-recited Act authorized to be granted in respect of long Service for One or other of the Periods specified in the said second-recited Act, notwithstanding such Service may not have been continuous, and may have been in different Counties; and the said Commissioners shall have the same Powers of granting Annuities to Sheriffs in respect of long Service as are conferred by the said second-recited Act and by this Act with reference to Sheriff Substitutes, and such Annuities shall be payable out of the Funds from which the Salaries of Sheriffs are payable: Provided always, that no such Annuity shall be granted to any Sheriff or Sheriff Substitute, unless the Periods of his actual Service as Sheriff or Sheriff Substitute, as the Case may be, shall, when taken together, extend to One or other of the Periods of Service specified in the said second-recited Act; and that in computing the Amount of Retiring Allowance of such Sheriffs the Emoluments drawn by them on Average of the Five preceding Years shall be held to constitute their Salary.

Sheriffs Salaries to be in lieu of all Fees, &c.

XXXIX. The Salaries henceforth to be paid to the Sheriffs and Sheriffs Substitute shall be in full of all Fees and Emoluments whatever.

As to Extent of Substitutes Commissions.

XL. The Commissions already granted or to be granted by all Sheriffs to the Sheriffs Substitutes shall extend over the whole County.

Compensation to Sheriff Clerks.

XLI. In case the Operation of this Act shall affect the Emoluments of any Sheriff Clerk not now paid by Salary, it shall be competent to such Sheriff Clerks to apply to the Commissioners of Her Majesty's Treasury of *Great Britain* and *Ireland*, who shall have Power, upon Proof to their Satisfaction of the Diminution of the Emoluments of such Sheriff Clerks through the Operation of this Act, to award such Compensation to such Sheriff Clerks respectively as to the said Commissioners shall seem just; and it shall be in the Power of any such Sheriff Clerk to require that he should be paid by Salary, in Terms of the said recited Act First and Second *Victoria*, Chapter One hundred and nineteen; and it shall be lawful to the Commissioners of Her Majesty's Treasury to adjust the Salary of every Sheriff Clerk now in Office, and who is paid by Salary, regard being had to the Expenses of such Office, as may seem to them just.

Provision for the Sittings of Sheriff Courts, &c.

XLII. And with respect to the Sittings of the Sheriff Courts, and the more efficient Operation of this Act, be it enacted as follows:

Sheriff Courts to sit such Days during Session as may be fixed by Sheriff.

Each Sheriff Court, except those held at a Place where an ordinary Sheriff Substitute does not reside, shall sit for the Despatch of ordinary Civil Business for such Number of Days weekly during the Session as shall be fixed by each Sheriff by a Regulation of Court, to be approved of by the said Lord President and Lord Justice Clerk, and to be advertised at least once a Year in a Newspaper published in the County, or where there is no such Newspaper, in a Newspaper published in some County immediately adjoining.

Sheriffs to hold Three Sessions in each Year.

XLIII. Each Sheriff shall hold Three Sessions in each Year, the First of which shall commence on the Fifteenth Day of *January*, or the First ordinary Court Day thereafter, and shall continue until the Fifteenth Day of *March* following, and the Second shall commence on the Third Day or the Fourth Day of *April*, and shall continue until the Thirty-first Day of *July* following, and the Third shall commence on the First Day of *October*, or the First ordinary Court Day thereafter, and shall continue until the Fifteenth Day of *December* following; and in case at any Time there shall be any Arrear of Business undisposed of, it shall be the Duty of the Sheriff from Time to Time to appoint additional Court Days, whether in Time of Session or Vacation, for the Purpose of disposing of such Arrear.

Sheriff may act in Time of Vacation.

XLIV. All summary Causes may proceed equally during Vacation as during Session; and it shall be competent to the Sheriff, if he thinks fit, to pronounce Interlocutors in Time of Vacation, in all Causes, whether summary or not.

Sheriff to fix One Court Day in each Vacation

XLV. The Sheriff shall, before the Termination of each Session, appoint at least One Court Day during each Vacation for the Despatch of all ordinary Civil Business, including the calling of new Causes, and

for Despatch of ordinary Court Business.

and the Receipt of Condescendences, Defences, and other Papers, which, if the Court had not been in Vacation, would have required to be previously lodged.

Sittings to be held by Sheriffs in their Counties.

XLVI. Every Sheriff shall, unless prevented by Indisposition or other unavoidable Cause, hold annually in his County Sittings for the Discharge of the Judicial Business of the County; that is to say, the Sheriffs of *Sutherland*, *Caithness*, and *Inverness*, *Ross* and *Cromarty*, *Argyle*, *Banff*, and *Elgin* and *Nairn*, shall hold Three such Sittings, and the Sheriffs of the other Counties shall hold Four such Sittings, in the Course of the Year; and such Sittings shall continue until the Causes ready for Trial or Hearing when such Sittings commence be disposed of; and such Sittings shall, except as regards the Counties of *Ross*, *Inverness*, and *Argyle*, be held at each of the Places within his County at which the ordinary Courts of the Sheriff Substitutes are held, and such other Places as the Sheriff, with Approval of the Secretary of State for the Home Department, may appoint, and as regards the Counties of *Ross*, *Inverness*, and *Argyle* at such Places as the Sheriff, with Approval of the Secretary of State, may appoint: Provided always, that the Sheriffs of the said Three Counties shall at least twice a Year hold One such Sitting at each of the Places at which the ordinary Courts of the Sheriff Substitutes are held; and each Sheriff shall give due Notice to the County of the Times and Places of such Sittings, and such Sittings shall take place at Intervals of not less than Six Weeks; and each Sheriff shall, once in the Year, go on the Small Debt Circuit in use to be held by the Sheriff Substitute, and shall on such Occasions, in addition to holding the Small Debt Court, despatch as much of the ordinary Business as may be ready for Adjudication, or as Time may permit; and each Sheriff shall annually, within Ten Days after the Twelfth Day of *November*, make a Return to Her Majesty's Principal Secretary of State for the Home Department of the Number of Sittings held by him, and of the Periods of holding each such Sitting, in the immediately preceding Year, stating the Cause of Absence in case the Sittings hereinbefore directed shall not have been held by him in Terms of this Act; provided that none of the said Provisions shall extend to the Counties of *Orkney* and *Shetland*, and *Midlothian* and *Lanark*; and so much of an Act passed in the First and Second Year of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution and Jurisdiction and Forms of Process of the Sheriff Courts in* Scotland, as relates to the Courts to be held by each Sheriff Depute in his County, excepting the said Counties of *Orkney* and *Shetland*, is hereby repealed.

1 & 2 Vict. c. 119.

Sheriff may sign Interlocutors when furth of his County.

XLVII. It shall be lawful for any Sheriff to pronounce and sign any Interlocutor, Judgment, or Decree when furth of his Sheriffdom; and such Interlocutor, Judgment, or Decree shall have all the like Force and Effect as if pronounced and signed by the Sheriff while within the Limits of his Sheriffdom.

Privilege of certain Persons abolished.

XLVIII. No Person whatsoever shall be exempt from the Jurisdiction of the Sheriff Court, in any Cause, on account of Privilege by reason of being a Member of the College of Justice.

Court of Session to frame Tables of Fees.

XLIX. The Court of Session shall be and is hereby authorized and required to frame from Time to Time a Table or Tables of Fees for Business in the Sheriff Courts of *Scotland*, and such Table or Tables of Fees so framed shall be submitted to the Secretary of State for the Home Department, and if approved of shall form the Rule of professional Charge for Business performed in such Courts.

Interpretation Clause.

L. In construing this Act, unless where the Context is repugnant to such Construction, the Word "Sheriff" shall be held to include "Sheriff Substitute;" the Word "Tenant" shall include Sub-tenant; and the Word "Lease" shall include Sub-lease.

Recited Acts, &c. repealed.

LI. The said recited Acts, and all Laws, Statutes, Acts of Sederunt, and Usages now in force, shall be and the same are hereby repealed, but that in so far only as may be necessary to give effect to the Provisions of this Act, and no further or otherwise.

Act to take effect from 1st Nov. 1853.

LII. This Act shall take effect from and after the First Day of *November* One thousand eight hundred and fifty-three.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Petitory Summons.

A.B., Sheriff of the County of to Officers of Court, jointly and severally: Whereas it is shown to me by *C.D.* [*design him*], Pursuer, against *E.F.* [*design him*], Defender, in Terms of the Conclusions under-written: Therefore the Defender ought to be decerned to pay to the Pursuer the Sum of contained in a Bill drawn by the Pursuer upon and accepted by the Defender, dated and payable after Date, with the legal Interest thereof, till Payment [*or* to make Delivery to the Pursuer of sold by the Defender to him; *or* to pay to the Pursuer the Sum of for Goods sold by the Pursuer to the Defender, per Account commencing the Day of and ending the Day of annexed hereto; *or* to pay to the Pursuer the Sum of being Damages sustained by the Pursuer, in consequence of the Defender having slandered the Pursuer by stating *or otherwise according to the Nature and Circumstances of the Action*], with Expenses: And my will is that ye summon the Defender to compear in my Court House, at upon the Sixth Day next after the Date of your Citation, in the Hour of Cause, with Continuation of Days, to answer in the Premises; with Certification, in case of Failure, of being held as confessed; [*and if Arrestment on the Dependence is required, add*] and that ye arrest in security the Defender's Goods, Monies, Debts, and Effects. Given at the Day of

G.H., Sheriff Clerk.

Summons

Summons of Count and Reckoning and Payment.

A.B., &c. [*as before*]: Whereas, *&c.* [*as before*]: Therefore the Defender ought to be decerned to produce before me a full Account of his Intromissions as Cashkeeper to the Pursuer [*or otherwise, as the Case may be*], that the true Balance due to the Pursuer thereon may be ascertained; and the Defender should be decerned to pay to the Pursuer such Sum as may be found to be the true Balance on said Account, with the Interest which may be due thereon; and if he fail to produce such Account the Defender should be decerned to pay to the Pursuer the Sum of which should in that Case be held to be the Balance due, with Interest thereon from the Day of with Expenses: And my Will is, *&c.* [*as before*].

Summons of Multiplepoinding.

A.B., &c. [*as before*]: Whereas it is shown to me by *A.B.* [*design him*], Pursuer, against *C.D.* [*design him*], common Debtor, and *K.L.* [*insert Names and Designations of the other Defenders, and state who is the real Raiser*], alleged Creditors of the said *C.D.*, in Terms of the Conclusions under-written: Therefore it should be declared that the Pursuer is Holder of a Fund in medio, [*specify the Amount or Nature of it,*] and is only liable in single Payment of the said Fund to those having Right thereto; and the Defenders should produce their Claims, and the Pursuer should be decerned to pay the said Fund, deducting his Expenses of Process, in such way as may be just; and such of the Defenders as shall be found to have no Right should be prohibited from troubling him in Time coming: And my Will is, *&c.* [*as before*].

SCHEDULE (B.)

[*Date.*] *Reponing Note.*

In the Action *A.* against *B.*

The Defender craves to be reponed against the Decree in absence, dated [*add, where necessary,* so far as unimplemented]. The Expenses decerned for are consigned with the Sheriff Clerk.

A., Defender.

[*Or*] *C.*, Agent for Defender.

SCHEDULE (C.)

Notice of Appearance.

In the Action *A.* against *B.*

B. [*design him*], Defender, enters Appearance to defend said Action.

B. Defender.

[*Or*] *D.*, Agent for Defender.

SCHEDULE (D.)

Minute at the first calling of Cause, and where Defender makes Compearance.

Edinburgh 1853 Act Alt

The Defender's Procurator stated that the Defence was [*here state succinctly the Ground of Defence, dilatory or peremptory, as*] no Title to pursue, *or* Prescription, *or* the Goods specified in Account libelled were not ordered or not received by Defender, *or* Compensation, conform to Account due by Pursuer, amounting to £ herewith produced, *or* the Defender, who was Drawer of the Bill sued on, received no Notice of Dishonour, *or otherwise, in like Manner as the Case may be.*

SCHEDULE (E.)

Petition.

Unto the Sheriff.

A. B.

v.

C. D.

Or, In the Action presently before your Lordship,

A. B.

v.

C. D.

The Petitioner humbly showeth,

That [*here state briefly the Circumstances, as*] of this Date the Effects of were duly sequestrated, and it is now necessary to sell, *or* Whereas an Action between for the Price of a Horse is now depending before your Lordship, and it is expedient or necessary to sell the said Horse, *or* In consequence of wrongously and unwarrantably using, or disposing of and making away with, *or* encroaching on, *or* withholding and refusing Delivery of, the Property, Effects, *or* Documents of, *as the Case may be.*

May it therefore please your Lordship to grant Warrant of Sale, *or* for Delivery, *or* for Interdict, *&c. &c. &c.*

SCHE-

SCHEDULE (F.)

Form of Execution of Summons or Petition

This Summons [*or* Petition] executed [*or* served] by me [*insert Name*] Sheriff Officer, against [*or* upon] [*insert Name or Names*] Defender, [*or* Defenders, *or* Respondent, *or* Respondents], [*state whether personally or otherwise*], in Presence of [*insert Name and Designation of Witness*], this Day of Eighteen hundred and Years.

E.F., Sheriff Officer.

L.M., Witness.

SCHEDULE (G.)

Citation of Witnesses and Havers.

C.D. [*design him*]. You are hereby cited to attend in the Sheriff Court of the County of on the Day of at o'Clock, within to give Evidence for the Pursuer [*or* Defender] in the Action at the Instance of *A.* [*design him*], Pursuer, against *B.* [*design him*], Defender, and that under the Penalty of Forty Shillings Sterling if you fail to attend. [*If a Haver, say,*] And you are required to bring with you [*specify Documents required*]. Dated this Day of

E.F., Sheriff Officer.

Execution against Witnesses and Havers.

Upon the Day of I duly cited *C.D.* [*design him*] to attend in the Sheriff Court of the County of on the Day of at o'Clock, within to give Evidence for the Pursuer [*or* Defender], in the Action at the Instance of *A.* [*design him*], Pursuer, against *B.* [*design him*], Defender. [*If a Haver, say,*] And I also required him to bring with him [*specify Documents*]. This I did by delivering a just Copy of Citation to the above Effect, signed by me, to the said *C.D.* personally [*or otherwise as the Case may be*].

E.F., Sheriff Officer.

SCHEDULE (I.)

Notice to remove.

[*Place and Date.*]

You are required to remove from the Farm of [*insert Name by which usually known*], at the Term of next, as to the Houses and Grass, and at the Separation of the Crop from the Ground as to the Arable Land [*or as the Case may be*], in Terms of the Lease thereof [*or* in Terms of your Letter of Removal], dated

E.F., Sheriff Officer.

[*Address*] *G.H.*
[*design him.*]

SCHEDULE (J.)

Certificate of Notice to remove.

[*Place and Date.*]

I, *E.F.*, Sheriff Officer of the County of certify, that on the Day of Notice to remove, in Terms of this Lease [*or* Letter of Removal] at next [*according to the Terms of the Notice*], was, in Presence of *L.M.* [*design him*], subscribing Witness, given by me to *G.H.*, the Tenant, by delivering such Notice to him personally [*or* by leaving such Notice at his ordinary Dwelling House at , *or* by transmitting such Notice to him through the Post Office to his known Address, as follows: (*insert Address to which Notice sent*)].

E.F., Sheriff Officer.

L.M., Witness.

SCHEDULE (K.)

Letter of Removal.

[*Place and Date.*]

SIR,—I am to remove from the Farm of [*insert Name by which usually known*], at the Term of Eighteen hundred and , as to the Houses and Grass, and at the Separation of the Crop from the Ground as to the Arable Land [*or as the Case may be*].

I am,
Your obedient servant,
[*Signed by the Tenant.*]

[*Address.*]

Note.—If this Letter is not Holograph of the Granter of it, it must be attested by One Witness, thus,

L.M., Witness.

SCHE-

SCHEDULE (L.)

Herefore it is my Will, and I command you, that on Sight hereof ye pass, and in Her Majesty's Name and Authority and mine lawfully summon, warn, and charge the said [*accused Party*] to compear personally before me, or any of my Substitutes, in a Court to be holden by us, or any of us, at upon the Day of in the Hour of Cause, at o'Clock, Forenoon, for the First Diet, there to plead Guilty or Not Guilty, and to underlye the Law for the Crimes above mentioned; and also, if required, upon the Day of for the Second Diet, at o'Clock, Forenoon, again to plead Guilty or Not Guilty, and to underlye the Law as aforesaid; as also, if required for the said Second Diet alternately, that ye summon an Assize hereto, being not fewer than the Number of Forty-five Persons, together with such Witnesses as best know the Verity of the Premises, whose Names are hereto subjoined in a List subscribed by the Complainer personally, or at their Dwelling Places, all to compear before me or any of my Substitutes, Time and Place of said Second Diet of Compearance.

[*And so on to the End of the Will now in common Use.*]

CAP. LXXXI.

An Act to reduce the Salary and Emoluments of the Registrar of Meetings of the Court of Bankruptcy. [15th *August* 1853.]

'WHEREAS by an Act passed in the Session holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth it was among other Things enacted, that it should be lawful for the Lord Chancellor for the Time being to appoint some competent and proper Person to the Office of Registrar of the Meetings of the Commissioners of Bankrupt, who should be resident in such Part of the Building to be erected under the said Act as the Commissioners should direct, and who should also have an Office in some convenient and public Part of the said Building, and that there should be paid and allowed to the Registrar to be appointed as aforesaid, during his Continuance in the said Office, the clear yearly Salary or Sum of Two hundred Pounds, and that there should be taken from and charged to the Estates of the Bankrupts, the Business under whose Commission should be transacted in the said Building, to the said Registrar for his own Use, for the Registry of every Meeting in Bankruptcy holden in the said Building, the Sum of One Shilling, and for every Search out of Office Hours that might be made in the said Registry, unless by or by the Order of the Commissioners under any Commission of Bankruptcy, the like Sum of One Shilling, to be paid by the Party making such Search: And whereas in the Month of *March* last the said Office of Registrar of Meetings having become vacant by the Death of *Jeremiah Hodgson*, the then Holder thereof, *John Frederic Buccleugh* was appointed to the said Office, but on the express Condition that he should hold the same subject to any Reduction which might thereafter be made in the Emoluments to be received by him as such Registrar: And whereas the Fees receivable by the said Registrar for his own Use have on an average of the last Four Years produced a Sum of between Two hundred and forty Pounds and Two hundred and fifty Pounds; and it is expedient that the Salary and Emoluments of the said Office should be reduced in manner herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: From and after the passing of this Act the yearly Salary payable to the said Registrar of Meetings shall be the Sum of One hundred Pounds only instead of Two hundred Pounds, and the Fee receivable by him for his own Use for the Registry of every Meeting holden in the said Building after the passing of this Act shall be Sixpence instead of One Shilling.

1 & 2 G. 4. c. 115. s. 11.

1 & 2 G. 4. c. 115. s. 15.

1 & 2 G. 4. c. 115. s. 16.

The yearly Salary of Registrar of Meetings to be 100*l.*, and Fee for Registry of Meetings 6*d.*

CAP. LXXXII.

An Act to provide for the future Regulation and Management and the permanent Endowment of "The College of *Christ* of *Brecknock*," founded by King *Henry* the Eighth, with permissive Powers to unite the same with *Saint David's College*. [15th *August* 1853.]

'WHEREAS the College of *Christ* of *Brecknock* in *South Wales* was founded by King *Henry* the Eighth by his Royal Charter bearing Date the Nineteenth Day of *January* in the Thirty-third Year of His Reign, whereby, after stating that His Majesty's Subjects dwelling in the Southern Part of *Wales* were unable by reason of their Poverty to educate their Sons in good Letters, and by reason of their Ignorance of the *English* Language were unable to understand those Laws and Statutes which they were bound to obey, and that the said Foundation was intended to comprise a Grammar School and Divinity Lectureship, for providing Instruction, both in Letters and Divinity, by competent Instructors, His said Majesty did establish a Grammar School and Divinity Lectureship, and provide thereby gratuitous Instruction, both in Letters and Divinity, by competent Instructors, and by the aforesaid Charter the House or Priory of the Preaching Friars at *Brecknock*, and all Edifices, Lands, and Property which belonged to that Priory at the then late Dissolution thereof, were given and confirmed by His Majesty to the Bishop of *Saint David's* and his Successors, and Power and Authority were given to the Bishop and all Prebendaries or Ministers of the College then existing at *Abergwilly* within

'within the Diocese of *Saint David's*, of which the Bishop was Dean, and all Schoolmasters, Preachers, 'and other Persons, to frequent, inhabit, and abide in the Possessions of the Priory, and Power and 'Authority were also given to the Bishop of *Saint David's* to transfer the Prebendaries and other 'Ministers of the College of *Abergwilly* to the College of *Christ* of *Brecknock*, and His Majesty did 'grant that all Lands, Advowsons, Hereditaments, and Rights belonging to the College of *Abergwilly* 'or the Fabric thereof should be held and enjoyed by the Bishop and Prebendaries, to the Use, Support, 'and Maintenance of the College of *Christ* of *Brecknock*; and shortly after the Date of the said Charter 'the College of *Abergwilly*, with its Possessions and the Prebendaries and the Ministers thereof, were 'duly transferred to the College of *Christ* of *Brecknock*: And whereas for many Years before and up to 'the Time of the passing of the Act of the Third and Fourth Years of the Reign of Her Majesty, 'herein-after recited, the Collegiate Body of the said College of *Christ* of *Brecknock* consisted of a Dean, 'being the Bishop of *Saint David's* for the Time being, and holding the Prebend of *Llangadock* and 'the Church or Parsonage of *Mothvey* in right of such Deanery, a Treasurer, formerly holding in right 'of that Office the Prebend of *Llangammarch*, but which Prebend by an Act passed in the Twelfth 'Year of the Reign of Queen *Anne*, was severed from the said College, and annexed to the See of *Saint* 'David's, a Precentor, holding in right of that Office the Prebend of *Llanfynydd*, a Chancellor, holding 'in right of that Office the Prebend of *Llanbister*, and Nineteen other Prebendaries, holding certain 'Prebends in right of their respective Offices, a Particular of all which said several Dignities, 'with the Endowments thereof, and of several yearly Pensions accustomed to be paid thereout for 'the Purposes of the said College, and which have been latterly applied in Payment of the Stipend of a 'Schoolmaster and Lecturer in Divinity for the said College, is set forth in the First Schedule to this 'Act: And whereas in process of Time the Church and Buildings belonging to the said College have 'fallen into and are now in a State of Decay, and the annual Payments accustomed to be made by the 'said Dean and Prebendaries for the Purposes of the College are inadequate to place the Foundation upon 'an efficient Footing: And whereas by an Act passed in the Session holden in the Third and Fourth
3 & 4 Vict. c. 113. 'Years of the Reign of Her Majesty, intituled *An Act to carry into effect, with certain Modifications, the* 'Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues, the Deanery of the said 'College will on the next Vacancy thereof become suppressed, and all the Lands, Tithes, Tithe Rent-'charges, and other Hereditaments (excepting any Rights of Patronage), and all other Emoluments and 'Endowments belonging to the said Deanery, will on such Avoidance become absolutely vested in the 'Ecclesiastical Commissioners, and all the Lands, Tithes, and other Hereditaments (excepting Rights 'of Patronage) belonging to the respective Dignities or Offices of Treasurer, Precentor, Chancellor, and 'the several Prebendaries or other Officers of the said Collegiate Church (except as to such Parts 'thereof as are permanently annexed to the said Bishopric) have already, as to such of the said Dignities 'and Offices as were vacant at the passing of this Act or have since become vacant, and as to all others 'will immediately upon the next Vacancies thereof respectively, become vested absolutely in the 'Ecclesiastical Commissioners for *England*, and their Successors, for the Purposes of the said Act, 'subject nevertheless to such Leases as at the respective Times of such Vacancies occurring were or 'shall be subsisting and in force; but in the said Act is contained a Proviso that nothing therein con-'tained should in any Manner apply to or affect the Dignity, Office, or Prebend which was permanently 'annexed to any Bishopric, Archdeaconry, Professorship, or Lectureship, or to any School, or the 'Mastership thereof: And whereas Eleven of the Prebends in the said Collegiate Church have become 'vacant, and are so distinguished in the First Schedule to this Act, and all the Lands, Tithes, and other 'Hereditaments constituting or belonging to the said last-mentioned Prebends (excepting Rights of 'Patronage) have become vested (subject to the subsisting Leases affecting the same) in the said 'Ecclesiastical Commissioners, for the Purposes of the said Act: And whereas, in order to provide for 'the Restoration of the Fabric of the said Collegiate Church and Buildings to a proper Condition of 'Repair, and for augmenting the Endowment of the said College, with a view to carry out in an efficient 'Manner, and with greater Advantage, the Purposes for which the said College was founded by the 'said Royal Charter, as in this Act is before expressed, a Proposal has been agreed upon by the said 'Ecclesiastical Commissioners and the Right Reverend *Connop Thirlwall* D.D., the present Bishop of 'Saint David's and Dean of the said Collegiate Church, that the Lands and Hereditaments situate at 'Brecknock, described in the First Part of the Second Schedule to this Act, at present held by the said 'Bishop, and also the said Prebend of *Llangadock*, and Parsonage of *Mothvey*, respectively described in 'the Second Part of the said Second Schedule to this Act, (whether the same respectively be held 'by the said Bishop in right of his said Bishopric of *Saint David's* or of the said Deanery,) should be 'relinquished and given up by him, in consideration of his receiving such Compensation for the same 'as is herein-after provided for, and that the same Lands and Hereditaments, Prebend, and Parsonage, 'with the annual Pensions in the First Schedule mentioned as accustomed to be paid in respect of 'the said several Prebends therein set forth until the same shall respectively become vacant, and also 'a Portion, to be ascertained as herein-after mentioned, of the annual Revenues of the said Estates 'belonging to the said Prebends, or a specific Portion of the same Prebends, subject to the Interests of 'the present Holders thereof, should be permanently settled as an Endowment for the said College: 'And whereas it is expedient that the said College should be put upon a proper Footing of Government 'and Regulation, and be subject to suitable Constitutions, Ordinances, Statutes, and Regulations:' But inasmuch as the aforesaid Objects cannot be carried into effect without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's

Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Constitution of College of Christ of Brecknock.

I. That the said College of *Christ* of *Brecknock*, shall from and after the passing of this Act, and at all Times for ever thereafter, continue and be constituted a College and Collegiate School, to be called "The College of *Christ* of *Brecknock*," for affording Instruction, in Letters and Divinity according to the Articles and Formularies of the United Church of *England* and *Ireland*, and in other Branches of useful Knowledge, by competent Instructors, including a Divinity Lectureship, and for Encouragement to meritorious Scholars for their Advancement in Learning.

Government of College to be vested in Trustees nominated under Order of Court of Chancery.

II. All the Constitutions, Ordinances, Statutes, and Regulations affecting or relating to the said College of *Christ* of *Brecknock*, whether under or by virtue of the aforesaid Royal Charter, or otherwise, shall be and the same are hereby repealed; and the said College, and all and singular its Endowments, Property, and Revenues, and the Government and Management of the said College, shall, on the due Appointment of a governing Body as herein-after provided, be vested in such Persons, of whom the Bishop of the Diocese shall be One, and their Successors, possessing such Qualifications and to be nominated in such Manner and under and subject to such new or other Ordinances, Statutes, Rules, and Regulations respectively as, having regard to the fundamental Principles and Constitution of the said College in this Act before expressed, shall from Time to Time be expressed and contained in any Scheme or Schemes which shall be approved of and confirmed by an Order or Orders of the High Court of Chancery to be obtained under the Provisions in this Act contained; and the Persons so nominated, and their Successors, shall be a Body Corporate by such Name or Style as shall be declared by such Order, and shall have and use a Common Seal, and by that Name shall have perpetual Succession, and shall and may sue and be sued in all Courts and Places, and shall and may take, purchase, and hold Lands and Real Estates and other Property in trust for the Purposes of the said College and School, according and subject to the Powers and Provisions of this Act, and all the Powers of the said Corporation may be exercised so long as there shall be Three Members thereof; provided that notwithstanding the Incorporation of the Persons so to be nominated as aforesaid the individual Members of such Corporate Body shall in the Exercise of the Powers and Trusts to be vested in them be responsible in like Manner as other Trustees for the due Execution of the Trust reposed in them: Provided also, that until the Appointment of such governing Body, the said College, its Endowments, Property, and Revenues, shall be and continue vested in the Ecclesiastical Commissioners, subject to the Provisions of this Act.

Lands and Hereditaments to be discharged from Uses and Trusts of Charter of Henry 8.

III. The Lands and Hereditaments described in the First Part of the Second Schedule to this Act, including the Site of the Church, Schoolhouse, Buildings, Ground, and Premises belonging to the said Collegiate Church of *Christ* of *Brecknock*, and also the said Prebend or Portion of the Prebend of *Llangadock* and Parsonage of *Mothvey*, described in the Second Part of the said Second Schedule, and all and singular other the Lands, Tithes, Tithe Rentcharges, Tenements, and Hereditaments belonging to the said Collegiate Church, or to any One or more of the respective Dignities or Offices of Dean, Treasurer, Precentor, Chancellor, Prebendaries, or any other Dignity or Office, Dignities or Offices, in or connected with the said Collegiate Church, shall from and after the passing of this Act (but subject and without Prejudice as to the Prebendaries of the respective Prebends not vacant at the passing of this Act to the Rights and Interests of the present Holders thereof so long as they continue to hold the same, and subject and without Prejudice to such Leases as shall then legally affect the same respectively) be absolutely and for ever discharged of and from all the Uses, Trusts, or Purposes to or for which the same Hereditaments and Estates are or may be subject or liable to be held or applied pursuant to the said Royal Charter of the Thirty-second Year of the Reign of King *Henry* the Eighth, or any other Royal Charter or Charters, or Act or Acts of Parliament, or otherwise howsoever, and of and from all Right, Title, or Interest of the said *Connop* Bishop of *Saint David's*, and his Successors, Bishops of *Saint David's* for the Time being, or any Lecturer or Master of the said College and School (the Proviso in the said Act of the Third and Fourth Years of Her Majesty's Reign contained and herein-before recited in anywise notwithstanding); provided that nothing in this Act contained shall discharge the present Holders of any of the said Prebends or other Offices from their respective Liabilities for the Payment of the yearly Pensions or Sums mentioned in the First Schedule to this Act to be payable in respect thereof, or to discharge any of such present Holders, or the Representatives of any deceased Holders of any of the said Prebends or Offices, from their respective Liabilities on account of the Dilapidations in the State and Condition of the said Collegiate Church and Buildings, but all such Liabilities may be enforced by the said Ecclesiastical Commissioners, or, at their Request, but not otherwise, by Her Majesty's Attorney General, for the Benefit of the said College, by all such Ways and Means as might have been had or taken by the said Attorney General against any Person or Persons, Body or Bodies Corporate or Collegiate, if this Act had not been passed.

Not to discharge present Holders or Representatives of deceased Holders from Pensions and Dilapidations.

Endowment of College.

IV. All and singular the Lands and Hereditaments described in the First Part of the Second Schedule to this Act, including the Site of the said Church, Schoolhouse, and other Buildings, Ground, and Premises belonging to the said College, and the said Prebend of *Llangadock* and Parsonage of *Mothvey*, described in the Second Part of the same Schedule, together with the yearly Pensions or Sums mentioned in the First Schedule to this Act to be payable by the said several Prebendaries of the said Prebends, not being vacant at the passing of this Act as aforesaid, so long as they shall respectively continue to hold the same, and also One Half Part of the reserved Rents payable in respect of any of the said Prebends already vacant, and which shall become payable in respect of the other Prebends from the respective Periods of the same becoming vacant, under any Leases lawfully granted or to be granted by any of the

Prebendaries of the said College, except the said Prebend of *Llangammarch*, so long as any such Lease or Leases shall continue, and One equal Sixth Part of and in the net Rents and Profits for the Time being arising from all the Prebends mentioned in the said First Schedule, except the said Prebend of *Llangammarch*, which shall accrue from and after the Vacancy of such Prebends respectively, and the Determination of such Leases as aforesaid, whichever shall last happen, or such specific Prebend or Prebends, or such specific Part of any Prebend or Prebends, as may hereafter be appropriated in lieu of such One Half Part of the reserved Rents, and One Sixth Part of the Rents and Profits, as herein-after provided, shall (subject and without Prejudice as in this Act is before mentioned) be and constitute the general Endowment and Property of the said College and School, and the same shall be and become vested, without any other Conveyance than the Authority of this Act, in the Persons who shall be nominated in a Scheme to be approved of by the said Court of Chancery as the governing Body of the said College by such Name or Style of Incorporation as shall be expressed in such Scheme, and their Successors for ever, in trust for the said College and School, and be held, possessed, administered, and managed respectively by such Persons for the Benefit of the said College and School, and the Promotion of the Objects thereof, in such Manner, with such Powers and Authorities, as are in this Act contained, and under and subject to such Statutes, Ordinances, Rules, and Regulations as shall be prescribed and directed by such Scheme and Order so long and so far as the same Statutes, Ordinances, Rules, and Regulations shall remain in force, and according to such new or altered Statutes, Ordinances, Rules, and Regulations as from Time to Time or at any Time afterwards shall be made or approved of by the Court of Chancery under the Powers for that Purpose herein-after given; and that in the meantime, until such governing Body shall be appointed, the Rents, Profits, and Proceeds of such Lands and Hereditaments, and of the other Property and Endowment of the said College and School, shall be vested in and received by the Ecclesiastical Commissioners, to be dealt with as the said Court of Chancery shall from Time to Time direct.

Commissioners to provide Fund for the Restoration of Church and School Buildings.

V. The said Ecclesiastical Commissioners shall, out of their Common Fund, pay to the Persons to be nominated and incorporated as aforesaid the Sum of Five thousand Pounds, to be applied either in restoring the said Church and Collegiate and School Buildings, or in providing other more suitable Buildings on any other Site to be procured for that Purpose, or in such other Manner as the said Court of Chancery shall direct or approve, and which said Sum of Five thousand Pounds shall be and be considered in full Satisfaction of all Claims by or on the Part of the said College on account of the Rents and Profits of the Property belonging to the said College or the Dignitaries or Officers thereof (except as in this Act is otherwise provided) up to the First Day of *October* after the passing of this Act.

Payment in respect of past Rents and Profits.

VI. All the Rents and Profits which have or shall have accrued due prior to the said First Day of *October* for or in respect of the Prebend, Parsonage, Lands, and Hereditaments described in the Second Schedule to this Act, and which shall then remain due and unpaid by the respective Lessees or Occupiers thereof, shall belong and be payable and paid to the said Ecclesiastical Commissioners, and the said Ecclesiastical Commissioners shall have and may exercise the same Rights and Remedies for recovering or enforcing Payment thereof as if the same had accrued due to them as the immediate Lessors or Reversioners of the Lands in respect of which such Rents and Profits are payable.

Commissioners may petition Court of Chancery for Establishment of Scheme.

VII. It shall be lawful for the said Ecclesiastical Commissioners to present a Petition to the Court of Chancery for the Establishment and Administration of the said College and School; and in all Proceedings to be taken in the said Court in respect of any Scheme for that Purpose the said Ecclesiastical Commissioners shall, when the Petition or Application shall not be presented or made by them, be served with Notice, and entitled to appear thereon.

Power to acquire and hold Site.

VIII. It shall be lawful for the said Persons to be nominated and incorporated as aforesaid, and their Successors, with the Authority and under the Order and Direction of the said Court of Chancery, to purchase and hold such Piece or Pieces of Ground, to be situate in or near the Town of *Brecknock*, as shall be approved of and authorized by the said Court, as a Site or Sites for the Erection of new Collegiate and School Buildings, and suitable Premises for Occupation and Use by the Masters and Scholars of the said College, and such Ground, if and when so purchased, shall be conveyed unto or otherwise vested in and held by the Persons so to be nominated and incorporated as aforesaid, their Successors and Assigns, upon trust for the College, in such Manner as the said Court shall order or direct.

8 & 9 Vict. c. 18. incorporated with this Act as to Purchase of Lands from Persons under Disability.

IX. In case the Court of Chancery shall direct that any Part of the Property belonging to the said College by virtue of this Act shall be invested in the Purchase of any Land as a Site for the Establishment thereof, the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands from Persons under Disability, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title, shall be and the same are hereby incorporated with this Act, and shall apply as well to the Purchase Money to be given on any Sale as to any Money to be given upon any Exchange.

In case of Removal of Collegiate Establishment, Collegiate Church to become the Parish Church of Saint David's, Brecknock.

X. In case the said Collegiate Establishment shall be removed from the present Site thereof, under the Authority herein-before specified, or in case the Church belonging thereto shall not be required exclusively for the Purposes of the said Foundation, it shall be lawful for the Persons so to be nominated and incorporated as aforesaid, or their Successors, with the Assent of the Bishop of the Diocese for the Time being, and with the Sanction of the said Court of Chancery, to appropriate and set apart the said Church or such Portion of the said Church as may be by them considered expedient, as and for the Parish Church of the Parish of *Saint David's, Brecknock*, in lieu of the present Parish Church, and to make such Arrangements respecting the present Parish Church, or the Site thereof, and upon such

Terms

Terms and Conditions, and subject to the Payment of such Sum or Sums of Money, as shall be deemed advisable; and from and after such Appropriation thereof, and the Acceptance of the same by the Minister and Churchwardens of the said Parish, the said Collegiate Church or such Portion of the said Church shall for ever thereafter cease to belong to or be held in trust for the said College, and shall be such Parish Church accordingly to all Intents and Purposes.

Power to borrow Money.

XI. It shall be lawful for the Persons so to be nominated and incorporated, and their Successors, with the Authority and under the Order and Direction of the said Court of Chancery, from Time to Time to borrow and raise any Sum or Sums of Money on the Security of the Estates and Property belonging to the said College or any Part thereof; and for the raising of any such Loan or Loans from Time to Time to mortgage all or any Part of the said Estates to such Person or Persons, in such Manner, and subject to such Provisions and Restrictions as to the Interest to be paid on such Loans and the Repayment of the Principal thereof, and the Reservation of a Fund for such Repayment, and otherwise, as shall be mentioned and provided in and by any such Scheme sanctioned as aforesaid, or in or by any Order or Orders of the said Court of Chancery.

Powers of Leasing and Management of Estates.

XII. It shall be lawful for the Persons so to be nominated and incorporated, and their Successors, in accordance with the Rules and Provisions to be contained in the Scheme to be approved and confirmed as aforesaid, or with any Order or Orders of the said Court of Chancery, and for giving full Effect to the same, from Time to Time to let and demise, and contract for the letting or demising of all or any Part of the Estates belonging to the said College, (other than and except the Collegiate and School Buildings, Yard, and Premises for the Time being used or required for the Purposes thereof,) for such Term or Terms of Years, in such Manner, and as to any Building Lease or Contract for any Building Lease as in any such Scheme, Order or Orders, may be mentioned or provided, and also from Time to Time, with the Sanction and Approbation of the said Court of Chancery, to be obtained on Petition, to sell and convey, or to exchange or otherwise dispose of, and also to contract for the Sale and Conveyance or Exchange or other Disposition of all or any Part of the Estates and Property belonging to the said College, freed and discharged from all charitable and other Trusts affecting the same, at such Price or Prices, for such Considerations, upon such Terms and Conditions, in such Manner, and with and subject to such Powers and Provisions and such Declarations as to the Re-investment of the Money to be produced by any such Sale, Exchange, or Disposition in the Purchase of Lands and Hereditaments, or on Government or Real Securities, or otherwise, as the said Court of Chancery shall from Time to Time authorize or direct, and also to make and execute all or any such Deeds, Leases, and Conveyances, and accept all or any such Surrenders, and to make and enter into all or any such Contract or Contracts and Arrangements, and do all or any such Acts, Matters, and Things whatsoever in or for the Administration or the Improvement or better Management of the said Estates and Property, and the Income thereof, or any Part thereof respectively, as the said Court of Chancery shall or may from Time to Time authorize and sanction or direct.

For Investment of surplus Income.

XIII. All or any Monies and surplus Income arising or to arise from the Estates or Property of the said College which shall or may from Time to Time remain and be unapplied and unappropriated under or according to the Provisions of this Act, or of any such Scheme and Order as aforesaid, may from Time to Time, with the Approbation and Sanction of the said Court of Chancery, to be obtained as herein-after provided, when and as the same shall amount to a competent Sum, be laid out and invested by the said Persons so to be nominated and incorporated as aforesaid, and their Successors, in the Purchase of Real Estate and Hereditaments or of Government or other Securities, to be respectively conveyed unto or transferred into the Names of such Persons, and their Successors, and to be held and possessed respectively by them in such Manner and Form and upon such Trusts for the Benefit of the said College as the said Court shall or may order or sanction and direct.

Application to Court to be "In the Matter of the College of Christ of Brecknock."

XIV. In all Cases in which the Order, Direction, Approbation, or Sanction of the said Court of Chancery shall be necessary or required under the Provisions of this Act or of any such Scheme as aforesaid, such Order, Direction, Approbation, or Sanction may be obtained and made and given respectively by Order of the said Court made in a summary Way upon a Petition entitled "In the Matter of the College of *Christ* of *Brecknock*;" and it shall also be lawful for the said Court of Chancery from Time to Time to hear every such Petition, and to make such Order or Orders thereon, and (except so far as is otherwise provided by this Act) as to the Parties to be served therewith or to appear thereon, and as to the Costs, Charges, and Expenses of the Petitioner or Petitioners and all other Parties incurred by reason or in consequence thereof, as the said Court shall think fit.

Costs.

XV. The Costs, Charges, and Expenses incurred or to be incurred in or by the obtaining or passing of this Act, and of preparing the aforesaid Scheme by the said Ecclesiastical Commissioners, and also the Costs, Charges, and Expenses of all necessary Parties in or about the preparing of or consenting to any Petition or Petitions or other Proceedings for obtaining the Approval and Confirmation of the said Court of Chancery thereto, and of any Order or Orders to be made thereupon, shall be borne and paid in the first instance by the said Ecclesiastical Commissioners out of the Common Fund placed at their Disposal for the Purposes of the said Acts, and One equal Third Part of the Money which shall be applied in Payment of the said Costs, Charges, and Expenses by the said Ecclesiastical Commissioners shall be repaid to them or retained by them out of the Monies or Income belonging to the said College; and all the Costs, Charges, and Expenses of or incident to the carrying into execution any of the Powers and Authorities created or conferred by this Act or by any such Scheme as aforesaid, and not required

to

to be exercised with the Approbation of the Court of Chancery, shall and may be retained and paid and discharged in the first place out of the Monies or Income belonging to the said College.

Residue of Property, except Lands in Second Schedule and Pensions, to remain vested in Ecclesiastical Commissioners and other Holders of same for the Time being.

XVI. All the Messuages, Lands, Tithes, Tithe Rentcharges, and Hereditaments belonging to or constituting the Corps of the several Prebends or Offices mentioned in the First Schedule to this Act, and all other, if any, the Lands, Tithes, Tithe Rentcharges, Hereditaments, and Premises belonging to or held in trust for the said Collegiate Church, or all or any One or more of the Dignities or Offices of Dean, Treasurer, Precentor, Chancellor, Prebends, or other Dignity or Office, Dignities or Offices in the said College (other than and except the Lands and Hereditaments, Prebend and Parsonage, described in the Second Schedule to this Act, and except the Pensions and annual Sums payable by the present Holders of the said Dignities and Offices respectively,) shall from and after the passing of this Act (but subject and without Prejudice, as to such of the said Prebends as have not yet accrued to the said Ecclesiastical Commissioners, to the Rights and Interests of the present Holders thereof, and to the subsisting Leases thereof,) remain and be absolutely vested in the said Ecclesiastical Commissioners, their Successors and Assigns, freed and discharged from the Uses, Trusts, or Purposes for or to which the same are or may be liable to be applied under the said Royal Charter of the Thirty-second Year of the Reign of King *Henry* the Eighth, or any other Royal Charter or Charters, or Act or Acts of Parliament, or otherwise howsoever, but charged and chargeable nevertheless with the Payment to the Persons to be nominated and incorporated as aforesaid of the annual Pensions, Portion of Rents reserved on Leases, and Part of the net Rents and Profits of the said Lands, Tithes, Tithe Rentcharges, Hereditaments, and Premises hereinbefore declared to be and made a Part of the general Endowment and Property of the said College, and which net Rents and Profits shall be estimated after deducting all the usual Outgoings, and the proper and necessary Expenses attending the Management of the Property, and the Collection or Receipt of the said Rents and Profits; and, subject and chargeable as aforesaid, the said Prebends, Estates, and Property so vested in the said Ecclesiastical Commissioners as aforesaid shall be by them held, possessed, and administered for the Purposes and under and according to the Provisions contained in the said Act of the Third and Fourth Years of Her Majesty's Reign, or other Act or Acts relating to the said Ecclesiastical Commissioners which apply to Lands, Tenements, and Hereditaments vested or liable to be vested in them under the same Acts or any of them, subject only to such Leases or Grants heretofore made thereof, or of any Part thereof, as may be now legally subsisting and not void or voidable at Law or in Equity: Provided nevertheless, that, notwithstanding the Right of the Persons so to be incorporated as aforesaid to receive such Pensions and Portions of and out of the Rents and Profits of the Estates lastly herein-before declared to be vested in the said Ecclesiastical Commissioners as are herein-before mentioned, the said Ecclesiastical Commissioners shall have and may exercise all the same Powers of granting Leases of the same Estates at Rackrent (but not in consideration of Fines or Premiums, except with the Consent of the Persons so to be nominated and incorporated as aforesaid, or their Successors,) as they the said Ecclesiastical Commissioners, by virtue of their said Acts or otherwise, might have had and exercised in respect of the same Estates in case such Persons had not been entitled to any such Pensions or Portions; provided also, that it shall be lawful for the said Ecclesiastical Commissioners, in exercise of the Powers vested in them under any of their said Acts, and by the Authority and for the Purposes therein expressed, with the Consent of the Persons so to be nominated and incorporated as aforesaid, or their Successors, to be testified by Writing under their Common Seal, to sell or otherwise dispose of any Part or Parts of the same Estates absolutely freed and discharged of and from the Rights and Interests of such Persons as last mentioned, or their Successors, therein or thereto.

Power to Ecclesiastical Commissioners to set apart specific Prebends in commutation of Proportion of Profits reserved to College.

XVII. It shall be lawful for the said Ecclesiastical Commissioners, at any Time hereafter, by a Scheme prepared by them with the Consent of the Bishop of the Diocese for the Time being, and sanctioned by the Order of Her Majesty in Council, and published in the *London Gazette*, and also with the Approbation of the Court of Chancery to be previously obtained for the Purpose, to appropriate and set apart for the Use and in part of the Endowment of the said College and School, in lieu of the One Moiety of the Rents reserved on such Leases as aforesaid, and of the One Sixth Part of the clear Rents and Profits of the said Estates and Hereditaments by this Act declared to be vested in them as aforesaid, such specific Prebend or Prebends, or such specific Part or Parts of any One or more of the said Prebends as, according to the Certificate of Two competent Surveyors, one to be appointed by the said Ecclesiastical Commissioners and the other by the governing Body of the said College and School to be incorporated as aforesaid, shall appear to be equivalent at least to such equal Moiety and Sixth Part or Share of the gross Value of the whole of the said Estates and Hereditaments subject to the Lease or Leases then subsisting therein; and from and after the Time which shall be fixed for that Purpose by the said Scheme, and after the same Scheme shall have come into operation, the Lands and Hereditaments so appropriated to the Use of the said College and School shall by force of this Act, and of such last-mentioned Scheme or Schemes so sanctioned as aforesaid, without any further Conveyance, be vested in the Persons so to be nominated and incorporated as aforesaid, and their Successors, as Part of the Endowment thereof, for the Uses and Purposes aforesaid, and the Remainder of the said Prebends, Estates, and Hereditaments shall thenceforth and at all Times for ever thereafter be and remain vested in the said Ecclesiastical Commissioners and their Successors, freed and discharged from all Trusts, Claims, and Demands for or on behalf of the said College and School.

Compensation for Relinquishment of Lands, &c.

XVIII. In consideration of the Relinquishment by the said *Connop* Bishop of *Saint David's* in favour of the said College of the Lands and Hereditaments, Prebend and Parsonage, respectively described in the Second Schedule to this Act, Compensation shall be made to the said Bishop for the said Lands, Hereditaments,

Hereditaments, Prebend, and Parsonage under the Provisions of an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, intituled *An Act to amend the Acts relating to the Ecclesiastical Commissioners for* England, and by the Authority thereby provided in like Manner, as is by the Twenty-second Section of the said Act directed in the Case of the Severance of certain Benefices from the Sees therein respectively mentioned. 13 & 14 Vict. c. 94.

XIX. The present Lecturer and Schoolmaster of the said College and School shall cease to hold Office, and the said Offices be suppressed on the Appointment and Incorporation of such governing Body as herein-before is mentioned; but the said Ecclesiastical Commissioners, with the Sanction of the Court of Chancery, may, if they think fit, assign out of the Pension herein-before mentioned to both or either of such Officers any yearly Sums not exceeding the Stipends which have been accustomably paid to such Lecturer and Schoolmaster, and shall fix the Duration of such Payments, which shall form a Charge on the Endowment and Property of the said College; and the several Dignities or Offices of Treasurer, Precentor, Chancellor, Prebendaries, and other Dignities or Offices in or connected with the said Collegiate Church, shall, as to such of them as are vacant at the passing of this Act immediately upon its so passing, and as to all others immediately upon the next Vacancies thereof respectively, be suppressed. Offices of Lecturer, Treasurer, &c. to cease on passing of Act.

XX. 'And whereas His Majesty King *George* the Fourth, by His Royal Charter bearing Date the 'Sixth Day of *February* in the Ninth Year of His Reign, after reciting that His Majesty being 'informed that the Majority of Persons intended for Holy Orders in *South Wales* were unable by 'reason of their Poverty to pursue their Studies in the *English* Universities, and willing that there 'should be founded and established at *Lampeter* in the County of *Cardigan* One perpetual College for 'the Reception and Education of Persons destined for Holy Orders, which should be called *Saint* 'David's College, and should consist of One Principal, Two or more Tutors, and Two or more Pro-'fessors, did appoint the Bishop of *Saint David's* for the Time being Visitor of the said College, 'and declared that the Principal, Tutors, and Professors, and their Successors, should be a Body 'Corporate by the Name of "The Principal, Tutors, and Professors of *Saint David's College* in the 'County of *Cardigan* in the Principality of *Wales*," and His Majesty granted to the said Corporation 'certain Advowsons with Cure of Souls and Sinecure Rectories or Parsonages mentioned in the said 'Charter: And whereas by the said Act of the Third and Fourth Years of Her present Majesty's 'Reign it was enacted, that, if it were deemed fit, any Part of the Lands, Tithes, or Hereditaments 'which should vest in or accrue to the said Ecclesiastical Commissioners from or in respect of the 'Cathedral Church of *Saint David* or the Collegiate Church of *Brecon* might, by the Authority 'therein provided, be transferred to the said College of *Saint David's*, in exchange for Benefices 'with Cure of Souls then connected with the said College; and the said College was empowered, 'upon the Completion of any such Arrangement, to convey any such Benefices to such Person or Body 'Corporate and in such Manner as should be directed by the like Authority: And whereas by an Act 'passed in a Session holden in the Sixth and Seventh Years of the Reign of Her present Majesty, 'intituled *An Act for regulating the Cathedral Churches of* Wales, it was enacted, that so much of the 'last-mentioned Act as related to the said College of *Saint David* should be repealed, and that Arrange-'ments might be made by the Authority mentioned in the said Act (that is to say, by a Scheme prepared 'by the said Ecclesiastical Commissioners, and an Order of Her Majesty in Council confirming the 'same,) for effecting the Sale of the Advowsons of the several Benefices with Cure of Souls then annexed 'to the said College, and investing the Proceeds of such Sale for the Benefit of the said College; and 'that if it should be made to appear to the said Ecclesiastical Commissioners that the said College should 'afterwards not be competently endowed, it should be lawful, by the like Authority, to transfer to the 'said College, in augmentation of the Endowment thereof, any of the Lands, Tithes, Tenements, or 'Hereditaments in the Principality of *Wales* vested or to be vested in the Ecclesiastical Commissioners 'for *England* by or under the Provisions of the several Acts of Parliament mentioned in relation 'thereto: And whereas the said Ecclesiastical Commissioners have made Arrangements in pursuance of 'the said Act for effecting the Sale of the Advowsons of certain Benefices with Cure of Souls annexed 'to the said College, and it is expedient that Her Majesty should be empowered, if She should see fit, 'to make further Provision for the College of *Saint David's* in augmentation of the Endowment thereof 'out of any of the Lands, Tithes, and other Hereditaments belonging to or constituting Endowments of 'the College of *Christ* of *Brecknock* vested in the said Ecclesiastical Commissioners by virtue of this Act 'or otherwise:' Be it therefore enacted, That it shall be lawful for Her Majesty, by any Order or Orders in Council ratifying a Scheme or Schemes of the said Ecclesiastical Commissioners for *England*, to be prepared and published in the Manner directed by the said last-recited Act, at any Time after the passing of this Act, but without Prejudice to any Act, Deed, Matter, or Thing before done, executed, or performed under the Provisions of this Act, to transfer to or vest in the Principal, Tutors, and Professors of the said College of *Saint David's*, and their Successors, any of the Prebends or any specific Portions of the Prebends of the said College of *Christ* vested in the said Commissioners by this Act or otherwise, or any Lands, Tithes, or Hereditaments belonging to or constituting the Corps of such Prebends, and charged in such Manner and subject to such Conditions as may be described or imposed by any such Scheme of the said Commissioners whereby such Augmentation shall be made, and that either in exchange for any of the said Benefices with Cure of Souls annexed to the said College, or otherwise; and that Her said Majesty may at any Time hereafter, if She shall think fit, in and by any such Order or Orders in Council ratifying any such Scheme or Schemes as aforesaid, such Scheme or Schemes being prepared with the Consent of the Bishop of the Diocese for the Time being to be testified by the Signature of the said Charter for St. David's College, Lampeter, 6th Feb., 9 G. 4. 3 & 4 Vict. c. 113. s. 62. 6 & 7 Vict. c. 77. s. 13. Power to transfer Prebends of College of Christ of Brecknock to College of St. David's, Lampeter. Power to transfer St. David's College to Brecknock.

said Bishop, order and direct that *Saint David's College* shall be transferred from *Lampeter* in the County of *Cardigan* to *Brecknock*, and the same shall thereupon and with all convenient Speed be transferred accordingly; and the Principal, Tutors, and Professors of *Saint David's College* shall become Principal, Tutors, and Professors of the College of *Saint David's* in the County of *Brecknock*, by that Name, or by such other Name as shall be directed in such Scheme; and the said College so transferred shall hold and enjoy all the same Endowments and Privileges, and be under and subject to the same Government, Visitation, Statutes, Rules, and Regulations, as the said College may at the Time of such Transfer hold, enjoy, and be under and subject to at *Lampeter*, unless and until Her Majesty, in and by such Order, or any other such Order as aforesaid, shall order otherwise under the Authorities herein-after contained; and Her said Majesty is hereby authorized and empowered, if She shall see fit, in such Manner but subject to such Provisions as the High Court of Chancery shall by any Scheme to be settled by such Court approve, to annex the said College and Collegiate School of *Christ* of *Brecknock* to the said College of *Saint David's*, when the same shall have been so transferred to *Brecknock*, with a view either to their becoming separate Parts of One University, and under One System of Government and Visitation, or to their being placed in such Relation to each other as separate Colleges, or otherwise, as Her said Majesty shall think fit, having regard to the distinctive Characters and Objects of the Two Institutions.

Power to annex College of Christ of Brecknock to College of St. David's.

As to Education if College removed to Brecknock.

XXI. Provided always, in case of the Removal of the said College of *Saint David's* to *Brecknock* Provision shall be made for the Reception and Education not only of Persons destined for Holy Orders but also Persons intended for secular Employments.

Powers of Augmentation how to be exercised.

XXII. The Powers of Augmentation given to Her Majesty in respect of *Saint David's College* may be exercised either before or after the Transfer thereof to *Brecknock*, or the Annexation thereof to the said College of *Christ* of *Brecknock*.

Reference to Act.

XXIII. For all Purposes of Recital or Reference it shall be sufficient in all Cases to mention this Act as "The *Christ College* of *Brecknock* Act, 1853."

FIRST SCHEDULE.

Name of Prebend.	Endowments.	Rents reserved on Leases.	Pension to Schoolmaster.	Pension to Lecturer.
		£ s. d.	£ s. d.	£ s. d.
Llanbister (with the Chancellorship annexed).	Tithe Rentcharge and Land	60 0 0	- - -	2 6 8
Llanelwedd - -	The Tithe Rentcharge and Rectory of Llanelwedd.	7 13 4	- - -	1 4 0
Llandilograban -	Tithe Rentcharge and 9A. 0R. 0P. of Glebe Land.	9 13 4	- - -	1 10 8
Llangadock and Llanthoisant (annexed to the Deanery).	A Portion of the Tithes of Mothvey.	- - -	Proportion of 16 0 0	—
Llangammarch (with the Treasurership).	Annexed to the Bishoprick by 12th Anne, Stat. 2, Cap. 6.	60 0 0	- - -	2 6 8
Llandegley - -	Tithe Rentcharge - -	12 0 0	- - -	2 6 8
Llangunllo - -	Tithe Rentcharge - -	26 0 0	2 5 8	—
Llansantfread in Elvel	Tithe Rentcharge - -	1 6 8	- - -	1 4 0
Llanwrthwl - -	Two Thirds of Tithe Rentcharge of Llanwrthwl, also Tithe Rentcharge of Llanlleonfel and 7A. 3R. 25P. of Land.	13 6 8	- - -	2 6 8
Llanarthney - -	Two Thirds of Tithes of Llanarthney and 11A. 0R. 27P. of Land.	16 0 0	- - -	2 6 8
Mochtre - -	Tithe Rentcharge - -	8 0 0	- - -	1 11 8
Nantgunllo - -	Tithe Rentcharge - -	10 0 0	- - -	1 4 0
IN HAND.				
Llangadock and Llanthoisant (annexed to the Deanery).	Portions of the Tithes of Llangadock and Llanthoisant.	- - -	Proportion of 16 0 0	—

VACANT.

NOW VESTED IN THE ECCLESIASTICAL COMMISSIONERS.

Name of Prebend.	Endowments.	Rents reserved on Leases.	Pension to Schoolmaster.	Pension to Lecturer.
		£ s. d.	£ s. d.	£ s. d.
Boughrood (Llanbedr Painscastle).	Tithe Rentcharge of Llanbedr Painscastle.	2 0 0	- - -	1 10 8
Clyro - - -	Tithe Rentcharge of Clyro with the Hamlet of Bettwys.	15 6 8	- - -	1 10 8
Garthbrengy - -	Tithe Rentcharge of Garthbrengy.	10 0 0	- - -	1 10 8
Llandarog - -	Tithe Rentcharge of Llandarog, Llanganten, and Llangynog, and Glebe Land.	10 0 0	- - -	1 10 8
Llandisilio - -	Tithe Rentcharge - - -	26 5 0	- - -	1 4 0
Llandrindod - -	Tithe Rentcharge of Llandrindod	6 0 0	0 9 0	—
Llandygwydd - -	Tithe Rentcharge and Glebe -	12 0 0	- - -	1 13 4
Llanfynydd (with the Precentorship).	Part of the Tithe Rentcharges of the Parishes of Llanfynydd and Llangadock, with the Chapelry of Llanthoisant.	22 0 0	- - -	2 6 8
Lledrod - -	Tithe Rentcharge of Lledrod -	6 13 4	- - -	1 4 0
St. Armons - -	Tithe Rentcharge of St. Armons	14 0 0	1 10 8	—
Trallwng - -	Parsonage House, Tithe Rentcharge, and Glebe.	20 0 0	1 4 0	—

SECOND SCHEDULE.

FIRST PART.—Comprising the Lands and Hereditaments, including the Demesne and Site of Church and Schoolhouse, in hand.

No.	Description of Premises.	Quantity.
		A. R. P.
1	Meadow, enclosed with a Stone Wall - - -	2 0 32
2	Garden - - - - - -	0 1 2
3	The Collegiate Church and Yard - - -	0 0 26
4	Schoolhouse, with Two Dwellings above, Garden and Stable -	0 0 36
5	House, Currier's Shop, and Garden, with Outbuildings - -	0 2 28
6	Stables, Wheelwright and Carpenter's Shop, and Yards - -	0 0 20
7	Walled Garden - - - - - - -	0 1 4
10	Meadow and Garden - - - - -	0 3 15
11	Garden - - - - - - -	0 0 31
13	Meadows - - - - - - -	2 2 7
14	Meadow - - - - - - -	4 0 28
15	Meadow - - - - - - -	8 1 5
16	Meadow - - - - - - -	3 0 30
17	Meadow - - - - - - -	2 0 12
18	Meadow - - - - - - -	2 2 13
8	Six Cottages and Yard - - - - -	0 0 11
9	Three Cottages and Garden - - - -	0 0 12
12	Eleven Cottages and Gardens - - - -	0 1 14
19	Roadway - - - - - -	0 0 39
		28 2 5

SECOND PART.

The Prebend of Llangadock and Llanthoisant with the Parsonage of Mothvey, endowed with Portions of the Tithes of Llangadock and Llanthoisant, in hand, and of Mothvey in Lease.

CAP. LXXXIII.

An Act to amend an Act of the Fourteenth and Fifteenth *Victoria*, Chapter Ninety-nine.

[20th *August* 1853.]

'WHEREAS the Law touching Evidence requires further Amendment:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Husbands and Wives of Parties to be admissible Witnesses;

I. On the Trial of any Issue joined, or of any Matter or Question, or on any Inquiry arising in any Suit, Action, or other Proceeding in any Court of Justice, or before any Person having by Law or by Consent of Parties Authority to hear, receive, and examine Evidence, the Husbands and Wives of the Parties thereto, and of the Persons in whose Behalf any such Suit, Action, or other Proceeding may be brought or instituted, or opposed or defended, shall, except as herein-after excepted, be competent and compellable to give Evidence, either *vivâ voce* or by Deposition according to the Practice of the Court, on behalf of either or any of the Parties to the said Suit, Action, or other Proceeding.

except in Criminal and other Cases;

II. Nothing herein shall render any Husband competent or compellable to give Evidence for or against his Wife, or any Wife competent or compellable to give Evidence for or against her Husband, in any Criminal Proceeding, or in any Proceeding instituted in consequence of Adultery.

and not compelled to disclose Communications.

III. No Husband shall be compellable to disclose any Communication made to him by his Wife during the Marriage, and no Wife shall be compellable to disclose any Communication made to her by her Husband during the Marriage.

So much of Section 1. of 6 & 7 Vict. c. 85. as relates to Husbands and Wives, repealed.

IV. So much of Section One of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of Her present Majesty, Chapter Eighty-five, as provides that the said Act shall not render competent the Husband or Wife of any Party to any Suit, Action, or Proceeding individually named in the Record, or of any Lessor of the Plaintiff or of the Tenant of Premises sought to be recovered in Ejectment, or of the Landlord or other Person in whose Right any Defendant in Replevin may make cognizance, or of any Lessor in whose immediate and individual Behalf any Action may be brought or defended, either wholly or in part, is hereby repealed.

Short Title.

V. In citing this Act in other Acts of Parliament, or in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression, "The Evidence Amendment Act, 1853."

Commencement of Act.

VI. This Act shall commence on the Eleventh Day of *July* One thousand eight hundred and fifty-three.

CAP. LXXXIV.

An Act to amend the Passengers Act, 1852, so far as relates to the Passages of Natives of *Asia* or *Africa*, and also Passages between the Island of *Ceylon* and certain Parts of the *East Indies*.

[20th *August* 1853.]

15 & 16 Vict. c. 44.

'WHEREAS by the Twelfth Section of the Passengers Act of 1852 it is provided that no Ship shall convey a greater Number of Passengers, exclusive of *bonâ fide* Cabin Passengers, than after the Rate of One Passenger for every Fifteen superficial Feet of the Passenger Deck if such Ship be intended to pass within the Tropics: And whereas it is expedient to enable the Governors of Her Majesty's Possessions abroad to alter this Provision in the Case of Natives of *Asia* or *Africa*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Governors of Possessions abroad may alter certain Rates prescribed by s. 12. of recited Act.

I. It shall be lawful for the Governors of Her Majesty's Possessions abroad, if they shall think fit, to declare by Proclamation that Ships intended to pass within the Tropics from any Ports within their respective Governments may convey Passengers, being Natives of *Asia* or *Africa*, after the Rate of One for every Twelve superficial Feet of the Passenger Deck instead of One for every Fifteen such superficial Feet as required by the Section aforesaid.

Exempting Vessels carrying Passengers between certain Ports from Operation of said s. 12.

II. 'And whereas it is expedient to exempt from the Operation of the whole of the said Twelfth Section Vessels carrying Passengers between the Ports of *Ceylon* and the Ports of the Territories under the Government of the *East India* Company which lie within the *Gulf of Manar* and *Palks' Straits*:' Be it therefore enacted, That the Restrictions in the said Twelfth Section of the Passengers Act, 1852, shall not apply to Vessels proceeding on any Voyage from any Port or Place in the Island of *Ceylon* to any Port or Place in the Territories under the Government of the *East India* Company in the *Gulf of Manar* or *Palks' Straits*, but that it shall be lawful for the Governor and Legislative Council of *Ceylon*, if they shall so think fit, to regulate by Ordinance the Number of Persons or Passengers who may be carried on board of Vessels proceeding on any such Voyage as last aforesaid.

This and recited Act to be One.

III. The Passengers Act of 1852 and this Act shall be construed together as One Act.

CAP. LXXXV.

An Act for removing Doubts as to the Powers of the Registrar of Her Majesty's Privy Council to administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence.

[20th *August* 1853.]

'WHEREAS Doubts are entertained as to the Extent of the Powers of the Registrar of Her Majesty's Privy Council appointed under an Act of the Session holden in the Third and Fourth

3 & 4 W. 4. c. 41.

Years of King *William* the Fourth, intituled *An Act for the better Administration of Justice in His Majesty's*

'*Majesty's Privy Council*, for taking Evidence and administering Oaths': And whereas it would be for 'the public Convenience if such Registrar were empowered to take Affidavits and other Evidence and 'administer Oaths in all Matters pending before Her Majesty in Council or before the Judicial Committee of the Privy Council, and if Provision were made for the Appointment of a Person to act in the 'Absence of such Registrar:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Registrar may examine Witnesses upon Oath.

I. It shall be lawful for the Registrar for the Time being of Her Majesty's Privy Council appointed under the said Act, or such other Person or Persons as shall be appointed for this Purpose by Her Majesty in Council or by the said Judicial Committee, to examine Witnesses and take Affidavits and Depositions upon Oath in all Appeals, Causes, and Matters whatsoever pending before Her Majesty in Council or before the said Judicial Committee, and to administer Oaths accordingly.

Who to act for Registrar in his Absence.

II. In case of the Absence of the said Registrar it shall be lawful for the President of Her Majesty's Privy Council to appoint a Person to act for the said Registrar during such Absence, and such Person while so acting shall have the same Powers in all respects as are vested in the said Registrar.

Saving of existing Powers of Her Majesty, &c.

III. Nothing herein contained shall be taken to affect the Power of Her Majesty under the said Act or otherwise, to direct or limit the Duties to be performed by the said Registrar, or any other Authority which might have been exercised by Her Majesty or by Her Privy Council or the said Judicial Committee in case this Act had not been passed.

CAP. LXXXVI.

An Act to remove Doubts as to the Rights of the liberated *Africans* in *Sierra Leone*.

[20th *August* 1853.]

'WHEREAS Doubts have been entertained whether *Africans* who have been liberated, or taken and 'received under the Protection of the Crown, under the Provisions of the Acts for the Abolition 'and Suppression of the Slave Trade, and are domiciled in the Colony of *Sierra Leone* and its Dependencies, are *British* Subjects, and Doubts have been also entertained as to the Authority of the local 'Legislature of that Colony in legislating in relation to the Rights and Obligations of such *Africans*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Liberated Africans in Sierra Leone to be deemed in Africa natural-born Subjects.

Local Legislature may make Laws in relation to the Property in Land in the Colony.

I. All liberated *Africans* domiciled or resident, or who hereafter may be domiciled or resident, in the Colony of *Sierra Leone* or its Dependencies, shall be deemed to be and to have been for all Purposes as from the Date of their being brought into or of their Arrival in the said Colony natural-born Subjects of Her Majesty, and to be and to have been capable of taking, holding, conveying, devising, and transmitting any Estate, real or personal, within the said Colony of *Sierra Leone* and its Dependencies: Provided always, that it shall be lawful for the Legislature of *Sierra Leone*, by any Ordinance to be passed in the Manner subject to the Conditions which are or may be by Law required in respect of such Ordinances, to alter or repeal any of the Provisions of this Act, so far as they relate to Rights to Real Property within the Colony of *Sierra Leone* and its Dependencies, and generally to make such Provisions in relation to such Rights as to such Legislature may seem expedient.

Liberated Africans to be British Subjects for the Purposes of Treaties with Native Chiefs.

II. 'And whereas Treaties have been from Time to Time entered into, by or on the Behalf and with 'the Sanction of Her Majesty, with the Kings and Chiefs of certain *African* Territories and Tribes in 'the Neighbourhood of the said Colony of *Sierra Leone*, for the Purpose (amongst others) of providing 'for the Security of the Persons and Property of *British* Subjects, and for the Surrender of Criminals, 'being *British* Subjects, guilty of any Offence cognizable by the Laws of *England*, for Trial in such 'Colony as Her Majesty may appoint:' In all such Treaties as aforesaid made or which may be made between the Officer administering the Government of *Sierra Leone* for the Time being and such Kings or Chiefs as aforesaid, and sanctioned by Her Majesty, Her Heirs and Successors, the Terms "*British* Subjects" and "Subjects of the Queen of *England*" shall be held for the Purposes of such Treaty to comprehend all liberated *Africans* domiciled or residing in *Sierra Leone* and its Dependencies.

Governor may appoint Officers to demand or take charge of British Subjects under these Treaties.

6 & 7 Vict. c. 94.

III. Any Magistrate or other Officer whom the Officer administering the Government of *Sierra Leone* shall appoint to demand or to take charge of any *British* Subject who shall be surrendered according to the Provisions of any such Treaty for Trial in *Sierra Leone* shall be deemed and taken to be an Officer of Her Majesty, to whom the Cognizance of the Crime or Offence with which such *British* Subject may be charged appertains, within the Meaning of the Act of the Sixth and Seventh Year of the Reign of Her present Majesty, Chapter Ninety-four, entitled *An Act to remove Doubts as to the Exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual.*

Who to be deemed liberated Africans.

IV. For the Purposes of this Act the Words "liberated *Africans*" shall mean and include all Persons dealt with or detained as Slaves who heretofore have been or hereafter may be seized or taken, under any of the Acts for the Abolition or Suppression of the Slave Trade, by Her Majesty's Ships of War or otherwise, and liberated or delivered to the Officers appointed to protect, receive, or provide for such Persons, and all other Persons who, as having been dealt with, carried, kept, or detained as Slaves, may have been taken and liberated, or received, protected, or provided for, under any of the said Acts.

Provisions of Acts against Slave Trade not to be affected.

V. Provided always, That nothing in this Act shall in anywise prejudice or interfere with any of the Provisions in relation to such liberated *Africans* as aforesaid of the Laws in force for the Abolition or Suppression of the Slave Trade.

CAP. LXXXVII.

An Act to give to the Commissioners of Her Majesty's Works and Public Buildings extended Time and further Powers for completing the Embankment of the River *Thames* between *Vauxhall* and *Battersea* Bridges, and a new Street from *Lower Sloane Street* in connexion therewith. [20th *August* 1853.]

9 & 10 Vict. c. 39.

'WHEREAS by the Thirty-ninth Chapter of the Statutes made in the Session of Parliament held in the Ninth and Tenth Years of Her Majesty Queen *Victoria*, and which received the Royal Assent on the Third Day of *August* One thousand eight hundred and forty-six, the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were empowered to construct and complete an Embankment and Roadway along the North Bank of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, and to construct and complete a Bridge across the said River from a Point near to *Chelsea Hospital* to a Point near the Public House called the *Red House*, with convenient Approaches thereto, together with convenient Piers, Stairs, Hards, and Landing Places; and also a Street from the South End of *Lower Sloane Street* to the Northern Extremity of such Bridge, in manner therein mentioned, and according to certain Surveys, Plans, and Designs therein referred to; and which Plans and Designs, in pursuance of a Provision in that Behalf in the Sixth Section of the said Act contained, were duly deposited for public Inspection at the Office of the said Commissioners: And whereas in a Schedule to the said Act was contained a List of the Houses and Buildings, Lands and Hereditaments, which would probably be required for the Purposes thereof; and it was by the Eighth Section of the said Act provided that the said Commissioners, in making the said Roadway and Street and the Approaches to the said Bridge, should not deviate more than Fifty Feet from the Lines described in the aforesaid Plans and Designs, without the Consent and Approbation of the Person through whose Lands or Tenements such Deviation should be made, or the Use and Enjoyment of whose Tenements should be affected by such Deviation; and that in respect to the Soil or Freeholds of the Reverend *Joseph George Brett* Clerk, no Deviation should take place without adequate Compensation in reference to the same being made to him in manner therein mentioned; and by the Twenty-first Section of the said Act it was provided that no Houses or Buildings, Lands or Hereditaments, other than the Bed of the said River, should be taken or made use of for the Purposes of the said Act, except such as were mentioned in the said Schedule thereunto annexed, or as were situated within the Limits of the Line of Deviation therein-before authorized, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose; and it was by the Twenty-seventh Section of the said Act also enacted, that if the said Commissioners for executing the said Act should not within the Space of Seven Years, to be computed from the passing of the said Act, purchase or take the Tenements and Hereditaments, or Parts thereof respectively, which they were thereby empowered to take, use, and purchase, then and from thenceforth the Powers thereby granted to them for such Purpose should cease, determine, and be utterly void: And whereas it was by the said recited Act also stated that the whole Cost of constructing such proposed Embankment and Roadway as aforesaid was not to fall ultimately upon the Public, but that a certain Proportion of such Cost was to be contributed (either in Money or by conveying the Land required free of Expense, or by constructing the same Embankment and Roadway, or Parts thereof, at Prime Cost or otherwise,) by certain of the Owners of or Parties interested in the Tenements situated on the River Frontage, along which the said intended Embankment and Roadway were to pass, in consideration of the Benefit which would accrue therefrom to their said respective Tenements, and that certain of such Parties were willing to contribute accordingly in some of the Modes aforesaid, and that it was intended that they should respectively enter into Agreements with the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to make such Contribution accordingly in such Sums or otherwise as the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, should approve of; and that no Part of the said intended Embankment and Roadway should be commenced until after all such Agreements as aforesaid, so approved of as aforesaid, should have been duly executed, and the Powers and Authorities by the said Act given to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were so given as to take effect (except as to the said Bridge, which the said Commissioners were authorized to commence forthwith) only when and so soon as such Agreements for Contribution as aforesaid (including a certain Agreement with the Governor and Company of *Chelsea* Waterworks therein referred to) should have been made and entered into, but not sooner: And whereas under and by virtue of the Provisions of the Forty-second Chapter of the Statutes made in the Session of Parliament held in the Fourteenth and Fifteenth Years of Her said Majesty, the Commissioners of Her Majesty's Works and Public Buildings are now substituted for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purposes of the said recited Act: And whereas the intended Bridge authorized by the said first-recited Act hath been commenced and is now in course of Construction: And whereas by the Seventy-first Chapter of the Statutes made in the Session of Parliament held in the Fifteenth and Sixteenth Years of Her said Majesty, the said Commissioners of Her Majesty's Works and Public

14 & 15 Vict. c. 42.

15 & 16 Vict. c. 71.

'Buildings

'Buildings were empowered to proceed with the Construction of the Eastern Division of the said 'intended Embankment and Roadway, notwithstanding that the said Agreements mentioned in the said 'first-recited Act had not then been entered into; but no Proceedings have been yet taken under the 'last-recited Act: And whereas the said Commissioners of Her Majesty's Works and Public Buildings 'have made certain Alterations in the original Plans and Designs of the said proposed Embankment and 'Roadway, and it is expedient that the said Commissioners should now be authorized to proceed with 'and complete the whole of the said proposed Embankment and Roadway and new Street, and for that 'Purpose it is necessary that the Time limited by the said first-recited Act should be extended, and that 'the Powers by the said first-recited Act conferred with reference to the said original Plans and Designs, 'and to the Houses and Buildings, Lands and Hereditaments, comprised in the Schedule to the said 'first-recited Act, should be extended to the said amended Plans and Designs, and to the Houses and 'Buildings, Lands, and Hereditaments comprised in the Schedule to this Act annexed:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners to complete Embankment and Roadway according to the amended Plans.

I. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, subject as after mentioned, to construct and complete an Embankment and Roadway along the North Bank of the River *Thames* from *Battersea Bridge* to *Vauxhall Bridge*, or any Part or Parts of such Embankment and Roadway, according to the said amended Plans and Designs, and also to complete such new Street as in the said first-recited Act is mentioned.

Powers of recited Acts extended to this Act.

II. For the Purposes of this Act all the Enactments of the said recited Acts, except so far as the same are varied by or inconsistent with the Provisions of this Act, shall be considered as herein repeated, with the Substitution of the said amended Plans and Designs for the Plans and Designs mentioned in the said first-recited Act, and of the Schedule annexed to this Act for the Schedule annexed to the said first-recited Act, and of the Commissioners of Her Majesty's Works and Public Buildings for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings: Provided nevertheless, that if the Commissioners of Her Majesty's Works and Public Buildings shall not, within the Space of Four Years, to commence and be computed from the First Day of *July* One thousand eight hundred and fifty-three, purchase and take the Tenements and Hereditaments or Parts thereof respectively which they are by this Act, by Reference as aforesaid, empowered to take, use, and purchase, then the compulsory Powers for such Purpose shall cease.

If Property not purchased within Four Years the compulsory Powers to cease.

A Portion of the Embankment near Battersea Bridge may be constructed on the Foreshore of the River, with Consent of Crown and Corporation.

III. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings, with the Consent of Her Majesty, Her Heirs or Successors, and of the Mayor and Commonalty and Citizens of the City of *London*, to construct the said Embankment and Roadway on certain Portions of the Bed and Shore of the River *Thames*, between *Cadogan Pier* and *Battersea Bridge*, beyond the Limits of Deviation on the said deposited Plans: Provided always, that the Embankment and Roadway so constructed beyond the said Limits of Deviation shall not project, encroach upon, or interfere with the Bed and Shore of the said River to a greater Distance in any Part thereof than Thirty-five Feet from the said Limits of Deviation as shown on the said Plans.

Agreements for Contribution towards the Cost of Construction of the Embankment and Roadway may be entered into.

IV. It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings to enter into Agreements with the Governors and Company of *Chelsea* Waterworks, and any of the Owners or Parties interested in the Tenements situated on the River Frontage, along which the said intended Embankment and Roadway are to pass, whereby the said Governors and Company and such Owners and Parties as aforesaid respectively shall agree to contribute towards the Cost of the Construction of the said Embankment and Roadway, either in Money or by conveying the Land required free of Expense, or by constructing the same Embankment and Roadway or Parts thereof at Prime Cost.

Embankment not to be commenced until Agreements are entered into.

V. No Part of the said Embankment and Roadway, except such Portion thereof as the said Commissioners are empowered to construct under the Authority of the lastly herein-before recited Act shall be commenced until such Agreements shall have been so entered into with such Parties as aforesaid as the Commissioners of Her Majesty's Treasury shall think proper and necessary.

Unless Agreements are entered into before July 1, 1854, no Part of the Embankment to be made, and the Powers for its Construction to cease.

VI. Unless such Agreements for the Purposes aforesaid shall have been entered into to the Satisfaction of the Commissioners of Her Majesty's Treasury on or before the First Day of *July* One thousand eight hundred and fifty-four, then no Part of the said Embankment and Roadway other than such Portion thereof as the said Commissioners are empowered to construct under the Authority of the lastly herein-before recited Act shall be made, and the Powers by this Act given for the Construction of the same, and any such Agreements as may in the meantime have been entered into with the said Commissioners of Her Majesty's Works and Public Buildings for Contribution towards the Cost of the Construction of the said Embankment and Roadway other than such Portion thereof as the said Commissioners are empowered to construct under the Authority of the lastly herein-before recited Act, shall cease and be void as from the said First Day of *July* One thousand eight hundred and fifty-four; but nothing herein-before contained shall prejudice or lessen the Powers of the said Commissioners of Her Majesty's Works and Public Buildings contained in this Act or the said recited Acts to construct such Portion of the said Embankment and Roadway as they are authorized to do by the lastly herein-before recited Act, or to construct such Street and Bridge as aforesaid, according to the Terms and Provisions of this Act or the said recited Acts, or either of them.

Confirming an Agreement be-

VII. 'And whereas *Thomas Cubitt* is entitled, under Leases or Agreement for Leases, from the 'Marquis of *Westminster*, for long Terms of Years to come, to divers Hereditaments situate in the Parish

'of

tween the Board of Works and Thomas Cubitt.

'of *Saint George Hanover Square*, and abutting on the River *Thames* between *King's Scholars Pond* '*Sewer* on the East and *Distillery Lane* on the West, which Hereditaments have been or will be mate- 'rially benefited by the Embankment of the Frontage thereof between the Points aforesaid, and the 'said *Thomas Cubitt* has, at his own Expense, embanked a considerable Portion of such Frontage 'between the Points aforesaid, and has formed or partly formed a Road on the North Side of such 'Embankment; and a Plan has been prepared by the Commissioners of Her Majesty's Works and 'Public Buildings, and has been signed in Triplicate by the Chief Commissioner and the said *Thomas* '*Cubitt*, One Part of which Plan so signed is intended to be deposited in the Office of the Clerk of the 'Peace for the City and Liberty of *Westminster*, another Part so signed as aforesaid has been deposited 'in the Office of the said Commissioners, and the other or remaining Part so signed as aforesaid has 'been delivered over to the said *Thomas Cubitt*, on which Plan certain Lands held by the said *Thomas* '*Cubitt* on Lease or Agreement for Lease from the Marquis of *Westminster* as aforesaid, and which 'intervene between the said Road marked C. on the said Plan and the River *Thames*, and also the Strip 'of Land which has been or will be reclaimed from the River, are thereon coloured Green and 'Brown, and the Width or intended Width of the said Road is also described on the said Plan:' Be it enacted, That the said Road marked C. shall be made and maintained of the Length and Width shown on the said Plan, and when so made shall be dedicated to the Public, and be deemed and taken to be a Public Road, and shall be under the Care, Management, Control, and Jurisdiction of the Paving Committee appointed under the Authority of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-one; and the Lands coloured Green on the said Plan shall be laid out and planted by the said Commissioners of Her Majesty's Works and Public Buildings, and shall be kept by such Commissioners for the Enjoyment and Recreation of the Public, under and subject to such Rules and Regulations as such Commissioners or the Chief Commissioner for the Time being of Her Majesty's Works and Public Buildings shall from Time to Time order and direct; and the said Commissioners shall, according to such Powers as they have vested in them in pursuance of the said recited Acts and of this Act, appropriate to the said *Thomas Cubitt*, his Executors, Administrators, and Assigns, so much of the said Lands coloured Brown as have been or shall be reclaimed from the River by the said *Thomas Cubitt* for such and the same Estate, Term, and Interest as he and they is or shall be entitled to in the Remainder of the said Lands coloured Brown.

No Compensation to be claimed by Thomas Cubitt for certain Lands.

VIII. As regards the said Lands coloured Green on the said Plan, and the Lands which have been appropriated, and which may be required to be appropriated for the Completion of the said Road, as shown on the said Plan, the said *Thomas Cubitt* shall not claim or be entitled to any Compensation for the Appropriation or the taking thereof for the Purposes aforesaid.

Providing for the Appropriation of certain Lands intervening between the Roadway and River.

IX. The Portion or Portions of Land coloured Green on the said Plan, and thereon marked "planted Belt," and which will intervene between the said Road and the Lands coloured Brown on the said Plan, shall be of the Width of Fifteen Feet (except at the Eastern Extremity near the Junction thereof with the Wharf now in the Occupation of the Equitable Gaslight Company, where it is to be of the Width of Ten Feet), and shall be planted and fenced with Iron on the Northern Side thereof next the said Road and maintained by the said Commissioners; and the Returns at the Entrances herein-after mentioned to the Lands coloured Brown on the said Plan shall be also made and maintained at the Expense of the said Commissioners; such Belt or Plantation shall be fenced on the South Side thereof with an open Pale or Rail Fence by the said *Thomas Cubitt*, and the said *Thomas Cubitt* or other the Occupier for the Time being of the said Pieces of Land coloured Brown on the said Plan shall be bound to maintain such last-mentioned Fence in a proper and sufficient Manner, with Liberty for him or them to make it a close Paling not higher than Four Feet from the Ground; Openings shall be left to the Portions of Land coloured Brown on the said Plan at not less than every Twenty Feet, the Width of every such Opening not to be less than Twelve Feet; the Fence to inclose the open Spaces coloured Green on the said Plan, and thereon marked A. and B., shall be an Iron Post and Rail Fence; no Structure except Cranes or Travellers shall be erected on the Pieces of Land coloured Brown on the said Plan, any Part of the Roof of which shall be of greater Height than Fourteen Feet from the Level of the Road marked C. on the said Plan; no Steam Engine shall be erected on the said Lands coloured Brown on the said Plan, or on any Part thereof; and the Entrance to the Pier marked on the said Plan as *Pimlico Pier* shall not be interfered with by the Commissioners.

Penalty on Owners, &c. of certain Lands erecting Steam Engines, or Structures thereon.

X. If the Owner or Occupier for the Time being of any of the Lands coloured Brown on the said Plan shall erect or permit or suffer any Steam Engine or Structure (except Cranes or Travellers) to be erected on the said Lands coloured Brown on the said Plan, contrary to the Provisions of this Act, then and in every such Case such Owner or Occupier shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings for each and every Day during which such Steam Engine or Structure shall remain on the said Lands or any Part thereof, One Moiety whereof shall be paid to the Informer, and the other Moiety whereof shall be applied in such Manner as other Penalties and Forfeitures are by this or by the firstly herein-before recited Act directed to be applied.

Thomas Cubitt to complete a certain Portion of the Embankment at his own Expense.

XI. The said *Thomas Cubitt* shall at his own Expense, and within Eighteen Months from the passing of this Act, complete and finish the said Embankment between *King's Scholars Pond Sewer* on the East and *Distillery Lane* on the West, to the Satisfaction of the Commissioners for the Time being of Her Majesty's Works and Public Buildings in all respects.

Thomas Cubitt, with Consent,

XII. It shall be lawful for the said *Thomas Cubitt*, with the previous Consent in Writing of the Commissioners or Chief Commissioner for the Time being of Her Majesty's Works and Public Buildings,

to

to convert a certain Portion or certain Portions of the Lands coloured Brown on the said Plan into a Recess or Recesses to be used as a Laybye or Laybyes for Barges and other Vessels: Provided always, that such Consent may be given subject to such special Stipulations and Conditions for the Use and Maintenance of such Laybye or Laybyes as the said Commissioners or Chief Commissioner for the Time being shall from Time to Time order or prescribe. may make Laybyes for Vessels on a Portion of the Lands coloured Brown on the Plan.

XIII. It shall be sufficient for all Purposes to cite this Act as the "*Thames* Embankment Act, 1853." Short Title.

The SCHEDULE to which this Act refers.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	The Parish of Saint George, Hanover Square, in the County of Middlesex.			
1	The Bed and Shore of the River Thames.	The Crown; the Mayor and Commonalty and Citizens of the City of London.	- - -	The Public.
1*a*	Outlet of the King's Scholars Pond Sewer	The Metropolitan Commissioners of Sewers.	- - -	The Metropolitan Commissioners of Sewers.
1*b*	Part of Wharves and Ornamental Gardens and Roads.	The Crown; the Mayor and Commonalty and Citizens of the City of London; Marquis of Westminster.	Thomas Cubitt -	Thomas Cubitt; the Public.
1*c*	Part of Embankment of Chelsea Bridge.	The Crown; the Commissioners of Her Majesty's Works and Public Buildings; the Mayor and Commonalty and Citizens of the City of London.	- - -	The Commissioners of Her Majesty's Works and Public Buildings.
2	Wharf - - -	The Equitable Gas Company	- - -	The Equitable Gas Company.
2*a*	Wharf - -	The Crown; Marquis of Westminster.	Thomas Cubitt; the Equitable Gas Company.	The Equitable Gas Company.
3	Wharves, Gardens, and Land.	The Marquis of Westminster	Thomas Cubitt -	Thomas Cubitt.
3*a*	Draw Dock - -	The Crown; the Mayor and Commonalty and Citizens of the City of London; the Marquis of Westminster.	Thomas Cubitt -	Thomas Cubitt.
3*b*	Workshops and Yard	The Marquis of Westminster	Thomas Cubitt -	Thomas Cubitt.
3*c*	Road - -	The Marquis of Westminster	Thomas Cubitt -	Thomas Cubitt.
4	The Pimlico Steam Boat Landing Pier.	The Crown; the Mayor and Commonalty and Citizens of the City of London; Thomas Cubitt.	- - -	The City Steam Boat Company; the London, Westminster, and Vauxhall Steam Packet Company.
5	Tenement and Garden	The Marquis of Westminster	Thomas Cubitt -	John Keeble.
6	Land - - -	The Marquis of Westminster	Thomas Cubitt -	Thomas Cubitt.
6*a*	Road - - -	The Marquis of Westminster	Thomas Cubitt -	Thomas Cubitt.
6*b*	Entrance to Belgrave Dock.	The Crown; the Mayor and Commonalty and Citizens of the City of London; the Marquis of Westminster.	Thomas Cubitt -	Thomas Cubitt.
6*c*	Road - - -	Sloane Stanley - - -	James Renny, Thomas Cubitt.	James Renny, Thomas Cubitt.
7	Garden and Steps -	The Marquis of Westminster	Edward Wood -	Edward Wood.
7*a*	The Thames Bank Steam Boat Pier.	The Crown; the Mayor and Commonalty and Citizens of the City of London, Octavius Henry Smith.	- - -	The City Steam Boat Company; the London, Westminster, and Vauxhall Steam Packet Company.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
8	Draw Dock - -	The Crown; the Mayor and Commonalty and Citizens of the City of London; the Marquis of Westminster.	- - -	The Marquis of Westminster; the Public.
8*a*	Road - - -	The Marquis of Westminster	Thomas Cubitt -	Thomas Cubitt; the Public.
7*b*	No. 1, Erin Place, House, Fore Court, and Back Garden.	The Marquis of Westminster	Thomas Cubitt, Thomas Flight.	Elizabeth Forrow.
7*c*	No. 2, Erin Place, "The Bricklayers Arms" Beer Shop, Fore Court, Yard, and Sheds.	The Marquis of Westminster	Thomas Cubitt, Thomas Flight, Sarah Sacker.	Sarah Sacker.
7*d*	No. 3, Erin Place, House, Fore Court, and Back Garden.	The Marquis of Westminster	Thomas Cubitt, Thomas Flight.	Rebecca Ravenhill.
7*e*	No. 4, Erin Place, House, Cottage, Sheds, Garden, and Fore Court.	The Marquis of Westminster	Andrew Mann, Robert Mann, Margaret Mann.	James Russell.
9	Docks to Messrs. Smiths Distillery.	The Crown; the Mayor and Commonalty and Citizens of the City of London; the Marquis of Westminster.	Octavius Henry Smith.	Octavius Henry Smith.
9*a*	Reservoir to Messrs. Smiths Distillery.	The Marquis of Westminster	Octavius Henry Smith.	Octavius Henry Smith.
10	Crane and Landing Place.	Sloane Stanley - -	James Renny, Thomas Cubitt.	James Renny, Thomas Cubitt.
10*a*	Bar across Footpath	Sloane Stanley - -	James Renny, Thomas Cubitt.	James Renny, Thomas Cubitt.
11	Draw Dock - -	Sloane Stanley; the Crown; the Mayor and Commonalty and Citizens of the City of London.	- - -	Sloane Stanley; the Public.
11*a*	Footpath - -	Sloane Stanley - -	James Renny, Thomas Cubitt.	The Public, James Renny, Thomas Cubitt.
12	Garden, Wharf, Dock, and Conduit Pipe.	Chelsea Waterworks Company.	- - -	Chelsea Waterworks Company.
13	Broken Ground and Conduit Pipe.	The Marquis of Westminster	Thomas Cubitt; Chelsea Waterworks Company.	Chelsea Waterworks Company.
14	Pier Heads, Entrance to the Grosvenor Canal, and Garden Ground.	The Marquis of Westminster	- - -	John Barlow.
15	"White Ferry" Public House and Garden.	The Marquis of Westminster	Messrs. Elliott, Watney, and Company.	William Spratt.
15*a*	Ferry - - -	The Crown; the Mayor and Commonalty and Citizens of the City of London; the Waterman's Company.	- - -	William Spratt, James Rock.
16	Land - - -	The Marquis of Westminster	- - -	William Spratt.
17	Wharf - -	Chelsea Waterworks Company.	- - -	Chelsea Waterworks Company.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
18	Garden and Dwelling House.	Chelsea Waterworks Company.	The Commissioners of Her Majesty's Works and Public Buildings.	In hand.
18 *a*	Malt Houses - -	Chelsea Waterworks Company.	The Commissioners of Her Majesty's Works and Public Buildings.	In hand.
19	Ranelagh Wharf, Sheds, and Draw Dock.	Chelsea Waterworks Company.	Henry Edward Richards, Samuel Walker, James Hunter Tuck.	James Hunter Tuck.
20	Grosvenor Ferry -	The Crown; the Mayor and Commonalty and Citizens of the City of London; the Waterman's Company.	- - -	The Public.
21	Land - - -	The Crown and the Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
22	Outlet and Bank to Ranelagh Sewer.	The Metropolitan Commissioners of Sewers.	- - -	The Metropolitan Commissioners of Sewers.

The Parishes of Saint Luke Chelsea, and Saint Mary Abbott's Kensington, in the County of Middlesex.

22	Outlet and Bank to Ranelagh Sewer.	The Metropolitan Commissioners of Sewers.	- - -	The Metropolitan Commissioners of of Sewers.
23	Terraces to Chelsea Hospital, and Summer Houses, Stairs, and Causeway.	The Crown; the Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
24	Creek and Outlet of Smith Street Sewer.	The Crown; the Metropolitan Commissioners of Sewers; the Commissioners of Chelsea Hospital.	- - -	The Metropolitan Commissioners of Sewers; the Commissioners of Chelsea Hospital.
25	Garden and Summer House.	The Crown - - -	Sir Willoughby Gordon.	Sir Willoughby Gordon.
26 *a*	Gough House, Mansion, Lodge, Stables, Coach House, Two Gardens, Sheds, Greenhouses, &c.	Lord Calthorpe - -	The Reverend Dr. Wilson.	The Reverend Dr. Wilson.
26	Druce's No. 2 Wharf, Sheds, Workshops, Two Cottages, and Dwelling House.	Lord Calthorpe - -	William Druce -	William Druce, John Hyde, John Larking, Henry Philip Dixon.
27	Five Cottages, Shed, and open Ground.	Earl Cadogan, Christiana Hart.	William Druce, Mary Ann Berry.	Mary Ann Berry. William Rubergall, Stephen William Morrison.
27 *b*	Land - -	Earl Cadogan - -	John Lyall, James Bagster Lyall.	Gabriel Gusterson.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
27 *a*	Public Way, Paradise Walk.	The Commissioners for Paving the Parish of Saint Luke Chelsea.	- - -	The Public.
28	Bull Wharf, Sheds, and Dwelling House.	Christiana Hart - -	William Druce, William Rubergall, Stephen William Morrison.	William Rubergall, Stephen William Morrison.
29	Swan Wharf, and Buildings thereon.	Isabella Bernard How, Christiana Hart, Richard Cooper.	William Druce, William Lawrance.	William Druce.
30	Swan Brewery and Buildings.	Isabella Bernard How -	John Lyall, James Bagster Lyall, Frederick White.	John Lyall, James Bagster Lyall, Frederick White.
31	Shed - -	The Apothecaries Company	John Lyall, James Bagster Lyall, Frederick White.	John Lyall, James Bagster Lyall, Frederick White.
32	A Boat House -	The Apothecaries Company	The Goldsmiths Company.	The Goldsmiths Company.
32 *a*	A Boat House -	The Apothecaries Company	The Skinners Company.	The Skinners Company.
33	Garden and private Landing Place.	The Apothecaries Company	- - -	The Apothecaries Company.
34	Old Swan Wharf, Warehouses, Stables, Sheds, Cottage, and Dwelling House.	Earl Cadogan - -	John Harbush Davidge, Peter Kruse, Thomas Love Bull.	Peter Kruse.
35	Malt House -	Earl Cadogan - -	John Harbush Davidge, John Lyall, ——— Walmsley.	——— Walmsley.
35 *a*	Tenement, No. 64, Queen's Road, West.	Earl Cadogan - -	Thomas Elliott, James Watney.	Henry Barber.
36	"The Old Swan" Public House, Tenement, Garden, Right of Way, and Causeway.	Earl Cadogan - -	Thomas Elliott, James Watney.	Henry Briggs.
36 *a*	Tenement, No. 62, Queen's Road, West.	Earl Cadogan - -	Thomas Elliott, James Watney.	John Coates.
36 *b*	Tenement, No. 61, Queen's Road, West.	Earl Cadogan - -	Thomas Elliott, James Watney.	Charles William Evens.
36 *c*	Tenement, No. 60, Queen's Road, West.	Earl Cadogan - -	Richard Frederick Davis, George Rawbone, George Battcock, John Leslie.	John Leslie.
36 *d*	Tenement, No. 59, Queen's Road, West, "The Waterman's Arms" Beer Shop.	Earl Cadogan - -	Richard Frederick Davis, George Rawbone, George Battcock, Charles Spencer.	Charles Spencer.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
36 *e*	Tenement, No. 58, Queen's Road, West.	Earl Cadogan - -	Richard Frederick Davis, George Rawbone, George Battcock, Charles Child.	Charles Child.
36 *f*	Tenement, No. 57, Queen's Road, West.	Earl Cadogan - -	William Leslie, Edward Lambert, Frederick Battcock.	James Quixley.
37	Chelsea Wharf, Malt House, and Cooperage.	Earl Cadogan - -	William Leslie, Edward Lambert, Frederick Battcock, George Duncan, Arthur Hutton, Charles Thomas, William Drewett.	Frederick Battcock, George Duncan, Arthur Hutton, Charles Thomas, William Drewett.
38	Public Draw Dock, East End of Cheyne Walk.	The Crown; the Mayor and Commonalty and Citizens of the City of London; Earl Cadogan; the Commissioners for Paving and Lighting the Parish of Saint Luke Chelsea.	- - -	The Public.
38 *a*	Public Way, Cheyne Walk.	The Commissioners for Paving and Lighting the Parish of Saint Luke Chelsea.	- - -	The Public.
38 *b*	Public Causeway and Stairs.	The Crown; the Mayor and Commonalty and Citizens of London.	- - -	The Public.
39	The Cadogan Steam Boat Landing Pier.	The Crown; the Mayor and Commonalty and Citizens of the City of London; Earl Cadogan.	- - -	The City Steam Boat Company; the London, Westminster, and Vauxhall Steam Packet Company.
39 *a*	Stairs and Landing Place.	The Crown; the Mayor and Commonalty and Citizens of London.	- - -	Charles Greaves; the Public.
40	Stairs and Causeway	The Crown; the Mayor and Commonalty and Citizens of London.	- - -	The Public.
40 *a*	Causeway - -	The Crown; the Mayor and Commonalty and Citizens of London.	- - -	The Public.
41	Tenement, Stables, and Wharf.	Sarah Casterton - -	Henry Alldin, Henry Alldin, junior.	Henry Alldin, junior.
42	Tenement, No. 19, Lombard Street.	Sarah Casterton - -	- - -	Reuben Cook.
43	Tenement, No. 18, Lombard Street.	Sarah Casterton - -	- - -	Jeremiah May.
44	Tenement, No. 17, Lombard Street.	Ann Johnson - -	- - -	Ann Johnson.
45	Tenement, No. 17½, Lombard Street.	Charles William Wallgrave	- -	Josiah Johnson, Edward Stokes.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
46	Tenement, No. 16, Lombard Street, the "Waterman's Arms" Beer House.	Richard Newman - -	- - -	John Bull.
47	Tenement, No. 15, Lombard Street, and Passage.	Sloane Stanley - -	Oliver Pitts -	Oliver Pitts.
48	Tenement, No. 14, Lombard Street.	Sloane Stanley - - -	Oliver Pitts -	Samuel Cockin.
49	Tenements and Wharf, No. 13, Lombard Street.	Sloane Stanley - -	Oliver Pitts -	James George Lawrence.
50	Danvers Wharf -	Sloane Stanley - -	William Gladdish, Thomas Nunn Gladdish.	William Gladdish, Thomas Nunn Gladdish.
51	Old Ferry Wharf, House, Counting House, and Causeway.	Sloane Stanley - - -	John King, John Perry, John Davis.	John Davis.
52	Tenement, No. 1, Duke Street.	Sloane Stanley - -	John King, John Perry, James Morgan.	James Morgan.
53	Tenement, No. 2, Duke Street.	Sloane Stanley - -	John King, James Hadderley.	James Hadderley.
54	Tenement, No. 3, Duke Street.	John Hawkes - -	- - -	William Samuel Wood.
55	Tenement, No. 4, Duke Street.	John Hawkes - -	- - -	John Hawkes.
56	Tenement, No. 5, Duke Street.	Jonathan Douthwaite -	- - -	Robert Storey.
57	Tenement, No. 12, Duke Street, the "Adam and Eve" Public House.	Louisa Earp - - -	Messrs. Calvert and Company.	William Wood.
58	Tenement, No. 13, Duke Street.	John Perry - -	- - -	William Blyth.
59	Tenement, No. 14, Duke Street.	William Boxall and George Boxall.	John George Kohn.	John George Kohn.
60	Tenement, No. 19, Duke Street.	Henry White - - -	William Belcher	William Belcher.
61	Tenement, No. 20, Duke Street.	Mary Ann Purcell - -	- - -	William Maskell.
62	Tenement, No. 21, Duke Street.	Felix Gardner, John Gardner, Samuel Watkins Gardner.	William Kelly -	William Kelly.
63	Tenement, No. 22, Duke Street.	Stephen Cox - - -	- - -	Thomas Groom.
64	Tenement, No. 23, Duke Street, and Entrance to the Battersea Bridge Pier.	Earl Cadogan - - -	Richard William Jennings; the City Steam Boat Company.	The City Steam Boat Company; the London, Westminster, and Vauxhall Steam Packet Company; John Burney.
65	The Battersea Bridge Steam Boat Landing Pier.	The Crown; the Mayor and Commonalty and Citizens of the City of London; the City Steam Boat Company; the London, Westminster, and Vauxhall Steam Packet Company.	- - -	The City Steam Boat Company; the London, Westminster, and Vauxhall Steam Packet Company.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
66	Tenement, No. 1, Beaufort Place.	Earl Cadogan - - -	George Long, Catherine Mary Long, George Thomas Long, Philip Coombs.	Philip Coombs.
67	Tenement, No. 2, Beaufort Place.	Earl Cadogan - - -	George Long, Catherine Mary Long, George Thomas Long, Rachael Dicker.	Rachael Dicker.
68	Tenement, No. 2, Duke Street.	Earl Cadogan - - -	George Long, Catherine Mary Long, George Thomas Long.	Aaron Bond.
69	Tenement, No. 7, Duke Street.	Earl Cadogan - - -	George Long, Catherine Mary Long, George Thomas Long.	William Carpenter.
70	Tenement, No. 6, Duke Street.	Earl Cadogan - - -	George Long, Catherine Mary Long, George Thomas Long.	William Bishop.
71	Tenement, No. 5, Duke Street.	Earl Cadogan - - -	Elizabeth Harrison, Richard Baker Leslie, William Leslie.	Lucy Fowler.
72	Tenement, No. 4, Duke Street.	Earl Cadogan - - -	William Simpkins.	Lucy Hawes.
73	Tenement, No. 3, Duke Street.	Earl Cadogan - - -	William Simpkins, William John Carless.	William John Carless.
74	Tenement, No. 2, Duke Street.	Sloane Stanley - - -	John King -	John Michael Weidner.
75	Tenement, No. 1, Duke Street.	Sloane Stanley - - -	John King, John Perry.	John Potten.
76	Tenement in White Hart Alley.	Sloane Stanley - - -	John King, John Perry.	John Perry.
77	Stable in White Hart Alley.	Sloane Stanley - - -	John King, John Perry.	John Michael Weidner.
78	Two Tenements and Yard in White Hart Alley.	Sloane Stanley - -	John King, John Perry.	John Perry.
79	Four Cottages, North End of White Hart Alley.	Sloane Stanley - - -	John King, John Perry.	John Perry.
80	Tenement, No. 2, Duke Street, the "White Hart" Public House.	Sloane Stanley - -	John King, James Barnett, J—— Gregory.	J—— Gregory.
81	Tenement, No. 1, Duke Street, South-west Corner of Danvers Street.	Sloane Stanley - - -	Jane Walcott, Nicholas Morrison.	Nicholas Morrison.
82	Tenement, No. 12, Lombard Street, South-east Corner of Danvers Street.	Sloane Stanley - -	Elizabeth Freeman.	Elizabeth Freeman.
83	Tenement, No. 11, Lombard Street.	Sloane Stanley - -	John Carter, William John Stevens.	William John Stevens.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
84	Tenement, No. 10, Lombard Street.	Sloane Stanley - - -	John Long, Charles Vandenburgh.	Charles Vandenburgh.
85	Tenement, No. 9, Lombard Street.	Sloane Stanley - - -	Mary Ann Livermore.	William Haines.
86	Tenement, No. 8, Lombard Street.	Sloane Stanley - - -	Joseph Henry Keats, Robert Brown.	Thomas Eastbrook, John Robins.
87	Tenement, No. 7, Lombard Street.	Charles Thomas Mears -	Mary M'Gregor, Margaret Cartwright.	Thomas Mitchell.
88	Tenement, No. 6, Lombard Street.	James Minns, James Eades, George Edwards.	- - -	Elizabeth Roff.
89	Tenement, No. 5, Lombard Street.	James Minns, James Eades, George Edwards.	- - -	Charles Hyde.
90	Tenement, No. 4, Lombard Street.	Sarah Casterton - -	William Hall -	Abraham Hardy.
91	Tenement, No. 3, Lombard Street, the "Rising Sun" Public House.	Sarah Casterton - -	William Hall -	William Hall.
92	Ten Tenements, with vacant Ground in Lombard Buildings.	Sarah Casterton - -	William Hall -	William Hall.
93	Tenement, No. 4, Lombard Terrace.	Sarah Casterton - -	Thomas Cuthbertson.	Edmund Newton.

The Parish of Saint John the Evangelist Westminster, in the County of Middlesex.

1*a*	Outlet of the King's Scholars Pond Sewer.	The Metropolitan Commissioners of Sewers.	- - -	The Metropolitan Commissioners of Sewers.

NEW STREET FROM LOWER SLOANE STREET,

The Parish of Saint Luke Chelsea, in the County of Middlesex.

1	Vacant Ground -	Marquis of Westminster -	- - -	Marquis of Westminster.
2	Vacant Ground -	The Right Honourable Earl Cadogan.	George Fuge Holland.	John Satchell, Edward Alexander, —— Holland.
3	Tenement, No. 1, Sloane Square, with Premises behind.	The Right Honourable Earl Cadogan.	Herbert Sawyer, Philip Burgess, Mrs. Burgess.	Herbert Sawyer, Philip Burgess, Robert Edward Barnes.
4	Cottage and Garden -	The Right Honourable Earl Cadogan.	George Frederick Fuge.	John Satchell.
5	Cottage and Garden -	The Right Honourable Earl Cadogan.	George Frederick Fuge.	Edward Alexander.
6	Tenement, No. 2, Sloane Square, with Premises in rear.	The Right Honourable Earl Cadogan.	Charles James Johnson.	Orbell James Hustler.
7	Tenement, No. 3, Sloane Square, with Premises in rear.	The Right Honourable Earl Cadogan.	William Painter, John Shipway, Emma Shepherd.	John Shipway.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
8	Tenement, No. 4, Sloane Square, with Premises behind.	The Right Honourable Earl Cadogan.	George Zobell -	Joshua Nettleton.
9	Tenement, No. 34½, Lower Sloane Street.	The Right Honourable Earl Cadogan.	Caroline Holland, Ann Taylor.	John Hawkins.
10	Tenement, No. 35, Lower Sloane Street.	The Right Honourable Earl Cadogan.	Caroline Holland, Ann Taylor.	Henry George Bartlett.
11	Ride, Stables, and Premises.	The Right Honourable Earl Cadogan.	John Coton -	Pearson Till.
12	Coach Houses, Stables, and Dwelling.	The Right Honourable Earl Cadogan.	John Coton -	Pearson Till.
13	Vacant Ground -	The Right Honourable Earl Cadogan.	- - -	William Winks.
14	Tenement, No. 18, White Lion Street.	The Right Honourable Earl Cadogan.	Henry John Marshall, William Messam Marshall.	James Milligan.
15	Tenements, Nos. 16 and 17, White Lion Street.	The Right Honourable Earl Cadogan.	Henry John Marshall, William Messam Marshall.	Joseph Dixon, William Hewer.
16	Tenement, No. 15, White Lion Street.	The Right Honourable Earl Cadogan.	Henry John Marshall, William Messam Marshall.	Charlotte Veazie.
17	Tenement, No. 14, White Lion Street.	The Right Honourable Earl Cadogan.	Henry John Marshall, William Messam Marshall.	John Barnes.
18	Sheds - - -	The Right Honourable Earl Cadogan.	Charles Gray, Sarah Gray.	John Jones.
19	Tenement, No. 9, Royal Hospital Row.	The Right Honourable Earl Cadogan.	Charles Gray, Sarah Gray.	George Glanville.
20	Tenement, No. 8, Royal Hospital Row.	The Right Honourable Earl Cadogan.	Charles Gray, Sarah Gray.	Harriet Gingell.
21	Burial Ground - -	The Crown - - -	The Commissioners of Chelsea Hospital.	The Commissioners of Chelsea Hospital.
22	Clarence House, Play Ground, and Garden.	Elizabeth Catherine Addison	—	—
23	Garden - -	George Brett - - -	- - -	Thomas Winks.
24	House and Grounds -	George Brett - - -	- - -	George Brett.
25	The Ranelagh Sewer	The Metropolitan Commissioners of Sewers.	- - -	The Metropolitan Commissioners of Sewers.

The Parish of Saint George Hanover Square, in the County of Middlesex.

25	The Ranelagh Sewer	The Metropolitan Commissioners of Sewers.	- - -	The Metropolitan Commissioners of Sewers.
26	Land - - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
27	Land - - -	The Commissioners of Chelsea Hospital.	- - -	The Commissioners of Chelsea Hospital.
28	Land - - -	The Marquis of Westminster	- - -	The Marquis of Westminster.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
29	House and Garden -	Chelsea Waterworks Company.	The Commissioners of Her Majesty's Works and Public Buildings.	—
30	Garden - - -	The Marquis of Westminster	- - -	William Spratt.
31	The Ferry House, Grounds, and Sheds.	The Marquis of Westminster	Messrs. Elliott and Watney.	William Spratt.

CAP. LXXXVIII.

An Act to repeal the Duties payable in respect of Horses let for Hire, and to grant new Duties on Licences to let Horses for Hire. [20th *August* 1853.]

'WHEREAS it is expedient to repeal the Duties now payable in respect of Horses let for Hire, and on Licences to let Horses for Hire, and in lieu thereof to impose other Duties on such Licences:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties on Horses let for Hire and on Licences to let Horses repealed.

I. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three the Duties now payable in *Great Britain* under the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and twenty, or any other Act or Acts, for or in respect of Horses let for Hire, and on Licences to let Horses for Hire, and all Clauses, Provisions, and Regulations for levying, collecting, and securing the said Duties, but so far only as they relate to such Duties, shall respectively cease and determine, and shall be and the same are hereby repealed, save and except as to any of the said Duties which shall have been charged or incurred on or before the said Tenth Day of *October* One thousand eight hundred and fifty-three, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears or in relation thereto, all which said Duties and Arrears, Fines and Penalties, so excepted as aforesaid, shall respectively be sued for, recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

Grant of new Duties on Licences to let Horses for Hire.

II. In lieu of the said Duties hereby repealed there shall be granted, raised, levied, collected, and paid from and after the said Tenth Day of *October* One thousand eight hundred and fifty-three, unto and for the Use of Her Majesty, Her Heirs and Successors, in and throughout *Great Britain*, for and in respect of every Licence to be taken out yearly by every Person who shall let any Horse for Hire with or without any Carriage to be used therewith, the following Duties; (that is to say,)

	Duty. £	s.	d.
Where the Person taking out such Licence shall keep at one and the same Time to let for Hire One Horse or One Carriage only - - - - - -	7	10	0
And where such Person shall keep as aforesaid any greater Number of Horses or Carriages—			
Not exceeding Two Horses or Two Carriages - - - - -	12	10	0
Not exceeding Four Horses or Three Carriages - - - -	20	0	0
Not exceeding Eight Horses or Six Carriages - - - - -	30	0	0
Not exceeding Twelve Horses or Nine Carriages - - - -	40	0	0
Not exceeding Sixteen Horses or Twelve Carriages - - - -	50	0	0
Not exceeding Twenty Horses or Fifteen Carriages - - - -	60	0	0
Exceeding Fifteen Carriages - - - - - - -	70	0	0
Exceeding Twenty Horses, then for every additional Number of Ten Horses, and for any additional Number less than Ten over and above Twenty or any other Multiple of Ten Horses, the further additional Duty of - - -	10	0	0

Duties granted to be Duties of Excise under the Care of the Commissioners of Inland Revenue.

III. The said Duties by this Act granted shall be denominated and deemed to be Duties of Excise, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, and Penalties, contained in or enacted by any Act or Acts in force for securing the Duties of Excise, or any of them, or otherwise in relation thereto, shall in all Cases not herein expressly provided for, and so far as the same are not superseded or expressly repealed by and are consistent with the express Provisions of this Act, be duly observed, applied, practised, and put in execution for charging, raising, levying, collecting,

collecting, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Provisions, Clauses, Regulations, Directions, Fines, Forfeitures, and Penalties were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

Persons who let Horses for Hire to take out Licences under this Act.

IV. Every Person who shall let any Horse for Hire to be used either as a Saddle Horse or for drawing any Carriage conveying any Person or for drawing any Hearse shall, before he shall let any such Horse for Hire, take out a proper Licence for that Purpose under this Act to be granted by the Collector or other Person having charge of the Collection, and the Supervisor of Excise within the Collection and District in which the Person requiring such Licence shall reside or carry on the Business of letting Horses for Hire, or by such other Person or Persons as the Commissioners of Inland Revenue shall appoint or authorize in that Behalf, on Payment of the Duty chargeable on such Licence.

Not to extend to Horses used in licensed Stage or Hackney Carriages.

V. Provided always, That no Person shall be required to take out any such Licence as aforesaid in respect of any Horse used in drawing any public Stage Carriage, duly licensed by the Commissioners of Inland Revenue, or their proper Officer, or in respect of any Horse used in drawing any Hackney Carriage duly licensed by the like Authority, such Hackney Carriage being regularly and constantly used for the Purpose of standing or plying for Hire in the public Streets or Roads within the Limits of the Act passed in the present Session of Parliament, Chapter Thirty-three, for the better Regulation of Metropolitan Stage and Hackney Carriages, provided such Hackney Carriage shall be hired within and shall not be used to go beyond such Limits.

Persons applying for Licence to sign a Requisition containing certain Particulars.

VI. Every Person applying for any such Licence as aforesaid shall, before the same shall be granted to him, fill up and sign a printed Form of Requisition for such Licence to be provided by the Commissioners of Inland Revenue for that Purpose, and shall insert and set forth therein his full and true Christian Name and Surname and Place of Abode, and the Place or Places where he carries on or intends to carry on the Business of letting Horses for Hire, and shall also specify and set forth in such Form fully and truly the greatest Number of Horses and Carriages respectively which such Applicant has at any One Time within the Space of One Year immediately preceding such Application kept to be let for Hire, and the Duty on the Licence to be granted on such Requisition shall be charged according to the greatest Number of such Horses or Carriages so kept, whichever may give the higher Rate of Duty: Provided always, that it shall be lawful for any Person applying for such Licence as aforesaid to require a Licence to be granted to authorize him to keep and let for Hire at One Time a greater Number of Horses and Carriages respectively than the greatest Number thereof which he so kept in the previous Year, and in such Case the Duty chargeable under this Act upon such Licence shall be charged in respect of the Number of Horses or Carriages which such Licence shall authorize to be so kept; and it shall also be lawful for any Person applying for such Licence as aforesaid who shall not within the Year preceding have kept any Horses or Carriages to be let for Hire to specify in the Requisition for such Licence any Number of Horses and Carriages intended to be kept by him to be let for Hire, and to require a Licence to be granted to authorize him to keep and let for Hire such Number of Horses and Carriages, and upon Payment of the Duty chargeable under this Act in respect of such Number of Horses or Carriages such Licence shall be granted to him accordingly.

Particulars to be specified in Licences.

VII. There shall be specified in every such Licence to be granted under this Act the true Christian Name and Surname and Place of Abode of the Person to whom the same shall be granted, the Sum paid for such Licence, and the greatest Number of Carriages and Horses respectively which the same will authorize to be kept at One Time to be let for Hire, and the Place or several Places where such Person shall carry on or intend to carry on the Business of letting Horses or Carriages for Hire.

Commencement and Expiration of Licences.

VIII. Every Licence to let Horses for Hire which shall be granted under this Act shall have effect and continue in force from the Day of the Date thereof until the Day herein-after appointed for the Expiration thereof, both Days inclusive; and every such Licence which shall be granted before the Sixth Day of *April* One thousand eight hundred and fifty-four shall expire on the Fifth Day of *April* One thousand eight hundred and fifty-four, and every such Licence which shall be granted upon or at any Time after the said Sixth Day of *April* One thousand eight hundred and fifty-four shall expire on the Fifth Day of *April* next after the Day of the granting thereof, or if granted on the Fifth Day of *April* in any Year such Licence shall expire with the Day on which the same shall be granted.

Renewal of Licences.

IX. Every Person to whom any such Licence as aforesaid shall be granted, and who shall be desirous of continuing the Business of letting Horses for Hire after the Expiration thereof, shall take out a fresh Licence for that Purpose for the following Year, to expire on the Day herein-before appointed in that Behalf, and shall so renew the same from Year to Year so long as he shall desire to continue such Business and shall pay the Duty by this Act charged on every such Licence; and every such Person shall give Notice in Writing Twenty-one Days at least before the Expiration of the current Licence to him granted of his Intention to renew the same to the Collector or Supervisor or other Person authorized to grant such Licences for the District or Place at which such Business is intended to be carried on; and where such Notice shall have been given the new Licence shall bear Date on the Day next after the Day of the Expiration of the former Licence, but if such Notice shall not have been given the Licence shall bear Date on the Day of the Application for the same.

A proportionate Part of the yearly Duty to be paid on Licences taken out

X. Provided always, That upon any Licence to let Horses for Hire which shall be taken out before the Sixth Day of *April* One thousand eight hundred and fifty-four a proportionate Part only of the annual Duty by this Act charged on a yearly Licence shall be paid in respect of the Portion of a Year for which such Licence will be granted; (that is to say,) if such Licence shall be taken out before the Sixth

before 6th April 1854.

Sixth Day of *January* One thousand eight hundred and fifty-four there shall be paid for the same One Half of the said annual Duty, and if such Licence shall be taken out upon or after the said Sixth Day of *January* and before the Sixth Day of *April* One thousand eight hundred and fifty-four there shall be paid for the same One Fourth Part of the said annual Duty.

Licences to Persons commencing Business to be granted on Payment of a proportionate Part of the Duty according to the Quarter in which they are taken out.

XI. Provided also, That when any Person shall be desirous of beginning to exercise the Business of letting Horses for Hire at any Time after the said Sixth Day of *April* One thousand eight hundred and fifty-four, such Persons not having before taken out any Licence in that Behalf, it shall be lawful to grant such Licence for the Remainder of the current Year ending on the Fifth Day of *April* next after the granting of such Licence, upon Payment of the full annual Duty by this Act imposed on such Licence, or a proportionate Part only of such Duty, according to the Directions herein-after given in such Case; (that is to say,) if such Licence shall be taken out at any Time within the Quarter of a Year ending on the Fifth Day of *July* in any Year, the same shall be granted upon Payment of the whole of the said annual Duty; and if such Licence shall be taken out at any Time within the Quarter ending on the Tenth Day of *October* in any Year, the same shall be granted upon Payment of Three Fourth Parts only of the said annual Duty; and if such Licence shall be taken out at any Time within the Quarter ending on the Fifth Day of *January* in any Year, the same shall be granted upon Payment of One Half only of the said annual Duty; and if such Licence shall be taken out at any Time within the Quarter ending on the Fifth Day of *April* in any Year, the same shall be granted upon Payment of One Fourth Part only of the said annual Duty.

Persons before Licence shall not be entitled to take out Licence on Payment of less than the annual Duty unless former Licence expired One Year previously.

XII. Provided always, That no Person who shall at any Time have taken out, either under this or any former Act, a Licence to let Horses for Hire, and who shall after the Expiration of such Licence apply for a new Licence to let Horses for Hire under this Act, either on the same or on other or different Premises from those on which he before carried on the Business of letting Horses for Hire, shall be deemed to be a Person beginning to exercise the said Business within the Meaning of this Act so as to entitle him to take out such Licence upon Payment of a proportionate Part only of the annual Duty by this Act thereon imposed, but every such Person shall pay the whole of such annual Duty, unless the Period between the Expiration of the former Licence and the taking out of the new Licence shall be at least a Period of One Year.

Persons desirous of keeping to let for Hire a greater Number of Horses or Carriages than specified in Licence may take out a supplemental Licence.

XIII. Provided always, That if any Person to whom any Licence to let Horses for Hire shall have been granted under this Act shall be desirous during the Existence of such Licence of keeping to let for Hire any greater Number of Horses or Carriages than such Licence shall authorize him to keep for that Purpose, it shall be lawful for him to apply for and require to be granted to him a supplemental Licence to authorize him to keep and let for Hire such additional Number of Horses or Carriages, or both, as shall be specified in the Requisition to be signed by him in that Behalf, and such supplemental Licence shall be granted accordingly on Payment of such Sum for the Duty thereon as would be payable by a Person then beginning the Business of letting Horses for Hire for a Licence to keep and let for Hire the Number of Horses and Carriages respectively specified in such supplemental Licence for the Remainder of the current Year ending on the Fifth Day of *April* next following.

Persons intending to let Horses for Hire to make Entry of their Stables and Coach-houses.

XIV. Before any such Licence as aforesaid shall be granted to any Person, and before any Person shall let any Horse for Hire for any of the Purposes mentioned in this Act, such Person shall make a true and particular Entry in Writing signed by him of every Stable, Coach-house, Shed, or other Building in which he shall keep or intend to keep any Horse or Carriage to be let for Hire, and shall deliver such Entry to the proper Officer of Excise, and in default thereof such Person shall forfeit for every unentered Stable, Coach-house, Shed, or other Building in which he shall keep any Horse or Carriage to be let for Hire, or any Horse or Carriage which he shall let for Hire, the Sum of One hundred Pounds.

Penalty for letting Horses for Hire without Licence, &c.

XV. If any Person shall let any Horse for Hire, to be used for any of the Purposes in this Act mentioned, without having obtained a proper Licence in that Behalf, or if any Person shall at any One Time keep to be let for Hire a greater Number of Horses or Carriages than he shall by such Licence be authorized to keep at One Time to be let for Hire, such Person shall for every such Offence forfeit the Sum of One hundred Pounds.

None but Officers of Inland Revenue to prosecute before Justices for Penalties.

XVI. From and after the passing of this Act, it shall not be lawful for any Person, other than the Solicitor or some other Officer of Inland Revenue, to inform or prosecute before any Justice of the Peace for the Recovery of any Penalty imposed by or incurred under any Act or Acts now in force or this Act, with relation to Horses let for Hire or the Duties thereon.

CAP. LXXXIX.

An Act to regulate the Admission of Professors to the Lay Chairs in the Universities of *Scotland*. [20th *August* 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Professors, &c. not required to subscribe Confession of Faith.

I. From and after the passing of this Act it shall not be necessary for any Person who shall have been or shall be elected, presented, or provided to the Office of Professor, Regent, Master, or other Office in any of the Universities or Colleges in *Scotland*, such Office not being that of Principal or a Chair of Theology, to make and subscribe the Acknowledgment or Declaration mentioned in an Act passed in the Fourth

Fourth Session of the First Parliament held in *Scotland* by Her Majesty Queen *Anne*, intituled *Act for securing the Protestant Religion and Presbyterian Church Government.*

Professors, &c. to make Declaration previous to Admission.

II. Every Person hereafter to be elected, presented, or provided to any such Office shall make and subscribe, in Presence of the Senatus Academicus of such University or College, the Declaration following:

'I *A.B.* do solemnly and sincerely, in the Presence of God, profess, testify, and declare, That as Professor of , and in the Discharge of the said Office, I will never endeavour, directly or indirectly, to teach or inculcate any Opinions opposed to the Divine Authority of the Holy Scriptures, or to the Westminster Confession of Faith as ratified by Law in the Year One thousand six hundred and ninety, and that I will not exercise the Functions of the said Office to the Prejudice or Subversion of the Church of Scotland as by Law established, or the Doctrines and Privileges thereof.'

Declaration to be registered.

And such Declaration shall be recorded by the Senatus Academicus of the University or College in which the Office is held, before any such Person shall enter on the Functions of such Office.

Professor sued for Noncompliance with Act may offer, in Defence, to take Declaration.

III. If any Action or Proceeding at Law shall be raised against any Professor who at the Date of the passing of this Act shall be in the Exercise of the Functions of, or has been elected, presented, or provided to, any such Office, on the Ground that such Professor had not complied with the Provisions of the said Act, it shall be a sufficient and conclusive Defence or Answer to such Action or Proceeding that such Professor is prepared to make and subscribe the Declaration above provided.

On Failure to make Declaration the Lord Advocate to apply to the Court of Session.

IV. In case any Person shall enter on the Functions of any such Office without having made such Declaration, or in case any Person shall enter on or continue to exercise the Functions of any Chair of Theology without having complied with the Provisions of the said Act, it shall be competent to the Lord Advocate, upon Information to that Effect lodged with him, to present a Petition and Complaint to the Court of Session in either of the Divisions thereof, whereupon the said Court, after such Notice to the Party complained against as the Court shall deem adequate, shall inquire into the Matter of such Complaint in such Manner as they shall think fit; and if it shall be found that such Complaint is well founded, the said Court shall interdict such Professor or other Officer from exercising the Functions of such Office unless the Provisions of this Act or the said Act (as the Case may be) shall be forthwith complied with, and do otherwise therein as to the said Court shall seem just; and if such Person fails to comply with such Provisions within Two Months after such Interdict shall be granted, he shall *ipso facto* lose and amit all Right to such Office or Chair (as the Case may be) without any legal Proceeding.

Lord Advocate may present Complaint against Professor violating Declaration, &c.

V. It shall be competent to the Lord Advocate, in the event of Information being laid before him charging any Professor with having wilfully violated the Declaration provided by this Act, and after due Inquiry, to present a Complaint against any such Professor to Her Majesty, and it shall be lawful to Her Majesty in Council thereupon to issue a Commission to inquire into the said Charge, and on the Report of such Commission to censure, suspend, or deprive such Professor, as may seem just.

As to the Expression "Chair of Theology."

VI. The Words "Chair of Theology" shall for the Purposes of this Act mean the Chairs of Divinity, Church History, of Biblical Criticism, and Hebrew, in any of the said Universities or Colleges, and the Office of Principal in the same, excepting that of *Marischal College, Aberdeen*, or the United College of *Saint Leonard's* and *Saint Salvator's, Saint Andrew's.*

All Laws and Statutes, so far as inconsistent with this Act, repealed.

VII. The said Act, and all other Laws, Statutes, and Usages now in force, respecting Admission to the Lay or Secular Chairs and Offices in such Universities and Colleges, shall be and the same are hereby repealed in so far as inconsistent with this Act, but the same shall remain in full Force and Effect in all other respects whatsoever: Provided always, that nothing in this Act contained shall alter or affect the relative Rights of any Patron or Patrons, or any Senatus Academicus in such Universities or Colleges, excepting as herein-before provided.

CAP. XC.

An Act to repeal certain Duties of Assessed Taxes, and to grant other Duties of the same Description; and to amend the Laws relating to the Application of the Monies arising from the Redemption and Purchase of the Land Tax. [20th *August* 1853.]

'WHEREAS it is expedient to repeal the several Duties of Assessed Taxes herein-after described or mentioned, and to grant other Duties of the like Description in lieu thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From and after 5th April 1854 in England, &c., and 24th May 1854 in Scotland, certain Duties of Assessed Taxes repealed

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-four in *England, Wales*, and *Berwick-upon-Tweed*, and from and after the Twenty-fourth Day of *May* in the same Year in *Scotland*, the several Duties of Assessed Taxes now payable in *Great Britain* under or by virtue of any Act or Acts now in force, for or in respect of Male Servants, Carriages, Horses, Mules, Dogs, Hair Powder, and Armorial Bearings or Ensigns respectively, and also all the Provisions, Rules, and Regulations relating to such Duties contained in the several Schedules marked respectively (C.), (D.), (E.), (F.), (G.), (I.), (K.), and (M.), annexed to an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, Chapter Fifty-five, and the several Schedules marked respectively (C.), (D.), (E), (F.), (G.), and (M.), annexed to an Act passed in the Fifty-second Year of the said King's Reign, Chapter Ninety-three, shall respectively cease and determine, and shall be and the same are hereby repealed, save

save and except as to all Arrears of the said Duties, or any of them, and as to all Assessments thereof made or which ought to be made for any Year prior to the Year commencing from and after the respective Times aforesaid, and as to any Penalties incurred in relation to the said Duties or any of them, all which said Arrears, Duties, Assessments, and Penalties shall and may respectively be recovered, levied, and applied in the same Manner as if this Act had not been passed.

Duties of Assessed Taxes granted in lieu of Duties repealed.

II. In lieu of the Duties so repealed by this Act, there shall be assessed, raised, levied, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, in and throughout *Great Britain*, for or in respect of Male Servants, Carriages, Horses, Mules, Dogs, Hair Powder, and Armorial Bearings or Ensigns respectively, the several Duties of Assessed Taxes described or mentioned and set forth in the several Schedules to this Act annexed marked respectively (C.), (D.), (E.), (G.), (I.), and (K.), subject only to the Exemptions contained in the said Schedules respectively, and in the Schedule marked (M.) also annexed to this Act, which said several Schedules, and the Duties therein set forth, and the Rules, Regulations, and Exemptions therein contained in relation to the said Duties, shall be deemed and construed to be a Part of this Act, and as if the same were incorporated therewith under a special Enactment.

Duties to be under the Management of Commissioners of Inland Revenue, and to be assessed under the Provisions of the Acts relating to Assessed Taxes.

III. The Duties granted by this Act shall be under the Direction and Management of the Commissioners of Inland Revenue, and shall be assessed, raised, levied, paid, and accounted for under the Regulations and Provisions of the several Acts in force in relation to the Duties of Assessed Taxes; and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said Acts respectively, and not expressly repealed by this Act, shall, in all Cases not expressly provided for by this Act or the several Schedules hereto annexed, and so far as the same are not superseded by and are consistent with the express Provisions of this Act and of the said Schedules, be duly observed, applied, practised, and put in execution for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

No Exemption, except those contained in this Act, to be allowed.

IV. Provided, That no Exemption from the Duties granted by this Act, except such Exemptions as are expressly contained in and given by this Act or the respective Schedules hereto annexed, shall be granted or allowed; and every Exemption given by this Act or the said respective Schedules shall be duly returned, together with a Declaration of the Cause thereof, by the Person claiming the same, in the Manner directed by the Thirty-sixth Section of the Act passed in the Forty-third Year of the Reign of King *George* the Third, Chapter One hundred and sixty-one, or in default thereof such Exemption shall not be allowed.

Persons keeping or using Articles exempted under existing Acts not liable to be assessed under this Act on ceasing to keep or use such Articles before a certain Period.

V. Provided, That no Person retaining or employing any Servant, or keeping or using any Carriage, or any Horse or Mule, after the Fifth Day of *April* One thousand eight hundred and fifty-three, in respect of which Servant, Carriage, Horse, or Mule Exemption from the Duties of Assessed Taxes is granted by any Act in force immediately before the passing of this Act, shall be liable to be assessed or charged with the Duties granted by this Act in respect of such Servant, Carriage, Horse, or Mule for the Year commencing from the Fifth Day of *April* One thousand eight hundred and fifty-four, provided such Person shall not retain or employ such Servant, or keep or use such Carriage, Horse, or Mule, at any Time after the Tenth Day of *October* One thousand eight hundred and fifty-three in *England*, *Wales*, or *Berwick-upon-Tweed*, or after the Twenty-second Day of *November* in the same Year in *Scotland*.

This Act not to annul Contracts of Composition, but Persons who have compounded may determine such Contracts on giving Notice.

VI. Nothing in this Act contained shall be deemed or construed to annul or affect any Contract of Composition for the Duties of Assessed Taxes made under the Provisions of the Acts in that Behalf, and which shall be in force at the Time of the passing of this Act, but every such Contract shall continue in force until the Expiration of the Term for which the same was made, as if this Act had not been passed: Provided always, that it shall be lawful for any Person who has entered into Composition for the said Duties by any such Contract as aforesaid, if he shall think fit, to determine the same on the Fifth Day of *April* One thousand eight hundred and fifty-four, by giving Notice in Writing, signed by him, of his Intention so to determine such Contract, to the Surveyor of Taxes for the District in which he shall reside, on or before the Tenth Day of *October* One thousand eight hundred and fifty-three; and if such Person shall at the same Time and in the like Manner give Notice to the said Surveyor of his Intention to discontinue the Use of any increased Establishment, or any Part thereof, not included in such Composition, and shall actually cease to keep the same One Calendar Month before the said Fifth Day of *April* One thousand eight hundred and fifty-four, he shall not be chargeable in the Assessment of the said Duties for the Year commencing from the said last-mentioned Day for such increased Portion of his Establishment respecting which he shall have given such Notice of his Intention to discontinue, and which he shall actually have discontinued as aforesaid.

"Horse" to include Mare or Gelding.

VII. In construing this Act and the Schedules hereto annexed respectively the Term "Horse" shall be construed and deemed to mean and include a Mare or Gelding as well as a Horse.

Monies arising from Land Tax Redemption how to be applied.

VIII. From and after the passing of this Act it shall be lawful for the Commissioners for the Reduction of the National Debt from Time to Time to lay out the Monies arising from the Redemption or Purchase of the Land Tax under any Act or Acts in force in that Behalf in the Purchase and cancelling of any Parliamentary Stocks or Annuities chargeable upon and payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (C.)

A SCHEDULE of the DUTIES payable annually for every MALE SERVANT retained or employed in any of the several Capacities herein mentioned

	Annual Duty for each Servant.
	£ s. d.
For every such Servant of the Age of Eighteen Years or upwards - - -	1 1 0
And for every such Servant under the Age of Eighteen Years - - -	0 10 6

RULES for charging the said DUTIES.

1. The said Duties to be paid by the Master of such Servant, and to extend to and be payable for every Male Servant retained or employed in any of the following Capacities; (that is to say,) Maitre d'Hotel, House Steward, Master of the Horse, Groom of the Chamber, Valet de Chambre, Butler, Under Butler, Clerk of the Kitchen, Confectioner, Cook, House Porter, Footman, Running Footman, Coachman, Groom, Postilion, Stable Boy, or Helper in the Stables of the Master, Gardener, Park-keeper, Gamekeeper, Huntsman, Whipper-in, or by whatever Name or Names Male Servants really acting in any of the said Capacities shall be called, or whether such Male Servants shall have been retained or employed in One or more of the said Capacities, and to every such Servant let to Hire with any Carriage or Horses, and shall be charged upon the greatest Number of Servants which the said Master shall have kept at One Time in the course of the preceding Year in any of the Capacities before mentioned; provided that where any such Servant shall be let to Hire with any Carriage or Horses for One Year or any longer Period, the said Duties shall be charged upon the Person hiring such Servant, and in any other Case (except where Exemption is herein-after granted) the said Duties shall be charged upon the Person letting such Servant to Hire; provided that if the Person hiring any such Servant shall not make a due Return thereof according to the Directions of the Acts in force, stating therein the Name and Place of Abode of the Person letting such Servant to Hire, the Person hiring such Servant shall be chargeable with the said Duties.

2. The said Duties shall extend to every Male Person employed in any of the Capacities aforesaid, and not being a Servant to his Employer, if such Employer shall be chargeable to the Duty by this Act imposed on a Servant or Carriage, or for more than One Horse.

3. The said Duties shall extend to all Servants employed as Waiters to wait on Guests or in any of the Capacities before mentioned in Taverns, Coffee Houses, Inns, Alehouses, or any other Houses licensed to sell Wine, Ale, or other Liquors by Retail, and in Eating or Victualling Houses, and in Hotels or Lodging Houses, of whatever Description, although not licensed, except occasional Waiters.

4. The said Duties on Gardeners shall extend to every Gardener who shall have contracted for the keeping of any Garden or Gardens wherein the constant Labour of a Person shall be necessary, or where a Person shall have been constantly employed therein, to be paid by the Person for whose Use and in whose Garden such Gardener or Person shall have been employed; provided that no Person shall be deemed to be a Gardener unless the whole or the greater Part of his Time shall be employed as a Gardener in a Garden requiring the greater Part of the Labour of One Person; provided also, that any Person employing any Under Gardener shall be chargeable for such Under Gardener at the Rate of 10*s.* 6*d.* only.

5. The said Duties upon Gamekeepers shall extend to every Person retained or employed to kill or preserve Game for the Use of any other Person, whether lawfully appointed to kill or preserve Game or not, to be paid by the Person retaining or employing such Persons respectively for the Uses aforesaid, except Gamekeepers being the Servants of other Persons, and duly returned by and charged to the said Duties as Servants of such other Persons: Provided always, that any Person employed to preserve Game under a Gamekeeper duly appointed shall be chargeable at the Rate of 10*s.* 6*d.* only.

6. The said Duties shall extend to every Person who shall be employed in the Capacity of a Coachman, Postilion, Groom, or Helper in the Stables, although such Person shall have been retained for the Purposes of Husbandry or any Manufacture or Trade, where the Master of such Person shall be chargeable with Duty for any Carriage, or for Two or more Horses chargeable with the Duty on Horses kept for the Purpose of riding or drawing Carriages.

EXEMPTIONS.

1. The said Duties not to be payable by any of the Royal Family for any Servant acting in any of the Capacities aforesaid.

2. Nor by any General Officer or Officer of the Staff in the Army, or any Officer serving in any Regiment of Horse or Dragoons, or in any Regiment of Artillery, Infantry, Royal Marines, Royal Garrison Battalions, or Corps of Engineers, for so many Male Servants, being actually Soldiers in the Army,

as

as are or may be allowed to them respectively by the Regulations of the Public Service, in whatever Capacity any such Soldier may be employed.

3. Nor by any Officer of Her Majesty's Navy in actual Employ, for any Number of Servants borne upon the Books of the Ship to which such Officer shall belong, and employed by him, in whatever Capacity any such Servant may be employed.

4. The said Duties not to be payable for any Male Servant or Person under the Age of Twenty-one Years, being the Son or Grandson of and residing with his Employer, and actually a Member of his Household.

5. Nor for any Person retained or employed in any of the Capacities enumerated in this Schedule in the Room of others who may be called out under any Act for training and exercising a Military Force within the Kingdom, during the Time of such training and exercising.

6. Nor for One Male Person employed by any Licensed Victualler bonâ fide and generally to carry out Beer, Ale, or other Liquors to Customers, although he may be occasionally required to wait on Guests; provided such Licensed Victualler shall employ only One such Male Person.

7. Nor for any Male Servant or Person employed as an Ostler or Helper in the Stables of any Licensed Innkeeper.

8. Nor for any Male Servant or Person employed as Groom, Stable Boy, or Helper in the Stables by the several Persons herein-after mentioned, solely and bonâ fide in their respective Businesses; (that is to say,) by any Livery Stable Keeper, or any Horse Dealer, or any Person licensed to let Horses for Hire, or to keep and use any Stage Carriage or any Hackney Carriage; nor for any Male Servant or Person employed by any such licensed Person to drive any licensed Stage Carriage or any licensed Hackney Carriage, or any Carriage with any Horse let to Hire for any Period less than Twenty-eight Days.

9. Nor for any Male Person employed by any Stable Keeper, for or in expectation of Profit, solely and bonâ fide to take care of any Horse kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money, or in training for any such Purpose.

SCHEDULE (D.)

A SCHEDULE of the DUTIES payable annually on all CARRIAGES of any of the Descriptions herein mentioned.

	Annual Duty for each Carriage.
	£ s. d.
For every such Carriage with Four Wheels:	
Where the same shall be drawn by Two or more Horses or Mules	3 10 0
And where the same shall be drawn by One Horse or Mule only	2 0 0
For every Carriage with Four Wheels, each being of less Diameter than Thirty Inches:	
Where the same shall be drawn by Two or more Ponies or Mules, neither of them exceeding Thirteen Hands in Height	1 15 0
And where the same shall be drawn by One such Pony or Mule only	1 0 0
For every Carriage with less than Four Wheels:	
Where the same shall be drawn by Two or more Horses or Mules	2 0 0
And where the same shall be drawn by One Horse or Mule only	0 15 0
And where the same shall be drawn by One Pony or Mule only not exceeding Thirteen Hands in Height	0 10 0
And where any such Carriage shall be kept and used solely for the Purpose of being let for Hire	One Half of the above-mentioned Duties respectively.
For every Carriage used by any Common Carrier principally and bonâ fide for and in the carrying of Goods, Wares, or Merchandise whereby he shall seek a Livelihood, where such Carriage shall be occasionally only used in conveying Passengers for Hire, and in such Manner that the Stage Carriage Duty or any Composition for the same shall not be payable under any Licence by the Commissioners of Inland Revenue:	
Where such last-mentioned Carriage shall have Four Wheels	2 6 8
And where the same shall have less than Four Wheels	1 6 8

RULES for charging the said DUTIES.

1. The said Duties to be respectively charged for every Coach, Landau, Chariot, Chaise, Sociable, Caravan, Curricle, Chair, or Car, and for every other Carriage constructed for the like Purposes, by whatever Name or Names the same shall be called or known, and upon all such Carriages hired by the Year or any longer Period, and upon all such Carriages kept to be let out to Hire.

2. The Duty on Carriages kept to be let out to Hire to be paid by the Person keeping the same for such Purpose, and to be charged on the greatest Number of such Carriages which shall have been kept at any One Time and which shall have been actually let during the preceding Year; provided that if a due

due Return thereof shall not be made by the Hirer of any such Carriage, according to the Directions of the Acts in force, stating therein the Name and Place of Abode of the Person letting the same to Hire, such Hirer shall be chargeable with the said Duties.

EXEMPTIONS.

1. Any Carriage belonging to Her Majesty or any of the Royal Family.
2. Any Carriage licensed by the Commissioners of Inland Revenue to be used as a Hackney Carriage.
3. Any Carriage kept and used solely as a Public Stage Carriage for the Purpose of conveying Passengers for Hire under a Licence in that Behalf.
4. Any Carriage bonâ fide and solely kept and used for the Purpose of being let for Hire, with a Horse or Horses to be used therewith, by any Person duly licensed to let Horses for Hire; provided that no Exemption shall be allowed for any greater Number of Carriages than such Person shall be licensed to keep at One Time for the Purpose of being let for Hire as aforesaid.
5. Any Waggon, Van, Cart, or other such Carriage which shall be kept truly and without Fraud to be used solely in the Course of Trade or in the Affairs of Husbandry, and whereon the Christian Name and Surname and Place of Abode of the Owner shall be legibly painted; provided that such Carriage shall not on any Occasion be used for any Purpose of Pleasure, or otherwise than as aforesaid, except for conveying the Owner thereof or his Family to or from any Place of Divine Worship.

SCHEDULE (E.)

A SCHEDULE of the DUTIES payable annually for HORSES and MULES kept or used for the Purpose of riding, or of drawing any Carriage chargeable with Duty

	Annual Duty for each Horse or Mule.
	£ s. d.
For every Horse kept or used for the Purpose of racing or running for any Plate, Prize, or Sum of Money or other Thing, or kept in training for any of the said last-mentioned Purposes	3 17 0
For every other Horse, and for every Mule, exceeding respectively the Height of Thirteen Hands of Four Inches to each Hand, kept for the Purpose of riding, or drawing any Carriage chargeable with Duty, except Horses chargeable under Schedule (F.) of this Act	1 1 0

SCHEDULE (F.)

A SCHEDULE of the DUTIES payable annually for all HORSES and MULES not charged with Duty under Schedule (E.) of this Act.

	Annual Duty for each Horse or Mule.
	£ s. d.
For every Horse and Mule exceeding respectively the Height of Thirteen Hands and not chargeable under Schedule (E.) of this Act	0 10 6
For every Pony or Mule, not exceeding the Height of Thirteen Hands, kept for the Purpose of riding, or drawing any Carriage chargeable with Duty	0 10 6
And for every such Pony or Mule as last mentioned kept for any other Purpose	0 5 3

RULES for charging the said DUTIES contained in SCHEDULES (E.) and (F.)

1. Any Person bonâ fide following the Occupation of a Farmer, and making a Livelihood principally by Husbandry on any Farm or Farms in his Occupation, shall be entitled to keep and use One Horse for the Purpose of riding, or of drawing any Carriage chargeable with Duty, and shall be chargeable for such Horse with the Duty of 10*s.* 6*d.* only.
2. Any Rector, Vicar, or Curate actually doing Duty in the Church or Chapel of which he is Rector, Vicar, or Curate (except such Person who shall occasionally perform the Duty appertaining to any Rector, Vicar, or Curate, without being the regular officiating Minister of the Parish or Place in which such Duty shall be performed); and any Minister of the Established Church of Scotland or of any other Church or Religious Sect or Persuasion in Scotland, being the regular ordained or officiating Minister of a Parish or quoad sacra Church or Chapel of Ease in connexion with the said Established Church, or of a Congregational Connexion with any such other Church or Religious Sect or Persuasion, and not following any secular Occupation whatsoever; and any Priest of the Roman Catholic Faith who shall have duly taken and subscribed the Oaths and Declarations required by Law; and any Minister, Teacher, or Preacher of any separate Congregation of Protestant Dissenters, whose Place of Meeting shall have been

been duly registered, such Teacher or Preacher having duly taken and subscribed the Oaths and Declaration required by Law, and not following any secular Occupation, except that of a Schoolmaster; and any Person practising as a Physician, Surgeon, or Apothecary, being duly qualified so to practise, shall respectively be entitled to keep and use One Horse for the Purpose of riding, or drawing any Carriage chargeable with Duty, and shall be chargeable for such Horse with the Duty of 10*s.* 6*d.* only; provided such Persons respectively shall not keep more than One Horse.

3. Any Person who shall keep One Horse or Mule bonâ fide for the Use of and which shall be usually employed by any Bailiff upon the Concerns of any Farm or Farms with which such Bailiff may be intrusted, or any One Horse or Mule bonâ fide for and usually employed by any Shepherd or Herdsman solely in tending Sheep or Cattle, shall be chargeable for any such Horse or Mule with the Duty of 10*s.* 6*d.* only.

4. The Duties by this Act granted on Horses kept for the Purpose of racing or running for any Plate, Prize, or Sum of Money shall be charged either on the Proprietor of such Horses or on the Person having the Custody, Care, or Management of the same; provided that such Proprietor shall be chargeable only for the greatest Number of such Horses which he shall have kept at any One Time during the preceding Year; and the Person having the Custody, Care, or Management of such Horses shall not be charged for any Horse which he shall prove the Proprietor to be assessed for.

EXEMPTIONS from the DUTIES contained in SCHEDULES (E.) and (F.)

1. Any Horse belonging to Her Majesty or any of the Royal Family.

2. Any Person who shall keep any Horse which shall be used truly and without Fraud for the Purpose of Husbandry, or of drawing any Carriage not chargeable with any Duty, or of carrying Burdens in the Course of the Trade or Occupation of the Person to whom such Horse shall belong, for One such Horse used for riding on the Occasions and in manner herein-after mentioned, (that is to say,) when returning from any Place to which any Load or Burden shall have by such Horse been drawn or carried, or in going to any Place from whence any Load or Burden shall be to be brought back by such Horse, or for the Purpose of procuring Medical Assistance; provided such One Horse shall not on any Occasion be used for any other Purpose, save as aforesaid.

3. Any Person duly licensed to keep any Stage Carriage for the Purpose of conveying Passengers for Hire at separate Fares, in respect of any Horses solely used in drawing any such Stage Carriage.

4. Any Person duly licensed to let Horses for Hire, in respect of any Horse or Horses bonâ fide and solely kept and used by him for the Purpose of being let for Hire; provided that no Exemption shall be allowed for any greater Number of Horses than such Person shall be so licensed to keep at One Time for the Purpose of being let for Hire as aforesaid.

5. Any Person licensed by the Commissioners of Inland Revenue to keep any Hackney Carriage, in respect of any Horses solely used in drawing any such Hackney Carriage.

6. Any Dealer in Horses assessed to the Duties chargeable by Law on such Dealers shall be exempt from the Duties by this Act charged for all Horses belonging to such Dealer, and kept bonâ fide for Sale, and not used for any other Purpose or in any other Manner.

7. Any Person in respect of any Horses or Mules kept and used solely for the Purpose of Husbandry, and any Person who shall keep any Number of Horses or Mules bonâ fide for the Purpose of Husbandry, some or all of which he may occasionally use for other Purposes in drawing Burdens, shall not be chargeable under Schedule (F.) of this Act for more than Two of such Horses or Mules kept on any One Farm, or at any One Parish or Place; provided that none of such Horses or Mules shall be used for any Purpose of Trade, or in drawing for Hire or Profit, or in drawing any Carriage chargeable with Duty.

8. Any Person bonâ fide following the Occupation of a Farmer, and making a Livelihood principally by Husbandry on any Farm or Farms in his Occupation, in respect of any Horses or Mules kept and used for the Purpose of Husbandry, although such Horses or Mules shall be occasionally used for other Purposes in drawing Burdens, and although such Horses or Mules shall be occasionally used by such Person, or let by him for the Purpose of drawing for Hire or Profit; provided such Horses or Mules shall not be used for drawing any Carriage chargeable with Duty.

9. Any Person carrying on the Trade or Business of a Market Gardener, in respect of all Horses or Mules bonâ fide kept and used in the Cultivation of the Gardens or Lands in his Occupation, and in conveying the Produce thereof to or from Market.

10. Any Person in respect of any Mare which shall be kept for the sole Purpose of breeding.

11. Any Person in respect of any Pony or Mule not exceeding respectively the Height of Thirteen Hands, and used solely in any underground Mine.

12. Any Person for any Horse which shall not at any Time whatever have been used for any Purpose of Labour or otherwise during the Year in respect of which the Duty is charged.

13. Any effective Officer commanding a Volunteer Corps claiming and returning his Exemption for not more than Two Horses kept for Her Majesty's Service in such Corps.

14. Any Field Officer not being Commandant, and any Adjutant of any Volunteer Corps, and any Person serving in any Corps of Yeomanry, Volunteer Cavalry, or providing a Horse for any other Person serving in any such Corps, who shall be returned in the Manner required by Law as effective, and as having used any Horse for such Service on the several Days of Muster and Exercise of such Corps; provided in every such last-mentioned Case a Certificate shall be delivered of such effective

Service

Service in the Manner required by the Eleventh Section of an Act passed in the Forty-fourth Year of the Reign of King George the Third, Chapter Fifty-four.

15. Any Officer belonging, attached to, and serving in any of Her Majesty's Forces, in respect of any Horse or Horses bonâ fide kept and used by him in the Public Service, shall be relieved from the Duty thereon to such Amount as would be allowed and reimbursed to such Officer out of the Public Revenue by the Rules of the Service if such Officer were assessed for and paid the same.

16. Any Non-commissioned Officer or Private of the Regiments of Cavalry or in the Artillery for any Horse used in Her Majesty's Service.

17. Any Field Officer, Adjutant, or Surgeon of a Regiment of Militia who shall be returned in the Manner required by Law as effective, and as having used any Horse for the Militia on the several Days when the Militia was called out for Training and Exercise; provided in every Case the Exemption shall be supported by a Certificate, to be delivered between the Fifth Day of April and the First Day of May in each succeeding Year to any Surveyor or Inspector of Taxes of the District wherein such Corps shall be enrolled, in the following Form:

'I, Commanding Officer of the Regiment of Militia, do hereby 'certify, That the several Persons herein named and described were respectively Field Officers, Adjutant, 'and Surgeon already commissioned and serving in the said Corps as effective Members thereof, and 'that they each kept One Horse for the Service of the Militia, in the Year ended the Fifth Day of 'April 18 .'

SCHEDULE (G.)

A SCHEDULE of the DUTIES payable annually on DOGS.

	Annual Duty for each Dog.
	£ s. d.
For every Dog, of whatever Description or Denomination the same may be - -	0 12 0

The said Duty to be paid by the Person keeping any Dog, or having the same in his Custody or Possession, whether the same be his Property or not, such Person not discovering the Owner thereof who shall have been duly assessed for the same.

Provided always, that no Person shall be chargeable with Duty to any greater Amount than 39*l.* 12*s.* for any Number of Hounds, or 9*l.* for any Number of Greyhounds, kept by him in any Year.

EXEMPTIONS.

1. Any Dog belonging to Her Majesty or any of the Royal Family.

2. Any Person in respect of a Dog or Whelp which at the Time of returning the List of Dogs as required by the Acts in that Behalf shall not actually be of the Age of Six Calendar Months.

3. Any Person in respect of any Dog bonâ fide and wholly kept and used in the Care of Sheep or Cattle, or in driving or removing the same; provided no such Dog shall be a Greyhound, Hound, Pointer, Setting Dog, Spaniel, Lurcher, or Terrier.

SCHEDULE (I.)

A SCHEDULE of the DUTIES payable annually by PERSONS in respect of HAIR POWDER used or worn by them.

	Annual Duty.
	£ s. d.
By every Person who shall have used or worn any Hair Powder - - - -	1 3 6

RULES for charging the said DUTIES.

1. The said Rate or Duty to extend to every Sort or Composition of Powder used or worn by any Person as an Article of or in or about his or her Dress, by whatever Name the same shall be distinguished, and to be assessed upon and paid by the Person having used or worn the same within the Year preceding the Term for which the Assessment ought to be made, except as herein-after mentioned.

2. The Master of any Servant who shall have declared his Intention to pay the Duty which may be charged or chargeable as aforesaid in respect of such Servant, and shall in a List returned by him have given a true Account of all the Servants by him kept in respect of whom such Duty shall be payable, setting forth the several Capacities in which such Servants are respectively kept, shall be charged for every such Servant, and in such Case every such Servant shall be deemed to be exempted from the said Duties during his Continuance in the same Service, and also every Servant who shall come into the Service of such Master in the Room of such Servant named therein, to serve in the same Capacity, during the Year in which the Duty shall be so charged; and no Servant named in such List, nor any

Servant serving such Master in any Capacity named in such List, shall during the Year for which such Duty shall be charged be required for himself to make any such Return, or to pay the said Duty, or be liable to any Penalty by reason of not making any such Return or not paying the said Duty.

EXEMPTION.

Any of the menial Servants of Her Majesty or any of the Royal Family.

SCHEDULE (K.)

A SCHEDULE of the DUTIES payable annually by Persons in respect of any ARMORIAL BEARING or ENSIGN used or worn by them.

	Annual Duty, £	s.	d.
Where such Person shall be chargeable with the Duty of Assessed Taxes for any Carriage at the Rate of 3*l.* 10*s.* - - - - - - - - - - -	2	12	9
And where such Person shall not be so chargeable - - - - - -	0	13	2

RULES for charging the said DUTIES.

The said Duties to be paid by every Person having used any Armorial Bearing or Ensign, by whatever Name the same is or shall be called, within the Year preceding the Term for which the Assessment ought to be made, and to extend to every Person who within the said Period shall have been possessed of or shall have kept or had any Carriage, or any Seal, Plate, or other Article, on which Carriage, Seal, Plate, or other Article any Armorial Bearing or Ensign shall have been during the said Period painted, engraved, marked, or affixed, and whether such Armorial Bearing or Ensign shall be registered in the College of Arms or not.

EXEMPTIONS.

Any of the Royal Family, or any Person who shall by Right of Office have worn or used any of the Arms or Insignia worn or used by the Royal Family, or used in any City, Borough, or Town Corporate.

SCHEDULE (M.)

No. 1.

Further EXEMPTIONS from the DUTIES in the several SCHEDULES marked (C.), (D.), (E.), (F.), and (G.)

All Persons having ordinarily resided in Ireland, and being Members of either House of the Parliament of the United Kingdom, whether on the Part of Ireland or for any Place in Great Britain, and all Persons who shall hereafter be Members of the said Parliament as aforesaid, and who shall have ordinarily resided in Ireland previous to the Commencement of the Session of Parliament in which they shall respectively serve in Parliament, and all Persons having ordinarily resided in Ireland as aforesaid who shall hereafter be ordinarily resident therein, and now holding or who shall hereafter hold Offices of public Employments in Ireland, and are now residing in Great Britain, or who shall hereafter reside in Great Britain, with the Approbation or by the Order or Direction of the Lord Lieutenant or other Chief Governor or Chief Governors of Ireland for the Time being, or of his or their Chief Secretary for the Time being, and which shall be certified under the Hand of the Lord Lieutenant or Chief Governor or Chief Governors, or his or their Chief Secretary, to be therein resident for the Purposes of assisting in the Execution of public Business, shall be wholly discharged and exempted from the Duties set forth in the Schedules to this Act annexed marked (C.), (D.), (E.), (F.), and (G.); provided that this Exemption shall not extend to any Person ordinarily resident in Ireland as aforesaid, being a Member of either House of Parliament of the United Kingdom, who hath resided or shall reside in Great Britain longer than during the Session of Parliament and Forty Days before and Forty Days after each Session, nor to any Article on which a Duty is by this Act made payable which shall be retained, kept, employed, or used by such Person in Great Britain during the Residence of such Person in Ireland; provided also, that this Exemption shall not extend to any Person ordinarily resident in Ireland as aforesaid holding an Office or public Employment in Ireland, unless the Approbation in Writing or such Order or Direction of the said Lord Lieutenant or other Chief Governor or Chief Governors of Ireland for the Time being, or of his or their Chief Secretary for the Time being, and a Description of the Place of Abode in Great Britain of the Persons respectively holding such Offices or Employments, shall have been before the passing of this Act delivered into the Head Office of the Commissioners of Inland Revenue, or shall be so delivered within Twenty Days after the passing of this Act, with respect to Persons then in Great Britain, or within Thirty Days after the Arrival in Great Britain of such Persons respectively who shall thereafter arrive; provided also, that no Person shall for the Purposes of claiming this Exemption be deemed to be ordinarily resident in Ireland unless he shall reside therein during such Portion of the Year as is not covered by the Privilege herein provided; and for the better ascertaining the

the Fact of such Residence every Person claiming the Benefit of this Exemption shall verify the same upon Oath (if required) before the Commissioners acting in the Execution of this Act in the District where such Person shall reside.

No. 2.

Further EXEMPTIONS from the DUTIES in the several SCHEDULES marked (C.), (D.), and (E.)

Any Sheriff of any County, or Mayor or other Officer in any Corporation or Royal Burgh, serving an annual Office therein, who during such Year of Service shall have kept or shall keep any Number of Servants, Carriages, or Horses greater than the Number such Person was assessed to prior to the Year of such Service, and who shall have been assessed for such greater Number for One Year, shall be exempt from further Assessment for such greater Number for any other Year, although such Year of Service may have run into a Second Year of Assessment.

CAP. XCI.

An Act to extend for a limited Time the Provisions for Abatement of Income Tax in respect of Insurances on Lives. [20th *August* 1853.]

'WHEREAS by the Act of the present Session (Chapter Thirty-four), "for granting to Her Majesty "Duties on Profits arising from Property, Professions, Trades, and Offices," (Section Fifty-four), 'Provision is made for Deduction, Abatement, Allowance, or Repayment in favour of any Person '(assessed or charged with the Duties therein mentioned) who should have made Insurance on his Life, 'or on the Life of his Wife, or should have contracted for any Deferred Annuity on his own Life, or on 'the Life of his Wife, in or with any Insurance Company which should become registered under any 'Act to be passed in the present Session of Parliament for that Purpose, and which should comply with 'the Requirements of such Act (in respect of the annual Premiums paid by him for such Insurance or 'Contract): And whereas (as it may happen that an Act for the Registration of Insurance Companies 'may not be passed in the present Session of Parliament) it is expedient that the Benefit of the recited 'Provision should for a limited Time be extended to Persons insuring or contracting with such Insurance 'Offices as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 16 & 17 Vict. c. 34.

I. Any Person who shall have made any such Insurance or contracted for any such Deferred Annuity as in the said Provision mentioned, in or with any Insurance Company existing on the First Day of *November* One thousand eight hundred and forty-four, or in or with any Insurance Company registered pursuant to the Act of the Session holden in the Seventh and Eighth Years of Her Majesty (Chapter One hundred and ten), "for the Registration, Incorporation, and Regulation of Joint Stock Companies," shall be entitled to all the Benefits and Advantages which by the said Provision are expressed to be given in respect of the like Insurance or Contract in or with any Insurance Company which shall become registered under any Act to be passed in the present Session of Parliament for that Purpose. Defining Insurance Offices in which Insurances on Lives may be effected in order to give a Right to Abatement of Income Tax.

II. This Act shall continue in force until the Fifth Day of *July* One thousand eight hundred and fifty-four. Continuance of Act.

CAP. XCII.

An Act to diminish the Number of Sheriffs in *Scotland*, and to unite certain Counties in *Scotland* in so far as regards the Jurisdiction of the Sheriff. [20th *August* 1853.]

'WHEREAS it is expedient that the Number of Sheriffs in *Scotland* should be diminished, and that 'Provision should be made for uniting certain Counties in so far as regards the Jurisdiction of the 'Sheriff:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Whenever a Vacancy shall occur in the Office of Sheriff of any Counties or County specified in the Schedule hereunto annexed, such Counties or County and the other Counties or County named and included therewith in the said Schedule shall be united into One Sheriffdom, under the Title specified in the said Schedule, and the Functions of the Sheriff of the Counties or County in which the Vacancy shall occur shall thereupon devolve on and be discharged by the Sheriff of such other Counties or County so included therewith; and such Sheriff shall thereafter be and be denominated the Sheriff of the said united Counties and Sheriffdom, without the Necessity of any new Commission being issued in his Favour, and shall have and exercise all the Jurisdiction, Powers, Privileges, and Authority competent to the Sheriffs of the said Counties respectively. Counties specified in Schedule to be united, and Provision for Discharge of the Functions of Sheriff of the united Counties.

II. Whenever a Vacancy shall occur in the Office of Sheriff of the County of *Peebles* the said County shall be united with the County of *Mid-Lothian* into One Sheriffdom, to be called the Sheriffdom of *Mid-Lothian* and *Peebles*, and the Functions of the Sheriff of the said County of *Peebles* shall thereupon devolve on and be discharged by the Sheriff of *Mid-Lothian*, who shall be and shall be denominated the Sheriff of *Mid-Lothian* and *Peebles*, without the Necessity of any new Commission being issued in his Favour, in like Manner and to the like Effect as is herein-before provided. County of Peebles to be united with County of Mid-Lothian.

No separate Appointments to Office of Sheriff of Peebles, &c.

III. No separate Appointment shall hereafter be made to the Office of Sheriff of the said County of *Peebles*, or of any of the Counties specified in the said Schedule, but Appointment shall only be made to the Office of Sheriff of such united Counties or Sheriffdoms as Vacancies shall occur after such Union as aforesaid.

Saving Rights, &c. of Counties.

IV. Provided always, That, excepting as regards the Person by whom the Office of Sheriff shall be held and discharged, nothing herein contained shall affect or alter in any way the Rights, Privileges, or Liabilities of the said Counties respectively.

Sheriffs of united Counties not to have additional Salary.

V. Provided also, That nothing herein contained shall give any Right to the Sheriff of any such united Counties to any additional Salary beyond that enjoyed by him as Sheriff of any Counties or County prior to any Vacancy occurring as aforesaid.

SCHEDULE referred to in the foregoing Act.

Counties to be united.	Title of Sheriffdom.	Title of Sheriff.
1. The County of Sutherland and the County of Caithness.	Sutherland and Caithness -	The Sheriff of Sutherland and Caithness.
2. The County of Banff and the Counties of Elgin and Nairn.	Banff, Elgin, and Nairn -	The Sheriff of Banff, Elgin, and Nairn.
3. The County of Linlithgow and the Counties of Clackmannan and Kinross.	Linlithgow, Clackmannan, and Kinross.	The Sheriff of Linlithgow, Clackmannan, and Kinross.
4. The County of Dumbarton and the County of Bute.	Dumbarton and Bute - -	The Sheriff of Dumbarton and Bute.
5. The County of Haddington and the County of Berwick.	Haddington and Berwick -	The Sheriff of Haddington and Berwick.
6. The County of Roxburgh and the County of Selkirk.	Roxburgh and Selkirk -	The Sheriff of Roxburgh and Selkirk.
7. The County of Wigton and the Stewartry of Kirkcudbright.	Wigton and Kirkcudbright	The Sheriff of Wigton and Kirkcudbright.

CAP. XCIII.

An Act to enable Burghs in *Scotland* to maintain and improve their Harbours.

[20th *August* 1853.]

'WHEREAS the Harbour and other Dues leviable at the Harbours belonging to many of the Royal Burghs in *Scotland* have, by reason of the Change in the Value of Money and other Causes, become inadequate for the Maintenance of such Harbours, and it is expedient that further Provision should be made for the Extension, Improvement, and Regulation of such Harbours, and for the Increase of the Rates and Duties leviable thereat:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act how to be adopted and applied.

I. This Act may be adopted and applied in manner herein-after provided in any Royal Burgh in *Scotland* possessing a Harbour which at the Time of passing this Act is not under the Regulation of any Local Act of Parliament.

Interpretation of Terms.

II. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say:

The Word "Burgh" shall mean any Royal Burgh in *Scotland* possessing a Harbour which is not under the Regulations of any Local Act of Parliament:

The Word "Harbour" shall mean the Harbour of any such Burgh, and shall extend to and include the whole Limits assigned to such Harbour by the Charter of such Burgh, or by any Law, Statute, or Usage, and all Docks, Piers, Quays, Yards, Works, Buildings, Creeks, and Anchorages within such Limits:

The Expression "Town Council" shall mean the Provost, Magistrates, and Councillors, or the Magistrates and Councillors, as the Case may be, of any such Burgh for the Time being:

The Words "Treasurer" and "Town Clerk" shall mean the Treasurer and Town Clerk respectively of any such Burgh for the Time being:

The Expression "Board of Trade" shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations:

The Expression "Improvement" shall mean deepening, lighting, buoying, or any other Work approved by the Lords of the Admiralty.

Short Title.

III. In citing this Act in other Acts of Parliament, and in legal Instruments, Deeds, and Proceedings, it shall be sufficient to use the Expression "The Burgh Harbours (*Scotland*) Act, 1853."

IV. In

IV. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Lands Clauses Consolidation Act, or in this Act, contained shall authorize any Town Council to purchase or take Lands for the Purposes of this Act otherwise than by Agreement. 8 & 9 Vict. c. 19. incorporated with this Act.

V. In so far as not inconsistent with or not otherwise provided or not altered and varied by this Act, "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said Harbours, Docks, and Piers Clauses Act contained shall extend or be construed to extend to compel any Town Council to erect and keep any Watch-house, Boat-house, Hut, or Weighing Materials for the Use of the Officers of Revenue, or to provide or keep a Life Boat, Mortar, or Rockets, or a Tide or Weather Gauge and Barometer, until they shall be required so to do by the Lords of the Admiralty, in Writing under the Hand of the Secretary of the Admiralty; and upon such Requisition being made, the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall, as regards this Act, come into and be in full Force. 10 & 11 Vict. c. 27. incorporated with this Act.

VI. The Expression "the Special Act," used in the said Lands Clauses Consolidation Act, and in the said Harbours, Docks, and Piers Clauses Act, shall be construed to mean and include this Act; and the Expression "the Promoters of the Undertaking," used in the said Lands Clauses Consolidation Act, and the Expression, "the Undertakers," used in the said Harbours, Docks, and Piers Clauses Act, shall severally mean the Town Council of any Burgh in which this Act is adopted as herein-after provided. Interpretation of Expressions in the Acts incorporated herewith.

VII. It shall be lawful for the Town Council of any Burgh, by a Majority of the Members of the Council who are present at a Meeting specially called for that Purpose, to resolve that this Act shall be adopted in and applied to the Burgh, and to appoint a Day, not earlier than the Third and not later than the Thirtieth lawful Day after the Completion of the then next ensuing annual Election of Councillors for the Burgh, for holding a Second Special Meeting of the Town Council to resume Consideration of such Resolution; and a Copy of the Minute of the Town Council, containing such Resolution and Appointment, shall be inserted once in each Newspaper published in the Burgh One Month at least before such next annual Election; and if there be no Newspaper published therein a Copy of such Minute shall be delivered or transmitted through the Post Office to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated, and shall be inserted once in a Newspaper published in such County, or in an adjoining County, One Month at least before such next annual Election. Town Council may resolve that this Act shall be adopted, and cause such Resolution to be published.

VIII. It shall be lawful for the Town Council, at such Second Special Meeting, or at any adjourned Special Meeting (of which adjourned Meeting Four Days Notice in Writing shall be given to each Member of the Council), on resuming Consideration of such Resolution, either to approve or disapprove of the same; and if such Resolution shall be approved of by a Majority of Two Thirds at least of the Members of the Council who are present at such Second Special Meeting or at such adjourned Meeting, this Act shall thereupon be held as adopted in the Burgh; and a Copy of the Minute of the Meeting at which such Resolution shall be so approved of shall, within Fourteen Days thereafter, or within Fourteen Days after the Dismissal of the Appeal against the said Resolution, herein-after provided for, be registered in the Sheriff Court Books of the County in which the Burgh is situated, and another Copy of the said Minute shall be within the like Period of Fourteen Days transmitted to the Office of the Secretary to the Admiralty; and the Provisions of this Act shall be in force in respect to the Burgh and the Harbour thereof from and after such Registration and Transmission, the Date of which or of the last of which shall be held as the Date of the Adoption of this Act. If Resolution approved of, this Act to be adopted, and Minute to be registered in Sheriff Court Books.

IX. It shall be lawful for any Five or more Municipal Electors, Shipowners, or Traders within such Burgh, or for any Ten or more registered Electors of the County within which such Burgh is situated, who may be dissatisfied with the said Second Resolution of the Town Council resolving that this Act shall be adopted in and applied to the Burgh, to appeal to the Board of Trade against the said Resolution; and the Board of Trade shall, as soon as conveniently may be, after making such Investigation as to the Board shall seem fit, determine whether this Act shall be adopted in and applied to the said Burgh or not; provided that Notice of said Appeal, signed by the said Appellants, shall be lodged with the Town Clerk of said Burgh within Seven Days after the Resolution of the said Town Council. Appeal to the Board of Trade.

X. 'And whereas in certain Cases it may be expedient that this Act should be adopted at an earlier 'Period in the Year One thousand eight hundred and fifty-three than would be competent under the 'Provisions herein-before contained:' Be it enacted, That in case the Town Council of any Burgh shall think it expedient that this Act should be adopted at an earlier Period than the annual Election of Councillors in the Year One thousand eight hundred and fifty-three, it shall be lawful for such Town Council to resolve accordingly, by a Majority of at least Two Thirds of the Members present at a Special Meeting called for the Purpose; and the Council shall thereupon convene a Public Meeting of the Municipal Electors of the Burgh, by public Advertisement on Fourteen Days Notice, to consider such Resolution; and in case such Resolution of the Town Council shall be approved of by a Majority of the Municipal Electors present at such Public Meeting, the said Resolution shall have the like Force and Effect as if the same had been approved of by a Second Meeting of Council held after the annual Election in manner herein-before provided. The Act may be adopted earlier than before provided in certain Cases.

XI. If at such Second Special Meeting or adjourned Meeting of Council, or at such Public Meeting of Municipal Electors, the Resolution to adopt this Act shall not be approved of, the Town Council may, after the Expiration of Two Years from the Date of such First Special Meeting, but not sooner, by such and If Act not adopted, Two Years to elapse before Con-

sideration again had.

and the like Meetings, Notices, and Proceedings as are herein-before mentioned, again take this Act into consideration, and adopt or determine not to adopt the same, and so on from Time to Time thereafter.

Schedule of Rates to be prepared and published.

XII. The Town Council shall, within One Month after the Date of the Adoption of this Act, prepare a Schedule of the Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed) which they may think reasonable and proper to be levied at the Harbour of the Burgh, in lieu of the Rates or Dues then leviable thereat, and shall insert the said Schedule once in each Newspaper published in the Burgh, and, if there be no Newspaper published therein, once in each of Two successive Weeks in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, and shall also cause a printed Copy of such Schedule to be delivered or transmitted to each Municipal Elector of the Burgh, and to the Sheriff Clerk and Clerk of the Peace of the County within which such Burgh is situated; and it shall be competent to any Municipal Elector, or to any Shipowner or Trader within the Burgh, or to any registered Elector or Landowner in the County in which the Burgh is situated, or in any adjoining County, who may be dissatisfied with such Schedule, to lodge Objections thereto in Writing with the Town Clerk within Fourteen Days after the First Insertion of such Schedule in any Newspaper as aforesaid, or within Fourteen Days of the Transmission of a printed Copy of the said Schedule to the Sheriff Clerk and Clerk of the Peace as aforesaid; and the Town Council shall, on resuming Consideration of such Schedule, and of any Objections thereto which may have been lodged with the Town Clerk, dispose of such Objections (if any), and adjust such Schedule, as to them shall seem expedient.

A Copy of the Schedule and a Statement as to the Harbour to be sent to the Admiralty and the Board of Trade.

XIII. A Copy of such adjusted Schedule, certified by the Town Clerk, with Copies of any Objections thereto which may have been lodged as aforesaid, and a Statement signed by the Provost or Acting Chief Magistrate of the Burgh, showing the State of the Harbour, the existing Rates or Dues leviable thereat, the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, and the probable or estimated Amount of the Rates proposed to be levied under such Schedule, shall, within Fourteen Days after such Schedule has been adjusted as aforesaid, be transmitted by such Provost or Acting Chief Magistrate to the Lords of the Admiralty and to the Board of Trade respectively.

Board of Trade to consider and finally adjust the Schedule.

XIV. The Board of Trade shall, as soon as conveniently may be after the Receipt of such Schedule and Statement, take the same into consideration, and make such Inquiries and obtain such further Information in reference to the several Matters therein set forth as they may deem expedient, and shall either approve or disapprove of such Schedule, or modify the same in such Manner and in such Particulars as in the special Circumstances of each Case they shall think fit, and shall finally adjust such Schedule, and certify the same under the Hand of One of their Secretaries or Assistant Secretaries as containing the maximum Rates to be levied at the Harbour of the Burgh in which this Act has been adopted as aforesaid, and from and after the Date of such Certificate it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates specified in such Schedule: Provided always, that the Rates in such Schedule shall not in any Case exceed the Rates specified in the Schedule (A.) hereunto annexed.

Exclusive Privileges of Burgessesabolished, and Rates to be charged equally.

XV. From and after the Adoption of this Act in any Burgh, all exclusive Rights or Privileges possessed or claimed by the Freemen or Burgesses of such Burgh, of Exemption from Payment of Harbour Rates or Dues, or of paying a lower Rate of Harbour Dues than Persons not Freemen or Burgesses, shall cease and determine, and the Rates by this Act authorized to be levied shall be at all Times charged equally to all Persons in respect of the same Description of Vessel and the same Description of Goods.

Accounts and Statement of the Revenue of the Harbour to be sent to the Sheriff Clerk annually.

XVI. The annual Account in Abstract required by the said Harbours, Docks, and Piers Clauses Act to be prepared and sent to the Sheriff Clerk shall be made up for the Year ending on the Fifteenth Day of *October*, and in addition to such annual Account in Abstract the Town Council shall annually cause a Statement to be prepared showing the Total Revenue of the Harbour for the Year ending on the said Fifteenth Day of *October*; and shall on or before the Expiration of One Month from that Day transmit such annual Account in Abstract, and such Statement, duly audited and certified by the Town Clerk, to the Sheriff Clerk of the County in which the Burgh is situated; and along with the First Statement so transmitted the Town Council shall also send a Copy, certified by the Town Clerk, of the Statement of the average Revenue of the Harbour for the Three Years preceding the Adoption of this Act, transmitted to the Lords of the Admiralty and the Board of Trade, as herein-before directed; and such Statements and certified Copies of Statements shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Town Council omit to prepare and send such Annual Accounts or Statements, or certified Copies of Statements, as aforesaid, they shall for every such Omission forfeit the Sum of Twenty Pounds.

Increase of Revenue to be applied in extending and improving the Harbour.

XVII. From and after the Adoption of this Act in any Burgh, the whole future Revenue of the Harbour shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the Harbour, and in no other Way and for no other Purpose whatsoever: Provided always, that a Sum equal to the average annual Revenue of the Harbour for the Three Years preceding the Adoption of this Act shall be applicable and may be applied in Payment of the Principal and Interest of the existing Debt, if any, incurred in the Maintenance, Improvement, and Extension of the said Harbour prior to the passing of this Act, and after the same shall have been extinguished and paid off then the whole Sums raised in virtue of this Act shall be applied and expended by the Town Council in the Maintenance, Improvement, and Extension of the said Harbour, and in no other Way and for no other Purpose whatever.

XVIII. It

Town Council may borrow Money on the Security of the Rates.

XVIII. It shall be lawful for the Town Council from Time to Time to borrow, for the Purposes of extending or improving the Harbour, such Sum or Sums as they shall deem expedient, or to accept and take from any Bank or Banking Company Credit to such Amount as they shall deem expedient on a Cash Account, to be opened and kept with such Bank or Banking Company in the Name of the Town Council, according to the Usage of Bankers in *Scotland*, and to assign the Rates by this Act authorized to be levied in security of the Repayment of the Sum so borrowed, or of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon respectively: Provided always, that Intimation shall be given by the Town Council of their Intention to borrow Money or to take a Cash Credit, by the Insertion of a Notice to that Effect, and stating the Sum proposed to be borrowed, or the Amount of the Credit proposed to be taken, once in a Newspaper published in the Burgh, or if there be no Newspaper published therein, once in a Newspaper published in the County in which the Burgh is situated, or in an adjoining County, One Month at least before the Meeting of the Town Council at which it is intended to authorize the borrowing of such Sum or the taking of such Cash Credit: Provided also, that the Resolution to borrow any Sum of Money or to take any Cash Credit shall be approved of by at least Two Thirds of the Members of the Council who are present at such Meeting; and that the whole Sums so borrowed or advanced shall be applied and expended in the Extension and Improvement of the Harbour, and in no other Way and for no other Purpose whatsoever.

Bonds and Assignations may be granted for Sums borrowed or advanced.

XIX. The Bonds and Assignations to be granted for securing the Repayment of the Sums to be borrowed or advanced as aforesaid shall be in the Form of the Schedule (B.) hereunto annexed, or as near as may be, and shall be signed by the Provost or acting Chief Magistrate of the Burgh, and by the Treasurer and Town Clerk at an open Meeting of the Town Council, and Two of the Councillors present shall sign as Witnesses thereto; and such Bonds and Assignations shall be recorded in the Minute Books of the Town Council, and a Certificate of such Registration shall be indorsed on such Bonds and Assignations, and signed by the Town Clerk; and in case of Competition such Bonds and Assignations shall have Priority and Preference according to the Dates of such Registration; and until Repayment of the Sums so borrowed or advanced, and Interest thereon, such Sums, and the Bonds and Assignations granted therefor respectively, shall form a Lien on the Rates by this Act authorized to be levied preferable to all other Debts and Claims against the Burgh, and the Creditors in right of such Sums shall be entitled to receive the same from the Town Council and their Officers out of the first and readiest of such Rates.

Bonds and Assignations may be transferred by Indorsation.

XX. Such Bonds and Assignations may be transferred by Indorsation in the Form of the Schedule (C.) hereunto annexed, or as near as may be; and every Transfer shall be produced to the Town Clerk, who shall forthwith enter in the Minute Book of the Town Council a Memorandum of the Date of such Transfer, the Names of the Parties thereto, and the Amount, Number, and Date of the Bond and Assignation so transferred; and a Certificate of such Entry shall be indorsed on such Bond and Assignation, and signed by the Treasurer and Town Clerk, and thereupon the Person to whom the same has been so transferred, and his Heirs, Executors, or Assignees, shall have full Right thereto, and to the whole Sums, Principal and Interest, therein contained.

Town Council may apply for a further Increase of Rates.

XXI. If it shall at any Time appear to the Town Council that the Revenue of the Harbour arising from Rates specified in a Schedule certified by the Board of Trade as before mentioned is not adequate to the necessary Extension and Improvement of the Harbour, it shall be lawful for the Town Council to prepare an amended Schedule of Rates (not exceeding the Rates specified in the Schedule (A.) hereunto annexed), and on the like Notices being given, and the like Procedure in all respects being adopted, as is herein-before provided in regard to the Adjustment of the Schedule of Rates prepared by the Town Council on the Adoption of this Act, to transmit such amended Schedule, with Copies of any Objections thereto, and a Statement showing the several Particulars herein-before mentioned, to the Lords of the Admiralty and the Board of Trade in the Manner herein-before directed, and on such amended Schedule being adjusted and certified by the Board of Trade under the Hand of their Secretary as aforesaid it shall be lawful for the Town Council to demand and take any Sums not exceeding the Rates therein specified: Provided always, that the Schedule of Rates to be levied at any Harbour shall not be altered until the Expiration of at least Five Years from the Date of each Adjustment and Certification thereof by the Board of Trade.

Board of Trade may inquire into and regulate Rates.

XXII. It shall be lawful for any Five or more of the said Municipal Electors, Shipowners, Traders, Landowners, or registered County Electors, after the Expiration of the said Five Years, to apply to the Board of Trade to reduce or alter and vary the said Rates; and they shall thereupon make such Inquiries and obtain such Information in reference thereto as they may deem expedient, and shall thereafter make such Order thereon as in the special Circumstances of the Case they shall see fit.

Town Council may extend and improve the Harbour.

XXIII. Subject to the Provisions of this Act and the Acts incorporated herewith, it shall be lawful for the Town Council to purchase and acquire such Lands contiguous to the Harbour as may be required for the Extension and Improvement thereof, and by themselves, or their Officers and Servants or others employed by them, to extend, enlarge, and improve the Harbour, to repair, deepen, and cleanse the same, and to make and maintain additional Piers, Quays, and Docks, and all other Works and Buildings connected therewith which may be necessary for the Reception and Accommodation of Ships and Vessels resorting to the Harbour, and for the Protection and Storage of Goods, and to make, widen, and maintain all necessary Roads and Accesses to the Harbour and Works.

Plans and Working Drawings of the

XXIV. Previous to extending or improving the Harbour or constructing any Works connected therewith, the Town Council shall deposit at the Admiralty Office, *Whitehall*, Plans and Working Drawings

Works to be deposited at the Admiralty Office for Approval.

Drawings of the Harbour and the proposed Works connected therewith, for the Approval of the Lords of the Admiralty; and notwithstanding anything in this Act contained, the Harbour and Works connected therewith shall be extended and improved only according to such Plan as shall be previously approved of by the Lords of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any Works shall be commenced or completed contrary to the Provisions of this Act, it shall be lawful for the Lords of the Admiralty to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Town Council, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

Forms of Proceedings against Offenders.

XXV. The Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against, for any Offence under the Provisions of this Act, or the Acts incorporated herewith, may be raised and prosecuted at the Instance of the Procurator Fiscal of the Burgh, or of the Collector of the Harbour Rates, or of any other Officer or Person thereto authorized by any General or Special Order of the Town Council; and such Complaint and Proceedings, and the Sentence or Conviction thereon, may be in the Form of the Schedule (D.) hereunto annexed, or as near as may be; and, except that such Complaint, and the Sentence to be pronounced in relation thereto, shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justice or Justices at the Hearing of the Complaint shall cause or allow the Procedure or Evidence to be taken down in Writing.

Transient Offenders may be apprehended and taken before the Sheriff or a Justice of the Peace.

XXVI. It shall be lawful for the Officers or Persons appointed and acting under the Authority of this Act to seize and detain any transient Persons unknown to them who shall commit any Offence against the Provisions of this Act or the Acts incorporated herewith, and to convey such Persons before the Sheriff or any Justice without any other Warrant than this Act for so doing, and such Sheriff and Justice respectively are hereby empowered to proceed with all convenient Despatch, and without the Necessity of serving a Copy of the Complaint, to the summary hearing and determining of the same.

Saving the Rights of the Crown.

XXVII. Nothing contained in this Act or in the Acts incorporated herewith, shall extend to authorize any Town Council to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, first had and obtained for that Purpose, and which such Commissioners, or any One of them, are hereby authorized and empowered to give; or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

I. Rates on Vessels entering or using the Harbours.

	Per Ton. £	s.	d.
For every Vessel under the Burden of Fifteen Tons	0	0	4
For every Vessel of the Burden of Fifteen Tons, and under Fifty Tons	0	0	6
For every Vessel of the Burden of Fifty Tons, and under One hundred Tons	0	0	8
For every Vessel of the Burden of One hundred Tons, and under One hundred and fifty Tons	0	0	10
For every Vessel of the Burden of One hundred and fifty Tons and upwards	0	1	0
All Lighters from any Vessel in the Roads shall be exempted from Rates, but if the Vessel do not enter the Harbour every Lighter shall pay for each Trip	0	0	2

	£	s.	d.
All Boats entirely open, landing or taking on board Goods or dried or salted Fish, each	0	0	6
All drave or large Boats entering the Harbour or Precincts thereof with fresh Fish, each	0	0	4

II. Rates on Goods shipped or unshipped at the Harbour.

		s.	d.
Ale	per Hogshead	0	6
Ale, bottled	per Barrel Bulk	0	3
Bark	per Ton	1	0
Beef or Pork	per Ton	1	4
Beef or Pork	per Barrel	0	2
Blubber	per Tun of 252 Gallons	1	0
Bone Dust	per Ton	0	8
Bones of Cattle	per Ton	0	6
Bottles	per Gross	0	2
Bricks	per 1,000	0	8
Casks, empty, not being returned Packages	per Puncheon	0	3

Other Casks in proportion.

		s.	d.
Cattle:			
Bulls	each	0	3
Cows and Oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per Score	0	6
Lambs	per Score	0	3
Chalk	per Ton	0	8
Chimney Cans	per 100	1	4
Clay, Fire, manufactured	per Ton	0	6
Clay, common	per Ton	0	2
Cloth, Haberdashery, &c.	per Barrel Bulk	0	2
Coaches:			
Chaises and other Four-wheeled Carriages	each	0	8
Gigs, Carts, and other Two-wheeled Carriages	each	0	6
Coals, Scotch, English, Smithy, and Culm	per Ton	0	3
Copper	per Ton	1	4
Corks	per Barrel Bulk	0	2
Corn, viz.			
Wheat and Malt	per Quarter	0	3
Barley, Beans, Peas, Tares, Oats, Rye, Buckwheat, and Indian Corn	per Quarter	0	2
Crystal	per Barrel Bulk	0	2
Dissolved Bones and other artificial Manures	per Ton	0	8
Dogs, Sporting only	each	0	2
Drugs	per Barrel Bulk	0	3
Earthenware	per Crate	0	8
Eggs	per Barrel Bulk	0	2
Fish, dried and salted	per Ton	1	4
Haddocks, Cod, Salmon, and all fresh Fish, not enumerated	per Barrel Bulk	0	2
Flax	per Ton	1	4
Flour	per Sack	0	2
Ditto	per Barrel	0	1½
Glass	per Barrel Bulk	0	3
Groceries, viz.			
Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, and the like	per Barrel Bulk	0	3
Guano	per Ton	0	8
Gunpowder	per Barrel	0	3
Hardware	per Barrel Bulk	0	3
Hares and Rabbits	per Dozen	0	2
Any less Quantity		0	1
Hay	per Ton	0	8
Hemp	per Ton	1	4
Herrings, fresh	per Cran	0	1
Ditto, cured	per Barrel	0	3
Hides:—Ox, Cow, or Horse, salted or dried	per Ton	1	4
Calf Skins	per 120	0	10
Sheep Skins	per 120	0	10
Lamb Skins	per 120	0	5
Hoops of Wood	per 1,500	1	0
Household Furniture, new	per Barrel Bulk	0	1
Household Furniture belonging to Parties changing their Residence only	per 10 Barrels Bulk	0	6
Husbandry Utensils	per Ton	1	4
Ditto	per Barrel Bulk	0	2
Iron:—Bar, Bolt, and Rod	per Ton	1	4
Pig or Old	per Ton	0	8
Kelp	per Ton	0	8
Lead, all Kinds	per Ton	1	4
Leather, tanned and dressed	per Ton	1	4
Lime	per Chaldron of 16 Bolls	1	4
Limestone	per Ton	0	3
Loam or moulding Sand	per Ton	0	3
Machinery	per Ton	1	4
Machinery	per Barrel Bulk	0	3
Manure, Street	per Ton	0	2
Meal	per Bag of 280 lbs.	0	2

		s.	d.
Milk	per Three large Pitchers	0	0½
Musical Instruments	per Barrel Bulk	0	3
Oils	per Tun	1	0
Ores:—Copper, Iron, Lead, and other Ores	per Ton	0	8
Passengers Luggage, not exceeding 4 Barrels Bulk, free.			
All above 4 Barrels Bulk	per Barrel Bulk	0	3
Peats	per Ton	0	3
Pitch	per Barrel	0	3
Porter	per Hogshead	0	4
Porter, bottled	per Barrel Bulk	0	2
Potatoes	per Ton	0	6
Poultry, including Pigeons, Game, &c.	per Dozen	0	1
Any less Quantity		0	0½
Rags, Linen	per Ton	1	4
Other Rags, Old Ropes, and the like	per Ton	0	10
Rape Cakes	per Ton	0	8
Salt	per Ton	0	10
Seeds, Flax and Rape	per Hogshead	0	6
Flax	per Barrel	0	3
Flax in Bulk	per Quarter	0	2
Clover	per Ton	1	4
Seeds, Garden	per Ton	1	4
Hemp and Canary	per Ton	1	4
Rye Grass	per 8 Bushels	0	2
Skins, Seal	per 120	0	8
Slates, under Size	per 1,000	0	6
Sizeable	per 1,000	0	10
over Size	per 1,000	1	4
Spirits, Foreign and British	per Hogshead of 56 Gallons	0	8
Stones, Rubble	per Ton of 16 Cubic Feet	0	2
Hewn Ashlar Freestone	per Ton of 16 Cubic Feet	0	4
Rough Ashlar Freestone	per Ton of 16 Cubic Feet	0	3
Pavement, not exceeding 3 Inches thick	per 70 Feet	0	4
Pavement, above 3 Inches thick	per 16 Cubic Feet	0	4
Scythe Stones	per Score	0	1
Mill Stones	each	0	8
Steel	per Ton	1	4
Sugar	per Ton	1	4
Tallow	per Ton	1	4
Tar	per Barrel	0	2
Tea	per Chest	0	3
Tiles, roofing	per 1,000	0	9
Tiles or Pipes for draining	per 1,000	0	8
Tin of all Kinds	per Ton	1	4
Tobacco	per Ton	2	6
Treenails, under 2 Feet in Length	per 1,000	0	6
Treenails, exceeding 2 Feet in Length	per 1,000	1	0
Turnips	per Ton	0	6
Turpentine	per Hogshead	0	8
Vegetables	per Cartload	0	2
Vinegar	per Hogshead	0	6
Vitriol	per Carboy	0	2
Whalebone	per Ton	2	6
Wine	per Hogshead	0	8
Wine, bottled	per Barrel Bulk	0	4
Wood:			
Fir, Pine, and other Descriptions not enumerated	per Load of 50 Feet	0	10
Oak or Wainscot	per Load of 50 Feet	1	0
Firewood	per Fathom	0	6
Laths and Lathwood	per Fathom of 216 Cubic Feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars, under 22 Feet in Length, above 2½ and under 4 Inches Diameter	per 120	2	6
Spars, 2½ Inches in Diameter and under	per 120	1	4
Spars, 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter	per 120	6	6
Spars, of all Lengths, above 4 and under 6 Inches in Diameter	per 120	12	0

		s.	d.
Wood—*continued.*			
Spokes of Wheels, not exceeding 2 Feet in Length	per 120	0	4
Exceeding 2 Feet in Length	per 120	0	6
Wedges	per 1,000	1	0
Pipe Staves, and others in proportion	per Standard Hundred	1	0
Lignum Vitæ, Fustic, Logwood, Mahogany, and Rosewood	per Ton	1	4
Wool	per Cwt.	0	2
Yarn	per Ton	1	4
Zinc	per Ton	1	4
All other Goods not particularly enumerated in the above TABLE.			
Light Goods	per Barrel Bulk	0	2
Heavy Goods	per Ton	1	4

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a Proportion of the respective Rates shall be charged.

Five Cubic Feet, not exceeding Two and a Half Cwt., to be rated as a Barrel Bulk; but when the Weight of Five Cubic Feet is greater than Two and a Half Cwt., then Two and a Half Cwt. to be rated as a Barrel Bulk.

III. RATES for the USE of CRANES, WEIGHING MACHINES, and SHEDS.

1st. RATES of CRANEAGE.

		s.	d.
All Goods or Packages, not exceeding One Ton		0	3
Exceeding One Ton and not exceeding Two Tons		0	4
„ Two Tons „ Three Tons		0	6
„ Three Tons „ Four Tons		0	8
„ Four Tons „ Five Tons		0	10
„ Five Tons „ Six Tons		1	0
„ Six Tons „ Seven Tons		1	2
„ Seven Tons „ Eight Tons		1	4
„ Eight Tons „ Nine Tons		1	8
„ Nine Tons „ Ten Tons		2	0
„ Ten Tons		3	0

2d. WEIGHING MACHINES.

For Goods weighed, One Penny for each Ton or Part of a Ton.

3d. SHED DUES.

For each Ton of Goods of Eight Barrels Bulk, or for each Ton of Goods of Twenty Cwt., which shall remain in the Sheds, or on the Quays of the Harbour, for a longer Time than Forty-eight Hours the Sum of Threepence; and the Sum of One Penny Halfpenny per Ton for each Day during which such Goods shall remain after the first Forty-eight Hours.

SCHEDULE (B.)

FORM OF BOND AND ASSIGNATION.

The Royal Burgh of has this Day borrowed the Sum of from *A.B.* [*or* has this Day obtained a Cash Credit to the Extent of Pounds with the [*insert Name of Bank*]] for the Extension and Improvement of the Harbour of the said Burgh, which Sum [*in the Case of a Cash Account add*, or such Part thereof as may from Time to Time be drawn out by Cheques or Orders signed by the Treasurer and Town Clerk of the said Burgh,] we hereby bind the said Burgh to pay to the said *A.B.*, his Heirs, Executors, and Assignees, [*or* to the said Bank,] at the Term of next, with Interest thereof at the Rate of per Centum per Annum from the Date hereof, payable half-yearly at the Terms of Whitsunday and Martinmas in each Year until paid [*or* periodically from the Date of Advance until repaid, *as the Case may be*]; and we hereby assign to the said *A.B.* and his foresaids [*or* to the said Bank] the Rates authorized to be levied at the said Harbour by the Act [*specify this Act*] in security of the Repayment of the foresaid Sums, Principal and Interest, which are hereby declared a Lien on the said Rates; and we consent, *&c.* [*Registration and Testing Clause according to the Form of the Law of Scotland.*]

SCHEDULE (C.)

FORM OF TRANSFER.

I *A.B.* do hereby transfer the Sum of with Interest thereof from and after the Term of next, contained in and due by the within written Bond and Assignation, and all Right and Interest which I have under the same, to *C.D.*, his Heirs, Executors, and Assignees. In witness whereof [*insert Testing Clause according to the Form of the Law of Scotland*].

SCHEDULE (D.)

FORM OF COMPLAINT.

Unto the Honourable the Sheriff of [*or* Her Majesty's Justices of the Peace for] the County of .

The Petition and Complaint of *A.B.*

Humbly sheweth,

That *C.D.* has been guilty of a Contravention of "The Burgh Harbours (Scotland) Act, 1853," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or One or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*], whereby the said *C.D.* has incurred the Forfeiture [*or* Penalty] of provided by the Section of the said "Burgh Harbours, Scotland, Act" [*or* of the said "Harbours, Docks, and Piers Clauses Act"].

May it therefore please your to grant Warrant to summon the said *C.D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts or One or other of them.

According to Justice, *&c.*

[*To be signed by Complainer.*]

FORM OF WARRANT.

[*Place and Date.*]

Having considered the foregoing Complaint, grants Warrants to summon the said *C.D.* complained of to appear before [*Magistrate and Place and Time*], and that by serving the said *C.D.* with a Copy of the foregoing Complaint and of this Deliverance, and also grants Warrant for citing Witnesses at the Instance of both Parties to attend at the same Place and Time.

[*Signed by Sheriff or Justice of the Peace.*]

FORM OF SENTENCE.

[*Place and Date.*]

The [*Magistrate*] in respect of the Evidence adduced [*or* of the judicial Confession of the said *C.D.*, *as the Case may be,*] convicts the said *C.D.* of the Offence charged, and therefore decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with the Sum of of Expenses, One Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Kirk Session or Collector of the Funds for the Poor of the Parish of , and failing Payment by the said *C.D.* forthwith,* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects and summary Sale thereof, on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C.D.* in the Prison of until such Return be reported.

WARRANT of IMPRISONMENT to be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

The [*Magistrate*] in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

WARRANT OF LIBERATION.

[*Place and Date.*]

The [*Magistrate*] in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C.D.* [*or* in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be,*] grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C.D.*, and decerns.

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* [*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of the Magistrate, say here,* "and in respect it appears that no sufficient Poinding and Sale can be had whereon to levy the said Penalty and Expenses, "grants Warrant to imprison the said *C.D.* in the Prison of for the Space of from this "Date, unless the said Penalty and Expenses be sooner paid, and decerns."]

CAP. XCIV.

An Act to extend the Benefits of the Act of the Eleventh and Twelfth Years of Her present Majesty, for the Amendment of the Law of Entail in *Scotland*. [20th *August* 1853.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Law of Entail in* Scotland, the Provisions of which Act have been found to be highly beneficial, and it is expedient to extend the Benefits and to facilitate the Operation of the said Act, and still further to simplify the Procedure under the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 11 & 12 Vict. c. 36.

Forms of Procedure under recited Act and this Act merely directory.

I. No Interlocutor, Judgment, or Decree following or that has followed upon any Petition presented or which shall be presented under the said recited Act or this Act shall be questionable or reducible upon the Ground of any Want of Compliance with the Provisions of the said recited Act and of this Act, and of any relative Act or Acts of Sederunt which have been or shall be passed by the Court of Session in *Scotland*, in so far as such Provisions regard Applications or Petitions to the Court of Session under the Authority of the said recited Act or of this Act, the Matters to be set forth in such Applications or Petitions, the Intimation and Service, and Advertisement thereof, the Persons to be called as Parties thereto, and the Mode of calling them, the making and producing of Affidavits therein, the Matters to be set forth in such Affidavits, and generally the Procedure under such Applications or Petitions: Provided always, that no Injury shall have been suffered by any Person through such Want of Compliance; provided also, that nothing herein contained shall be held to support or validate any Interlocutor, Judgment, or Decree as aforesaid obtained or which may be obtained without the requisite Consents prescribed by the said recited Act, or without Service of the Petition upon any Party expressly required by the said recited Act to be called in the Application, or shall be held to support or validate any Interlocutor, Judgment, or Decree as aforesaid, in so far as such Interlocutor, Judgment, or Decree shall go beyond what was or may be concluded or prayed for in the Application under which it was or may be pronounced.

Applications or Petitions may during Vacation be presented to Lord Ordinary officiating on Bills, who may proceed as may be requisite, &c.

II. Every Application or Petition which under the said recited Act or under this Act may be presented to the Court of Session during the Sittings of the said Court, may, during any Vacation or Recess of the said Court, be presented to the Lord Ordinary officiating on the Bills; and it shall be competent for the Lord Ordinary officiating on the Bills in each Time of Vacation or Recess to appoint or grant Warrant for such Intimation, Service, and Advertisement with respect to such Application or Petition as may be requisite or may be deemed proper; and all such Procedure which shall take place under the Authority of such Lord Ordinary officiating on the Bills shall be equally valid and effectual to all Intents and Purposes as if the same had taken place under the Authority of the Court: Provided always, that every such Application or Petition shall be addressed to the Court, and shall, during the Sitting of the Court, be proceeded with in the same Manner as if any Procedure which may have taken place before the Lord Ordinary on the Bills in Time of Vacation or Recess under the Authority of this Act had taken place before the Court in Time of Session.

Applications, &c. may be amended where authorized by the Court.

III. Every Appliction or Petition under the said recited Act or under this Act may be amended, where such Amendment shall be authorized by the Court; and it shall not be necessary in respect of such Amendment to make any Intimation or Service or Advertisement, except such Intimation or Service or Advertisement, if any, as the Court may in the Circumstances of the Case think fit to appoint.

Instruments of Disentail may be executed, and the Sanction and Authority of the Court to record the same afterwards applied for.

IV. It shall be lawful for any Heir of Entail who is or shall be in a Position to obtain his Lands disentailed under the Provisions of the said recited Act to execute an Instrument of Disentail thereof without the previous Sanction of the Courts and to produce such executed Instrument of Disentail either along with an Application to the Court for Authority to record such Instrument of Disentail in the Register of Tailzies, or at any Time in the Course of the Proceedings under such Application when he shall think fit or when such Production shall be ordered by the Court; and the whole Provisions of the said recited Act with reference to Applications to the Court by the said recited Act authorized shall be applicable and apply to such Applications as aforesaid, and to all Applications under this Act; and on such Application being presented, and such Consents, if any, as are required by the said recited Act being obtained, and on the Court being satisfied that the Procedure is regular, and in conformity with the Provisions of the said recited Act and of this Act, the Court shall grant Warrant for recording such Instrument of Disentail in the Register of Tailzies, and such Instrument of Disentail, when so recorded, shall have the like Effect and the like Privileges in all respects as any Instrument of Disentail duly recorded under the Provisions of the said recited Act.

Conveyances, *Excambions*, &c. may be made, and the Authority of the Court afterwards interponed.

V. It shall be lawful for any Heir of Entail who is or shall be in a Position to sell, alienate, dispone, charge with Debts or Incumbrances, lease, feu, or excamb his entailed Estate, in whole or in part, under the Provisions of the said recited Act, to execute without the previous Sanction of the Court a Deed of Conveyance or Contract of Excambion, or other Deed for giving effect to such Sale, Disposition, Charge, Lease, Feu, or Excambion, and to produce such executed Deed either along with an Application to the Court for its Sanction thereto, or at any Time in the Course of the Proceedings under such Application when he shall think fit or when such Production shall be ordered by the Court; and on such Application being presented, and such Consents, if any, as are required by the said recited Act being obtained, containing

taining express Consent to and Approval of such Deed of Conveyance or Contract of Excambion or other Deed executed as aforesaid, and on the Court being satisfied that the Procedure is regular, and in conformity with the Provisions of the said recited Act and of this Act, the Court shall pronounce an Interlocutor approving of such Sale, Disposition, Charge, Lease, Feu, or Excambion, as the Case may be, and of the Deed executed as aforesaid for carrying the same into effect, and thereupon such Deed shall have the same Force and Effect in every respect as if the same had been made and executed at the Sight of the Court, in Terms of the said recited Act.

Competent to present continuing Petitions for Authority to grant Feus and long Leases.

VI. It shall be lawful for the Court, upon an Application by any Heir of Entail, entitled, in Terms of the said recited Act, to apply for the Authority and Approbation of the Court to the granting of Feus and long Leases, to an Extent not exceeding in all One Eighth Part in Value for the Time of the entailed Estate, to fix and determine the minimum Rates of Feu Duty or Tack Duty at which the Lands specified in such Application, or the different Portions of such Lands where the same are of different Values, may be feued or let on long Leases; and such minimum Rate or Rates of Feu Duty or Tack Duty, being so fixed by Interlocutor of the Court, shall be acted upon with reference to all Feus or long Leases which may be granted from Time to Time under such Application, unless the Court, upon being moved to that Effect by such Heir of Entail, or by any other Party entitled to appear, shall afterwards alter the same, (which the Court is hereby authorized to do, from Time to Time, upon Motion to that Effect as aforesaid,) in which Case such altered Rate or Rates of Feu Duty or Tack Duty shall be substituted for the Rate or Rates of Feu Duty or Tack Duty previously established; and in like Manner it shall be lawful for the Court, upon such Application as aforesaid, to approve, by Interlocutor, of a Form of Feu Charter, Feu Contract, or Feu Disposition, or a Form of long Lease, to be made use of under such Application, from Time to Time as such Feus or long Leases shall be granted, and to grant Authority to such Heir of Entail to grant Feus or long Leases in the Form so approved of, from Time to Time, as he shall think proper, subject to any Conditions or Stipulations which the Court may deem necessary; and such Form may be altered by the Court from Time to Time as the Court shall see fit in the Course of the Proceedings: Provided always, that it shall not be lawful for such Heir of Entail to take any Grassum or Fine or other valuable Consideration other than the Feu Duty or Rent for granting any such Feu or Lease, nor to grant any such Feu or Lease of the Mansion House, Offices, or Policies of the Estate; and in case any such Grassum, Fine, or Consideration shall be taken, and in case any Feu or Lease hereby prohibited shall be granted, such Feu or Lease shall be null and void.

Bond and Disposition in Security for Provision to younger Child may be granted to any Party advancing the Amount thereof.

VII. Where an Heir of Entail in possession of an entailed Estate in *Scotland* entitled or allowed under the said recited Act to charge the Fee and Rents of such Estate, or of any Portion thereof, with the Amount of any Provision to a younger Child, and corresponding Interest and Penalties, has granted or shall grant Bond and Disposition in Security therefor over such Estate or any Portion thereof, under the Authority of the said Act, such Bond and Disposition in Security shall be valid and effectual whether the same be granted to such younger Child or any other Party in right of such Provision, or to any Party or Parties advancing the Amount thereof, in order to the Payment of such younger Child: Provided always, that if such Bond and Disposition in Security be not granted directly to such younger Child or other Party in right of such Provision, such Provision be formally discharged by such younger Child, or the Amount of such Provision, with any Interest due thereon, be paid over to or consigned or invested for Behoof of such younger Child or other Party in right of the same, at the Sight of the Court.

Money placed in trust prior to 1st August 1848 to purchase Land to be entailed may be partly invested in Land and partly employed for the Benefit of such Land.

VIII. Where, under any Deed executed prior to the First Day of *August* One thousand eight hundred and forty-eight, any Money is or shall be held in trust for the Purpose of purchasing Land to be entailed, and such Trust has been or shall be partially implemented by the Investment in Land of a Portion of such Trust Money, and also where under any Deed executed as aforesaid any Land has been invested in trust with a view to the same or any Part thereof being entailed, and any Money is or shall be held under such or any other Deed executed as aforesaid in trust to be invested in Land to be added to such entailed Estate, and where in either of the Cases aforesaid the Heir of Entail in possession of such Land for the Time being, if such Land has been entailed in Terms of such Trust, or the Party who, if such Land had been entailed or Money had been invested in Land, which Land had been entailed in Terms of such Trust, would be the Heir of Entail in possession thereof, shall have made or shall make summary Application to the Court for Authority to lay out the uninvested Portion of such Money, or any Part thereof, in or towards Payment of any Money charged, under this or the said recited Act or under any other Act, upon the Fee of the Land purchased or directed to be entailed as aforesaid, or in the Redemption of the Land Tax affecting such Land, or in building or repairing Mansion House or Offices, or otherwise permanently improving the same, or in Repayment of Money already expended in such Improvements, (such Application to the Court always setting forth the Amount of Money so proposed to be laid out, and the special Purpose to which it is intended to apply the same,) the Court, if satisfied of the Propriety of the proposed Application, shall issue a Finding or Decree to that Effect, and authorizing such Application; and it shall thereafter be lawful for the Petitioner, or other Party having the Control of such Money, and for the Petitioner to call upon such Party having such Control, to lay out such Money or any Part thereof, according as the Court shall have authorized the Application of the same, to all or any of the before-mentioned Purposes; and if there shall be any Surplus of such Money after the Purposes authorized by such Decree of Court shall be fulfilled, the same shall, if more than Two hundred Pounds, be applied as the whole Money would have been applied but for the Provisions of this Act, and if less than Two hundred Pounds, shall be paid to the Petitioner for his own Use and Behoof.

IX. In

Sales may be made to pay off Entailer's Debts.

IX. In all Cases where there are or shall be Entailer's Debts or other Debts or Sums of Money which might lawfully be made chargeable upon the Fee of an entailed Estate, the Heir of Entail in possession of such Estate for the Time being shall have all the like Powers with regard to Sale and Disposal of any Portion or Portions of such Estate, for the Purpose of paying off such Debts or Sums of Money, as are conferred by the said recited Act with reference to the Payment of Debt which is validly charged on the Fee of such Estate; and all the Provisions of the said recited Act respecting Sales which may be made in order to pay off Debt which is validly charged on the Fee of such Estate as aforesaid, and respecting the Dispositions which may be granted for carrying such Sales into effect, and respecting the Approval of the Prices for which such Sales shall be made, and respecting the Application of the Prices to be obtained upon such Sales, and respecting the Tailzies which may be executed of any Lands to be purchased by means of such Prices, shall be applicable and apply, *mutatis mutandis*, to Sales which may be made under this Act for paying off Entailer's Debt or other Debts or Sums of Money as aforesaid, and to Dispositions which may be granted for carrying such last-mentioned Sales into effect, and to Prices for which such last-mentioned Sales may be made, and to Tailzies which may be executed of any Lands to be purchased by means of such Prices.

Where, at passing of this Act, entailed Estates may be sold under judicial Authority, Parties entitled to sell may make Application to the Court, in Form prescribed by recited Act.

X. Where at the Date of the passing of this Act any entailed Estate in *Scotland* may be sold and disposed of, in whole or in part, under judicial Authority, in virtue of the Provisions of any special Act of Parliament, or otherwise, it shall be competent for any Party entitled to sell or dispose of such entailed Estate, in whole or in part as aforesaid, to make Application to the Court in the Form and Manner prescribed by the said recited Act with reference to Applications under the said recited Act, and with such Consents, if any, as may be requisite to such Sale and Disposal in Terms of such special Act of Parliament, or otherwise, and without any other Consents, in order to obtain the Authority of the Court to sell and dispose of such entailed Estate, in whole or in part; and the Court shall, under such Application, grant Warrant for and authorize the Sale of such entailed Estate, in whole or in part, as the Case may be, upon such reasonable Advertisement, and on such Terms and Conditions as the Court may deem proper in the Circumstances, without regard to any Forms of Procedure prescribed by such special Act of Parliament, or otherwise; and all Sales and Conveyances which may be made and granted under any such Application as aforesaid shall be equally valid and effectual in all respects as if made under such special Act of Parliament or otherwise, and according to the Forms which, if this Act had not been passed, it would have been necessary to follow.

In Contracts of Excambion, &c. the Destination, &c. may be omitted, provided such Destination, &c. be referred to as set forth in the original Tailzie.

XI. In all Contracts of Excambion which may be made and executed in virtue of the said recited Act, and in all Deeds of Entail which may be made and executed in virtue of the Twenty-fifth Section of the said recited Act, or of the Ninth Section of this Act, and in all Instruments of Sasine following on such Contracts of Excambion and Deeds of Entail, it shall be competent to omit the Insertion of the Destination, and of the Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, contained in the original Tailzie, provided such Destination and such Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, shall in such Contracts of Excambion and Deeds of Entail and Instruments of Sasine be specially referred to as being set forth in such original Tailzie, which shall be referred to by its Date and by the Date of recording the same in the Register of Tailzies or in the Books of Council and Session; and the Reference so made to such Destination and to such Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, shall be equivalent to the full Insertion thereof, and shall in all Questions, whether with Third Parties or *inter hæredes*, and to all Intents and Purposes whatever, have the same Force and Effect as if such Destination and such Conditions and Provisions and Clauses, prohibitory, irritant, and resolutive, had been inserted at Length in such Contracts of Excambion and Deeds of Entail and Instruments of Sasine; and that notwithstanding any Provisions contained in an Act of the Parliament of *Scotland*, made in the Year One thousand six hundred and eighty-five, intituled *Act concerning Tailzies*, or any Law or Practice to the contrary now in force.

Where in any Tailzie executed after 1st August 1848 the Maker of the Tailzie declares that 10 G. 3. c. 51. and 5 G. 4. c. 87. are applicable they shall be deemed to be so.

XII. Where in any Tailzie executed after the First Day of *August* One thousand eight hundred and forty-eight, the Maker of such Tailzie has declared or shall declare that an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of* Great Britain *called* Scotland *held under Settlement of strict Entail*, and an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to authorize the Proprietors of entailed Estates in* Scotland *to grant Provisions to the Wives or Husbands and Children of such Proprietors*, or either of the said Acts of Parliament, shall be applicable to such Tailzie, then and in that Case such Act or Acts, as the Case may be, shall be deemed and taken to be and shall be applicable to such Tailzie in like Manner as if such Tailzie had been executed prior to the said First Day of *August* One thousand eight hundred and forty-eight.

Where Tailzie executed after 1st August 1848 does not expressly prohibit the granting of Feus, &c., Heir of Entail in possession may execute Powers of granting Feus, &c.

XIII. Where any Tailzie executed after the First Day of *August* One thousand eight hundred and forty-eight does not expressly prohibit the granting of Feus or Building Leases of the entailed Estate, or any Part thereof, though containing a Prohibition against Alienation and long Leases generally, the Heir of Entail in possession of such entailed Estate for the Time shall have the same Powers of granting Feus and Building Leases for more than Twenty-one Years as are by the said recited Act, or by any other Act of Parliament conferred upon Heirs of Entail in possession of entailed Estates holding the same under Tailzies dated prior to the said First Day of *August* One thousand eight hundred and forty-eight: Provided always, that Application shall be made in the Form prescribed by the said recited Act with reference to Applications authorized to be made under the said Act, for the Authority of the Court of Session to the granting of such Feus or Building Leases; and such Court, having regard to the Interests of

of the Heirs Substitute of Entail, shall be satisfied that the granting of such Feus or Leases is an Act of beneficial Administration of the entailed Estates.

Heirs of Entail in possession entitled to sell Portion of Estates, &c. under 8 & 9 Vict. c. 19. may do so in consideration of annual Feu Duty, &c.

XIV. It shall be lawful for any Heir of Entail in possession of any entailed Estate in *Scotland* who is or shall be entitled to sell, convey, and dispose of any Portion of such entailed Estate, or any Right or Interest therein under the Powers conferred by "The Lands Clauses Consolidation (*Scotland*) Act, 1845," to sell and convey such Portion of such entailed Estate, or such Right or Interest therein, to the Company who by the said Consolidation Act may be authorized to acquire the same, in consideration of an annual Feu Duty or a Ground Annual payable by such Company to such Heir of Entail and his Successors in the Lands, or in the Right or Interest therein so conveyed, and that in the Form prescribed by the said Consolidation Act with respect to Conveyances in Feu by Parties entitled absolutely to grant the same.

Company not to pay, nor Heir of Entail to receive, any Grassum, &c. for any Rights conveyed but annual Feu Duties, &c.

XV. Provided always, That it shall not be lawful for such Company to pay, nor for such Heir of Entail to receive or take, any Grassum, Fine, or Premium, or any Consideration in the Nature thereof, for the Lands or Rights or Interests to be so conveyed, other than the annual Feu Duties or Ground Annuals made payable by such Conveyance, and the Amount of such Feu Duties or Ground Annuals shall, in case of Difference, be ascertained and settled by Valuators in the Manner prescribed by the said Consolidation Act with respect to the Valuation of Lands sold by Agreement by Parties under legal Disability or Incapacity to convey.

All Feu Duties, &c. made payable by Company to be a First Charge on the Revenues of Company.

XVI. All Feu Duties or Ground Annuals made payable under any such Conveyance to such Company shall be a First Charge on the Tolls and Rates and other Revenues of such Company, preferable to all Debenture and Bond and Mortgage Debt and other Debt of such Company, anything in any Act of Parliament now in force to the contrary notwithstanding; and if at any Time any such Feu Duties or Ground Annuals remain unpaid for Thirty Days after they respectively became payable, it shall be lawful to the Person entitled for the Time being to Payment of such Feu Duties or Ground Annuals to recover the same from such Company, with Interest and Costs, by Action in the Sheriff Court of the County within which the Lands in respect of which such Feu Duty or Ground Annual is payable are locally situated, or summarily by Poinding and Sale of the Goods and Effects of such Company on Application by Petition to such Sheriff; and such Feu Duty or Ground Annual shall to all Intents and Purposes whatever be deemed and taken to be Part and Portion of the entailed Estate, and subject to the Destination and to all the Conditions, Provisions, and Limitations, and to all the Clauses prohibitory, irritant, and resolutive of the Tailzie under which such Estate is holden.

Affidavit sufficient if stated to best of Belief.

As to Affidavits not lodged in Time.

XVII. It shall be sufficient, in any Affidavit directed by the said recited Act to be made and produced in any Application thereby authorized, that such Affidavit bear that the Particulars required by the said recited Act to be specified therein are so specified to the best of the Knowledge and Belief of the Maker of such Affidavit; and where such Affidavit has not been or shall not be made and lodged at the Outset of the Proceedings under such Application, the Court shall direct such Omission to be supplied, and shall, on such Omission being supplied, proceed as if such Affidavit had been timeously given in.

Provision as to Consents for Minors and incapacitated Persons.

XVIII. Every Consent which, on the Behalf of any Heir of Entail being under Age, or subject to any legal Incapacity, whose Consent has been or is or shall be required under the said recited Act, has been or shall be given by any Tutor or Curator or other legal Guardian duly authorized to consent in Terms of the said recited Act on the Behalf of such Heir of Entail, shall be deemed and taken to be and shall be valid and sufficient, except in any Case of Application for disentailing, without the Concurrence of such Heir of Entail, and without any Consent to or Approval of the Actings of such Tutor or Curator or other legal Guardian, by such Heir of Entail; but the Consent of such Curator or other Guardian on behalf of such Heir of Entail, in Terms of the said recited Act, shall not in any future Application under the said recited Act or this Act, or in any Application under the said recited Act not yet finally disposed of (unless in any Case in the Circumstances of which the Court shall be of opinion that the Consent of the Tutor, Curator, or other legal Guardian alone is sufficient), be received or acted on where such Heir of Entail, being of sound Mind, and above the Age of Fourteen Years, shall, in the course of the Application wherein such Consent may be tendered, enter Appearance and oppose the Reception of such Consent, which such Heir of Entail is hereby authorized to do.

Rights of Heir of Entail obtaining Consents, &c. not to be affected by Alteration of Circumstances afterwards occurring.

XIX. The Date of presenting any Application under the said recited Act or under this Act shall be held to be the Day on which the First Interlocutor under such Application has been or shall be pronounced, and no Alteration of Circumstances which has occurred or which shall occur subsequent both to the Date of presenting such Application and to the last Date of the Consents required to the same, whether by the Birth of any intervening Heir or by the Death of any Granter of such Consent, or otherwise, except as herein-before specially provided, shall be deemed to have or shall have any Effect upon the Rights of the Party who shall present or who has presented such Application, or shall affect the Procedure taken therein.

Heirs of Entail not to give Consents where opposed by Heritable Creditors.

XX. Where any Heir of Entail called to the Succession of an entailed Estate by any Tailzie dated prior to the First Day of *August* One thousand eight hundred and forty-eight shall previous to the passing of the said recited Act have granted any Bond of Annuity or other Deed disponing or bearing to dispone, or containing Obligation to dispone, such Estate or any Portion thereof in Security, such Heir of Entail shall not be entitled to give Consent to any Application under the said recited Act or this Act which shall be opposed by any Creditor in such Bond of Annuity or other Deed as aforesaid, and who shall either hold Infeftment in such entailed Estate, duly recorded, or shall enter Appearance and prove his Debt or Claim in the course of the Proceedings under such Application: Provided always,

that

that it shall be competent to the Court, if, with reference to any Offer of adequate Security, or otherwise in the Circumstances, it shall deem the Opposition on the Part of such Creditor to be unreasonable, to disallow the same, and to give Effect to the Consent of such Heir.

Heir Apparent of Entail not to give Consent in opposition to such Creditors.

XXI. Where any Heir Apparent of an entailed Estate under a Tailzie dated prior to the said First Day of *August* One thousand eight hundred and forty-eight shall, subsequent to the passing of the said recited Act, have granted any Bond of Annuity or other Deed disponing or bearing to dispone, or containing Obligation to dispone such Estate, or any Portion thereof, in Security, such Heir Apparent shall not be entitled to give Consent to any Application, under the said recited Act or this Act, except under the like Circumstances as would have enabled him to give Consent, and to have his Consent allowed, had such Bond of Annuity or other Deed been granted previously to the passing of the said recited Act; but the Consents of the other Heirs Substitute shall be given and allowed independently of the Rights of any such Creditors.

Propelling of Succession, under Reservation of Liferent, to have no Effect upon Applications under this or recited Act.

XXII. Where any Heir of Entail in possession of an entailed Estate under an Entail created before the passing of the said Act shall have lawfully propelled or shall hereafter lawfully propel such Estate, under Reservation of his own Liferent, to the Heir entitled to succeed him therein, any Application which has been or shall be made by him under the recited Act or under this Act, and all Procedure following thereon, shall be equally effectual in all respects as if he had not propelled the Succession, provided the Consents of the Persons whose Consents would have been required to such Application if he had not propelled the Succession as aforesaid be obtained thereto.

Bonds, &c. in Security may contain Power of Sale.

XXIII. Every Bond and Disposition in Security hereafter to be granted under the said recited Act or under this Act may, in the Option of the Party upon whose Application to the Court the same shall be executed, contain a Power of Sale in ordinary Form.

Judgments and Decrees to be final.

XXIV. Every Judgment and Decree pronounced, and that shall be pronounced upon any Application under the said recited Act or under this Act, where such Judgment or Decree has not been or shall not be brought under Review of the House of Lords by Appeal, or brought under Reduction upon any relevant Ground during the Period within which such Judgment or Decree might have been appealed from, shall, as regards Third Parties acting *bonâ fide* on the Faith thereof, be no longer reducible on any Ground of Irregularity on Noncompliance with the Provisions of the said recited Act or of this Act, but in respect of any such Ground of Challenge be final and conclusive; and the Period during which Challenge or Appeal is competent, under the said recited Act or under this Act, of any such Judgment or Decree, or of any Instrument of Disentail, or other Deed executed in virtue of such Judgment or Decree, shall not be extended in respect of the Minority or Want of Capacity to act of any Person or Persons whatever.

Interpretation of Terms.

XXV. The following Words occurring in this Act shall, except where the Nature of the Provision shall be repugnant to such Construction, be construed as follows; that is to say, the Words "Court of Session," or "the Court," shall be construed to mean either Division of the Court of Session; the Words "Heir of Entail" shall include "Institute;" the Word "Lands" shall extend to and comprehend all Heritages; and the Words "Entailed Estate" shall extend to and comprehend all Heritages which by the Law of *Scotland* may be made the Subject of Entail.

CAP. XCV.

An Act to provide for the Government of *India*. [20th *August* 1853.]

3 & 4 W. 4. c. 85.

'WHEREAS by an Act passed in the Session of Parliament holden in the Third and Fourth Years of King *William* the Fourth, intituled *An Act for effecting an Arrangement with the* East India *Company, and for the better Government of His Majesty's* Indian *Territories till the Thirtieth Day of* April *One thousand eight hundred and fifty-four*, the Territories therein mentioned were continued under the Government of the *East India* Company until the Thirtieth Day of *April* One thousand eight hundred and fifty-four, with the Powers and subject to the Superintendence, Direction, and Control therein mentioned; and the Property and Rights in the said Act mentioned were continued in the Possession of the said Company in trust for the Crown for the Service of the said Government: And whereas it is expedient to provide for the Government of the Territories now in the Possession and under the Government of the said Company after the Expiration of the Term limited by the said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Until Parliament shall otherwise provide, the British Territories in India to be continued under the Government of the Company, subject to the Provisions of this Act.

I. Until Parliament shall otherwise provide, all the Territories now in the Possession and under the Government of the *East India* Company shall continue under such Government in trust for Her Majesty, Her Heirs and Successors, with and under the Powers and Restrictions, and subject to the Superintendence, Direction, and Control now by Law applicable to such Government, and subject also to the Provisions of this Act; and all the Provisions now in force of the said Act of the Third and Fourth Years of King *William* the Fourth, and all other Enactments whatsoever now in force with relation to the said Company and Government and Territories respectively, shall, save so far as the same are altered by or are repugnant to this Act, continue in force after the said Thirtieth Day of *April* One thousand eight hundred and fifty-four, as if the said Term had not expired; and no Appointments, Arrangements, or Acts made or done under the Provisions and Enactments hereby continued, shall, by reason only of the Expiration of the said Term, cease or be affected.

After the Second Wednesday in April 1854, there shall be Eighteen Directors of the Company.

II. From and after the Second *Wednesday* in the Month of *April* One thousand eight hundred and fifty-four there shall be Eighteen Directors and no more of the said Company, to be from Time to Time appointed and elected as herein-after mentioned; and such Directors, or any Ten or more of them, shall be and shall be called a Court of Directors, and such Directors and Court of Directors respectively shall have the same Powers and Privileges as the Directors and Court of Directors of the said Company now have, save so far as such Powers and Privileges are altered by this Act; and in every Case where the Presence, Signature, Consent, or Concurrence of Thirteen Directors of the said Company, or of any greater Number of such Directors, is now requisite, the Presence, Signature, Consent, or Concurrence (as the Case may be) of Ten Directors under this Act, shall be sufficient; and in all Despatches and written Documents proceeding from the said Court of Directors the Signatures of the Chairman and Deputy Chairman and of the Senior Member of the said Court, or of any Two of them, countersigned by the Secretary or Deputy Secretary for the Time being of the said Company, shall be sufficient in lieu of the Signatures of the Majority of the said Directors.

Her Majesty to appoint Three of the first Directors for Two, Four, and Six Years.

All Directors appointed to have served Ten Years in India.

III. It shall be lawful for Her Majesty, by Warrant under the Royal Sign Manual, at any Time before the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four, to appoint Three Persons to be, from the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four, Directors of the said Company, under this Act, and One of such Persons shall be appointed to be a Director for the Term of Two Years, One other for the Term of Four Years, and One other for the Term of Six Years; and every Director to be so appointed, and every other Director to be appointed by Her Majesty under the Provisions herein contained, shall be a Person who shall have been for Ten Years at the least in the Service of the Crown in *India*, or in the Service of the said Company there.

The present Directors and the Directors out by Rotation, to appoint from their own Body Fifteen of the first Directors under this Act, Five for Two Years, Five for Four Years, and Five for Six Years.

IV. On the Second *Wednesday* in the Month of *March* One thousand eight hundred and fifty-four the present Directors of the said Company, or such of them as may then remain in Office, and the Persons, or Survivors of the Persons, heretofore Directors of the said Company, who in the Month of *April* One thousand eight hundred and fifty-three ceased to be such Directors by the Expiration of the Term for which they were elected, or the major Part of the said Directors and Persons, shall, from among the said Directors and Persons heretofore Directors as aforesaid, appoint Fifteen Persons to be, with the Three Persons to be appointed by Her Majesty, the first Directors of the said Company under this Act from the said Second *Wednesday* in *April* One thousand eight hundred and fifty-four; and of such Fifteen Persons Five shall be appointed for the Term of Two Years, Five others for the Term of Four Years, and the remaining Five for the Term of Six Years; and for the Purposes of such Appointment as aforesaid, as well the said Persons heretofore Directors, as the said present Directors remaining in Office, shall meet and act together as a Court of Directors of the said Company on the said Second *Wednesday* in *March*, and the Names of the Directors who shall be appointed at such Court, together with the respective Terms for which they are appointed, shall be certified to the Board of Commissioners for the Affairs of *India*, under the Seal of the said Company.

On casual Vacancies, Directors appointed by the Crown to be increased to Six, those not so appointed to be reduced to Twelve.

V. To the Intent that the Number of the Directors of the said Company to be appointed by Her Majesty under this Act be increased to Six, and the Number of other Directors reduced to Twelve, it shall be lawful for Her Majesty, upon the First, Second, and Third Vacancy respectively among the Directors under this Act not appointed by Her Majesty which may happen otherwise than by the Expiration of the Term of Years for which a Director may have been appointed or elected, to appoint by Warrant as aforesaid a Person to be a Director of the said Company to fill each of such Vacancies.

Vacancies among Directors how to be filled up.

VI. Every Vacancy happening from Time to Time in the Office of any Director who shall have been appointed by Her Majesty under any Provision herein contained shall be filled up by Her Majesty by Warrant under the Royal Sign Manual; and, subject to the Provisions herein contained for increasing the Number of Directors to be appointed by Her Majesty, every Vacancy among the Directors not appointed by Her Majesty shall be filled up by Election by the General Court of the said Company, in the Manner in which Directors are now elected.

Ordinary Term of Office of Directors to be Six Years, and Directors re-eligible.

VII. Every Director appointed by Her Majesty or elected by the said General Court to fill a Vacancy occasioned by the Expiration of the Term of Office of a Director shall be appointed or elected for the Term of Six Years; and every Director appointed by Her Majesty or elected by the said General Court to supply the Place of any Director whose Office shall have become void otherwise than by the Expiration of his Term of Office, shall be appointed or elected for the Remainder of the Term of Office of such last-mentioned Director; and every Person who shall, or but for Re-appointment or Re-election would, cease to be a Director by the Expiration of his Term of Office, shall be capable of being forthwith re-appointed or of being re-elected at the Election holden on the Day of the Expiration of such Term.

Term of Office of Directors to expire, and biennial Elections to be holden on the Second Wednesday in April.

VIII. The Terms of Two Years, Four Years, and Six Years respectively, for which the Directors first appointed under this Act shall be appointed, shall be taken to expire at the End of the Day on the Second *Wednesday* in the Month of *April* in the Second, Fourth, and Sixth Years respectively after the Year One thousand eight hundred and fifty-four, and the Term of Office of every Person appointed or elected to supply a Vacancy upon the Expiration of any Term shall be taken to expire at the End of the Day on the Second *Wednesday* in *April* in the Sixth following Year; and it shall be lawful for Her Majesty from Time to Time, upon or after the Expiration of the Term of Office of any Director or Directors appointed by Her Majesty by Warrant under the Royal Sign Manual, to appoint or re-appoint a Person or Persons to fill such Vacancy or Vacancies; and biennial Elections shall be holden on the Second *Wednesday* of the Month of *April* in the Year One thousand eight hundred and fifty-six, and

and in every alternate Year, for filling up such Vacancies among the Directors by the Expiration of any Term of Office as the General Courts of the said Company may be authorized to fill up, and all the Provisions applicable to the General Annual and other Elections of Directors by the said General Court shall be applicable to the biennial and other Elections of Directors by such General Court under this Act, so far as Circumstances will admit.

Six of the Directors not appointed by the Crown to be Persons who shall have served Ten Years in India.

IX. Of the Fifteen Directors first appointed under this Act by the present Directors and Persons heretofore Directors of the said Company, Six shall be Persons who shall have resided for Ten Years at the least in *India*; and all such Vacancies happening from Time to Time in the Offices of any of the Six Directors so qualified as the General Court may be authorized to fill up shall be filled up by Persons qualified in like Manner; and in case by the Vacancies among the Directors not appointed by Her Majesty, which Her Majesty is authorized to fill up, or any of such Vacancies, the Number of Directors so qualified as aforesaid (exclusive of those appointed by Her Majesty) be reduced below Six, every Person thereafter elected by the General Court to be a Director upon any Vacancy, except any of the Directors first appointed under this Act who may be elected at the Expiration of their Term of Office, shall be a Person qualified in like Manner until the Number of Directors so qualified, exclusive of those appointed by the Crown, be restored to Six, and every casual Vacancy thenceforth happening among such Six Directors so qualified shall be filled up by the Election of a Person qualified in like Manner; and when at the Time of any biennial Election thereafter of Directors by the General Court the Number of the Directors for the Time being who shall have resided for such Time in *India*, exclusive of any such Directors whose Term of Office may expire with the Day of the Election, and of the Directors appointed by the Crown, is less than Six, the Directors to be then elected, or so many of such Directors as may be necessary for making up the Number of Directors who shall have resided for such Time in *India* to Six, shall be a Person or Persons who shall have resided for such Time in *India*.

Qualification of a Director as respects the Possession of East Indian Stock; 1,000*l.* to be a Qualification.

X. Notwithstanding the Provision of the Charter of the Tenth Year of King *William* the Third, any Person shall be deemed, so far as respects the Possession of Stock of the said Company, to be qualified to be chosen or appointed and to continue a Director of the said Company, under this Act, who shall have in his own Name and in his own Right and to his own Use One thousand Pounds or more in the Capital Stock of the said Company; and all Enactments and all Provisions of any Charter or Byelaw having reference to the Qualification of a Director shall be construed as if the said Sum of One thousand Pounds were substituted therein, and in the said Charter of King *William* the Third, for the Sum of Two thousand Pounds; and in the Case of any such Director appointed by Her Majesty, it shall be sufficient if, before he shall act as such Director, he shall have such Qualification in the said Capital Stock as is required under this Act, although he may not have the same at the Time of his Appointment; and every Person who shall be hereafter elected or appointed a Director of the said Company shall, before he shall act as such Director, make the following Declaration:

Director before acting to make a Declaration.

'I *A.B.* do declare, That the Sum of One thousand Pounds now standing in my Name of the Stock of 'the East India Company belongs to me in my own Right and not in trust for any other Person or 'Persons whatsoever.'

Directors appointed by Her Majesty may sit in Parliament.

XI. No Person appointed by Her Majesty to be a Director under this Act shall, by reason of such Appointment, be incapable of being elected or sitting or voting in Parliament; and no such Director so appointed shall be subject to be removed by the General Court of the said Company; but it shall be lawful for Her Majesty, if She shall think fit, to remove any such Director for Inability or Misbehaviour.

The Authority of the present Directors to cease on the Second Wednesday of April 1854.

XII. From and after the Second *Wednesday* of the said Month of *April* One thousand eight hundred and fifty-four, all such of the present Directors of the said Company as shall not have been appointed to be Directors under this Act shall cease to be Directors of such Company; and no Vacancy which shall happen in the meantime in the Office of any of the said present Directors shall be filled up; and, notwithstanding any such Vacancies, such of the said present Directors as for the Time being may remain in Office, or the Majority of them, shall, until the Commencement of the Term of Office of the first Directors under this Act, have and exercise all the Powers by Law vested in the Directors of the said Company; and in every Case where the Presence, Signatures, Consent, or Concurrence of Thirteen Directors of the said Company or of any greater Number of such Directors is now requisite, the Presence, Signature, Consent, or Concurrence (as the Case may be) of the Majority of such of the said Directors as for the Time being may remain in Office shall be sufficient.

Directors before acting to take the Oath herein named.

XIII. Every Person who shall hereafter be appointed or elected a Director of the said Company shall, before he shall act in that Office, take the following Oath, instead of the Oath now appointed to be taken by a Director; that is to say,

'I *A.B.* do swear, That I will be faithful to Her Majesty Queen Victoria, and will to the best of my 'Ability perform the Duty assigned to me as a Director of the East India Company in the Administration of the Government of India in trust for the Crown. So help me GOD.'

Quorum of General Courts of the Company.

XIV. If at any General Court of the said Company, after the Transaction of such Business as by any Act of Parliament or any Byelaw of the said Company may be required to be transacted at such Court, the Number of Proprietors assembled and qualified to vote, exclusively of any Directors then present, shall not amount to Twenty, it shall be lawful for the Chairman of the said Court, and he is hereby required, upon the Fact of the Number of Proprietors so assembled not amounting to Twenty being brought to his Notice, to declare the Court adjourned without putting the Question.

The Provisions of 3 & 4 W. 4. c. 85. for creating a Presidency of Agra, which has been suspended by 5 & 6 W. 4. c. 52., to remain so until the same be revoked.

XV. The Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth, relating to the Division of the Presidency of *Fort William* in *Bengal* into Two Presidencies, and to the Measures consequent thereupon, which have been suspended under the Authority of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty-two, shall remain suspended until the Court of Directors, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, shall otherwise direct; and during the Continuance of such Suspension the Provisions of such last-mentioned Act, authorizing the Appointment of a Lieutenant Governor for the North-western Provinces, then under the Government of the Presidency of *Fort William* in *Bengal*, and the Appointments and Arrangements made thereunder, shall remain in full Force.

A separate Governor may be appointed for the Presidency of Bengal;

in the meantime a Lieutenant Governor may be appointed.

XVI. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, at any Time after the passing of this Act, to declare that the Governor General of *India* shall not be Governor of the Presidency of *Fort William* in *Bengal*, but that a separate Governor shall be appointed for such Presidency, and in such Case a separate Governor shall be from Time to Time appointed for such Presidency accordingly, in manner provided by the said Act of the Third and Fourth Years of King *William* the Fourth, in the Case of Vacancies happening in the Offices of the Governors of the Presidencies of *Fort Saint George* and *Bombay*; and from and after the Appointment of such Governor, the Power by the said Act vested in the Governor General of *India* of appointing a Deputy Governor of the said Presidency of *Fort William* in *Bengal* shall cease; and unless and until a separate Governor of such Presidency shall be constituted as aforesaid, it shall be lawful for the Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, at any Time after the passing of this Act, to authorize and direct the Governor General of *India* in Council to appoint from Time to Time any Servant of the said Company who shall have been Ten Years in their Service in *India* to the Office of Lieutenant Governor of such Part of the Territories under the Presidency of *Fort William* in *Bengal* as for the Time being may not be under the Lieutenant Governor of the said North-western Provinces, and to declare and limit the Extent of the Authority of the Lieutenant Governor to be so appointed.

Power to Directors to create One new Presidency or to authorize Governor General to appoint a new Lieutenant Governorship.

XVII. It shall be lawful for the Court of Directors of the said Company, under such Direction and Control, if and when they think fit, to constitute One new Presidency within the Territories subject for the Time being to the Government of the said Company, and to declare and appoint what Part of such Territories shall be subject to the Government of such new Presidency; and unless and until such new Presidency be constituted as aforesaid, it shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, if and when they think fit, to authorize (in addition to such Appointments as are herein-before authorized to be continued and made for the Territories now and heretofore under the said Presidency of *Fort William*) the Appointment by the said Governor General in Council of a Lieutenant Governor for any Part of the Territories for the Time being subject to the Government of the said Company, and to declare for what Part of the said Territories such Lieutenant Governor shall be appointed, and the Extent of his Authority, and from Time to Time to revoke or alter any such Declaration.

Power to alter from Time to Time the Limits of Presidencies and Lieutenant Governorships.

XVIII. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, from Time to Time to declare and appoint what Part or Parts of the Territories for the Time being subject to the Government of the said Company shall be or continue subject to each of the Presidencies and Lieutenant Governorships for the Time being subsisting in such Territories, and to make such Distribution and Arrangement or new Distribution and Arrangement of such Territories into or among such Presidencies or Lieutenant Governorships as to the said Court of Directors, under such Direction and Control as aforesaid, may seem expedient.

The Enactments as to existing Presidencies to extend to new Presidencies.

XIX. The Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth, as amended by this Act, and all other Provisions now in force for the Administration of the Executive Government of the Presidencies of *Fort Saint George* and *Bombay* respectively, and authorizing the Revocation and Suspension of the Appointment of Councils and the Reduction of the Number of Councillors in such Presidencies respectively, and as to the Powers, Duties, Functions, and Immunities of the Governors of such Presidencies respectively, and of such Governors in their respective Councils, and concerning or applicable to the Appointment and provisional Appointment of Governors and Members of Council of the said Presidencies respectively on Vacancies, and otherwise providing for Vacancies in the Office of any such Governor, and concerning the Removal and Dismissal of such Governors and Members of Council, and the Revocation of Appointments and provisional Appointments of Governors and Members of Council of such Presidencies, and concerning the Salaries and Emoluments of such Governors and Members of Council, shall extend and be applicable in like Manner to and in the Case of any new Presidency to be established as aforesaid under this Act, and also to and in the Case of the Presidency of *Agra*, in case the same be constituted under the Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth; and the said Provisions concerning Appointments of Governors and Members of Council on Vacancies, as amended by this Act, shall extend and be applicable to and for the first Appointment of a Governor and Members of Council of such new Presidency and the Presidency of *Agra* aforesaid.

All Appointments of Members of Council to be approved of by Her Majesty.

XX. Every Appointment by the Court of Directors of any ordinary Member of the Council of *India*, or of any Member of the Council of any Presidency in *India*, shall be subject to the Approbation of Her Majesty, to be signified under Her Royal Sign Manual, countersigned by the President of the Board of Commissioners for the Affairs of *India*.

XXI. So

As to excluding Fourth ordinary Member from certain Meetings.

XXI. So much of the said Act of the Third and Fourth Years of King *William* the Fourth as provides that the Fourth ordinary Member of the Council of *India* shall not be entitled to sit or vote in the said Council, except at Meetings thereof for making Laws and Regulations, shall be repealed.

Legislative Councillors added to the Council of India for making Laws and Regulations;

XXII. For the better Exercise of the Powers of making Laws and Regulations, now vested in the Governor General of *India* in Council, the several Persons herein-after mentioned shall, in addition to and together with such Governor General and the Members of the said Council, under the said Act of the Third and Fourth Years of King *William* the Fourth, be Members of the said Council of *India* for and in relation to the Exercise of all such Powers of making Laws and Regulations as aforesaid, and shall be distinguished as Legislative Councillors thereof; (that is to say,)

One Member for each Presidency and Lieutenant Governorship for the Time being established in the said Territories, to be appointed from Time to Time by the Governor of such Presidency and the Lieutenant Governor of such Lieutenant Governorship respectively, from among the Persons having been or being at the Time of their Appointment in the Civil Service of such Company within such Presidency or Lieutenant Governorship, and who shall have been Ten Years in the Service of the said Company:

The Chief Justice of the Supreme Court of Judicature at *Fort William* in *Bengal*, or the Chief Justice or Chief Judge of any Court of Judicature hereafter to be constituted in the said Territories to or in which the Powers of such Supreme Court may be transferred or vested:

One of the other Judges of such Supreme Court, or One of the Judges appointed by Her Majesty of any such future Court as aforesaid, to be named by the said Governor General:

but only to vote at Meetings for that Purpose.

And it shall be lawful for the Court of Directors, if they think it expedient, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, to authorize and direct the Governor General of *India* to appoint from Time to Time, in addition to such Legislative Councillors as aforesaid, Two Persons, to be selected by the said Governor General, having been Ten Years in the Service of the Company, to be Legislative Councillors of the said Council under this Act: Provided always, that the Legislative Councillors added to the Council of *India* by or under this Act shall not be entitled to sit or vote in the said Council, except at Meetings thereof for making Laws and Regulations.

Appointment of a Vice President of Council to preside at Meetings in Absence of Governor General;

Quorum for Legislative Business.

XXIII. It shall be lawful for such Governor General to appoint any Member of the said Council to be Vice President thereof at Meetings of the said Council for making Laws and Regulations, who shall preside therein at such Meetings in the Absence of such Governor General, and in the Absence of such Vice President the senior ordinary Member of the Council of *India* there present shall preside therein; and the Powers of making Laws or Regulations vested in the said Governor General in Council shall be exercised only at Meetings of the said Council, at which such Governor General or Vice President or some ordinary Member of Council, and Six or more Members of the said Council, shall be assembled, the Chief Justice or Chief Judge, or such other Judge of the Supreme Court or such other Court as aforesaid, or the Fourth ordinary Member of the said Council of *India*, being One; and in every Case of Difference of Opinion at Meetings of the said Council for making Laws and Regulations, where there shall be an Equality of Voices, the Governor General, or in his Absence the Vice President, and in the Absence of the Governor General and the Vice President such senior ordinary Member of Council there present and presiding, shall have Two Votes or the Casting Vote.

Governor General's Assent requisite to Validity of Laws.

XXIV. Provided always, That no Law or Regulation made by the said Council shall have Force or be promulgated until the same has been assented to by the said Governor General, whether he shall or shall not have been present in Council at the making thereof.

Time for Meeting of Council with new Legislative Councillors to be fixed by Governor General by Proclamation.

XXV. Provided also, That the said Governor General shall by Proclamation appoint a Time, not being later than Six Months from the Commencement of this Act, for the First Meeting of the said Council of *India* for making Laws and Regulations under this Act, and summon thereto as well the Legislative Councillors appointed by and under this Act as the other Members of such Council; and until such First Meeting the Powers now vested in the said Governor General of *India* in Council of making Laws and Regulations shall and may be exercised in like Manner and by the same Members as before the passing of this Act.

No Law, &c. invalid by reason of its affecting any Prerogative of the Crown.

XXVI. No Law or Regulation made by the Governor General in Council shall be invalid by reason only that the same affects any Prerogative of the Crown, provided such Law or Regulation shall have received the previous Sanction of the Crown, signified under the Royal Sign Manual of Her Majesty, countersigned by the President of the Board of Commissioners for the Affairs of *India*.

All Fines, Penalties, &c. to belong to the East India Company.

XXVII. All Fines and Penalties incurred by the Sentence or Order of any Court of Justice within the Territories under the Government of the *East India* Company, and all Forfeitures for Crimes of any Real or Personal Estate within the said Territories, and all Real and Personal Estate within the said Territories escheating or lapsing for Want of an Heir or Successor, and all Property within the said Territories devolving as *Bona vacantia* for Want of a rightful Owner, shall (as Part of the Revenues of *India*) belong to the *East India* Company in trust for Her Majesty for the Service of the Government of *India*: Provided also, that the Governor General in Council, and any other Person or Persons who may be authorized by any Act passed in that Behalf by the Governor General in Council, shall have Power (in Cases where the same may appear suitable and proper) to make any Grant or Disposition of any Property so accruing by Forfeiture, Escheat, or otherwise to or in favour of any Relative or Connexion of the Person from whom the same shall have accrued, or to or in favour of any other Person or Persons.

XXVIII. 'And

Recital of Provisions of 3 & 4 W. 4. c. 85. as to Appointment of Indian Law Commissioners.

XXVIII. 'And whereas by the said Act of the Third and Fourth Years of King *William* the Fourth it 'was provided, that Commissioners to be appointed thereunder, and to be styled the *Indian* Law Com- 'missioners, should inquire into the Jurisdiction, Powers, and Rules of the existing Courts of Justice 'and Police Establishments in the said Territories, and all existing Forms of Judicial Procedure, and 'into the Nature and Operation of all Laws, whether Civil or Criminal, written or customary, prevailing 'and in force in any Part of the said Territories, and should from Time to Time make Reports, in 'which they should fully set forth the Result of their Inquiries, and should from Time to Time suggest 'such Alterations as might in their Opinion be beneficially made in the said Courts of Justice and 'Police Establishments, Forms of Judicial Procedure, and Laws, due Regard being had to the Distinc- 'tion of Castes, Difference of Religion, and the Manners and Opinions prevailing among different Races 'and in different Parts of the said Territories: And whereas the *Indian* Law Commissioners from 'Time to Time appointed under the said Act, have, in a Series of Reports, recommended extensive 'Alterations in the Judicial Establishments, Judicial Procedure, and Laws established and in force in '*India*, and have set forth in detail the Provisions which they have proposed to be established by Law 'for giving effect to certain of their Recommendations, and such Reports have been transmitted from 'Time to Time to the said Court of Directors; but on the greater Part of such Reports and Recom- 'mendations no final Decision has been had:'

Her Majesty may appoint Commissioners in England to consider and report on the Reforms proposed by the Indian Law Commissioners.

It shall be lawful for Her Majesty, at any Time after the passing of this Act, by Commission under the Royal Sign Manual, to appoint such and so many Persons in *England* as to Her Majesty may seem fit to examine and consider the Recommendations of the said *Indian* Law Commissioners, and the Enactments proposed by them for the Reform of the Judicial Establishments, Judicial Procedure, and Laws of *India*, and such other Matters in relation to the Reform of the said Judicial Establishments, Judicial Procedure, and Laws, as may, by or with the Sanction of the Commissioners for the Affairs of *India*, be referred to them for their Consideration, and to authorize and direct the Persons so appointed, or such Number as may be limited by their Commission in this Behalf, to report their Opinion to Her Majesty on the Matters aforesaid, and especially to report from Time to Time what Laws or Regulations should be made or enacted in relation to the Matters aforesaid, but so that every such Report be made within Three Years after the passing of this Act; and for the Purposes of such Examination it shall be lawful for Her Majesty to authorize the Persons so appointed, or the Number limited by the Commission in this Behalf, to call before them and examine in *England* such Persons in the Service of the Crown and the said Company respectively, and to require the Production of such official Documents in the Possession of the Board of Commissioners for the Affairs of *India*, or of the said Company, as they may think fit.

Approval of Advocate General by Board of Control.

XXIX. No Appointment of any Advocate General of the said Company shall be valid without the Approbation of the Board of Commissioners for the Affairs of *India*.

Her Majesty's Commander-in-Chief to be Commander-in-Chief of Company's Forces.

XXX. Any Person who shall be hereafter appointed by Her Majesty to be the Commander-in-Chief of Her Forces in *India* shall by virtue of such Appointment be also the Commander-in-Chief of all the Company's Forces in *India*, and any Person who shall be hereafter appointed by Her Majesty to be the Commander-in-Chief of Her Forces in any Presidency in *India* shall by virtue of such Appointment be also the Commander-in-Chief of the Company's Forces in such Presidency.

Limit of European Troops of the Company and of their Troops in training at home extended.

XXXI. So much of the Act of the Twenty-eighth Year of King *George* the Third, Chapter Eight, as limits the Numbers of the *European* Forces of the said Company to Twelve thousand two hundred Men, and so much of the Act of the Thirty-ninth Year of King *George* the Third, Chapter One hundred and nine, as limits the Number of Non-commissioned Officers and Private Men which the said Company are authorized to enlist and have in Pay at any One Time, or to train or discipline at any One Time, in *Great Britain* and the Islands of *Guernsey* and *Jersey*, by virtue of that Act, to Two thousand Men, shall, from the passing of this Act, be repealed; and it shall be lawful for the Board of Commissioners for the Affairs of *India*, at any Time after the passing of this Act, and from Time to Time, to give or approve such Directions as they may think fit for raising and maintaining out of the Revenues arising from the said Territories such Number of *European* Forces as they may judge necessary, so that the Number of *European* Forces of the said Company at any One Time do not amount in the whole to more than Twenty thousand Men, including the Commissioned and Non-commissioned Officers; and it shall be lawful for the said Company to enlist and have in Pay and train and discipline under the said last-mentioned Act any Number of Non-commissioned Officers and Private Men not exceeding at any One Time Four thousand.

Sick Leave or Furlough Regulations may be extended as to Residence out of the Limits of the Company's Charter.

XXXII. Nothing in any Enactment now in force, or any Charter, relating to the said Company, shall be taken to prevent the Establishment, by the Court of Directors (under the Direction and Control of the said Board of Commissioners), at any Time after the passing of this Act, and from Time to Time, of any Regulations which they may deem expedient in relation to the Absence on Sick Leave or Furlough of all or any Officers and Persons in the Service of the said Company in *India*, or receiving Salaries from the said Company there, under which they respectively may be authorized to repair to and reside in *Europe* or elsewhere out of the Limits of the said Company's Charter, without Forfeiture of Pay or Salary, during the Times and under the Circumstances during and under which they may now be permitted (while absent from their Duty) to reside in Places out of *India* within the Limits of the said Company's Charter, or during such Times and under such Circumstances as by such Regulations may be permitted.

Salary of President of Board of Control.

XXXIII. 'And whereas by the said Act of the Third and Fourth Years of King *William* the Fourth 'it is enacted, that the President of the Board of Commissioners for the Affairs of *India*, but no other

'Commissioner,

'Commissioner, as such, and the Secretaries and other Officers, shall be paid by the said Company such 'fixed Salaries as His Majesty shall, by any Warrant or Warrants under His Sign Manual, countersigned 'by the Chancellor of the Exchequer for the Time being, direct:' Be it enacted, That such fixed Salary of the said President of the Board of Commissioners shall in no Case be less than the Salary which shall be paid to One of Her Majesty's Principal Secretaries of State; and that only One of the said Secretaries to the said Board shall be capable of being elected or sitting and voting Parliament.

Allowances to Chairman, Deputy Chairman, and Directors.

XXXIV. Instead of the yearly Sums allowed under the Byelaws of the said Company to the Chairman, Deputy Chairman, and other Directors, for their Attendance upon the Business of the said Company, there shall be allowed to the Chairman, Deputy Chairman, and Directors, under this Act, the yearly Sums following; (that is to say,) to the Chairman One thousand Pounds a Year, to the Deputy Chairman One thousand Pounds a Year, and to every other Director Five hundred Pounds a Year.

Salaries.

XXXV. There shall be paid to the several Officers herein-after named the several annual Salaries set against the Names of such Officers respectively, subject to such Reduction as the Court of Directors, with the Sanction of the said Board, may from Time to Time think fit; (that is to say,)

To the Commander-in-Chief of the Forces in *India*, One hundred thousand Company's Rupees, in lieu of all other Pay and Allowances:

To each Lieutenant Governor, One hundred thousand Company's Rupees:

To each ordinary Member of the Council of *India*, Eighty thousand Company's Rupees:

To each Legislative Councillor of the Council of *India* (not holding any other Office), Fifty thousand Company's Rupees:

The several Salaries aforesaid to be subject to the Provisions and Regulations of the said Act of the Third and Fourth Years of King *William* the Fourth, concerning the Salaries thereby appointed: Provided always, that the Salary of any such Officer appointed before the passing of this Act shall not under this Enactment be reduced.

Provisions of 53 G. 3. c. 155. and 3 & 4 W. 4. c. 85. repealed, and existing Rights of Patronage of Appointments to cease.

XXXVI. The Provisions herein-after mentioned, respecting the Appointment of Persons to the Civil Service of the said Company, and the Admission of Students into the College of the said Company at *Haileybury*, (that is to say,) Section Forty-six of the Act of the Fifty-third Year of King *George* the Third, Chapter One hundred and fifty-five, and Sections One hundred and three, One hundred and four, One hundred and five, One hundred and six, and One hundred and seven of the said Act of the Third and Fourth Years of King *William* the Fourth, shall be repealed, and all Powers, Rights, or Privileges of the Court of Directors of the said Company to nominate or appoint Persons to be admitted as Students or Candidates for such Admission, or as Assistant Surgeons in the Forces of the said Company, shall cease as regards all Vacancies which shall occur on or after the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

Candidates for Haileybury, or as Assistant Surgeons, to be admitted for Examination.

XXXVII. Subject to such Regulations as may be made by the Board of Commissioners for the Affairs of *India*, any Person being a natural-born Subject of Her Majesty who may be desirous of being admitted into the said College at *Haileybury*, or of being appointed an Assistant Surgeon in the said Company's Forces, shall be admitted to be examined as a Candidate for such Admission or Appointment respectively.

Board of Control to make Regulations.

XXXVIII. It shall be lawful for the said Board of Commissioners at any Time after the passing of this Act, and from Time to Time, to frame and make Regulations not inconsistent with the Provisions of this Act concerning such Examinations, Admissions, and Appointments, and concerning the Examination of Persons to be admitted as Students into the Military Seminary of the said Company at *Addiscombe*, and for such other Purposes as herein-after mentioned, and the said Board may from Time to Time alter or vary such Regulations as to the said Board may seem expedient: Provided always, that all Regulations to be made by the said Board under this Act shall be laid before Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Regulations to be laid before Parliament.

Regulations as to Admission to Haileybury and Addiscombe, and for Examination of Candidates.

XXXIX. It shall be lawful for the said Board, by such Regulations as aforesaid, to determine the Age and Qualifications in all respects of Persons to be admitted Students into the said College and Seminary respectively, and of Persons who may be examined as Candidates for such Admission, and to make Provisions for admitting such qualified Candidates to Examination, and prescribing the Branches of Knowledge in which such Candidates shall be examined, and generally for regulating and conducting such Examinations, and for admitting into such College and Seminary respectively qualified Persons from among Candidates who shall have been examined as aforesaid.

Regulations as to Admission into the Civil and Military Service, and of Assistant Surgeons.

XL. It shall be also lawful for the said Board, by such Regulations as aforesaid, to determine the Age and Qualifications of Persons to be appointed to the Civil Service of the said Company in *India*, or to their Military Service there, or as Assistant Surgeons in the said Company's Forces, and to prescribe the Branches of Knowledge in which Candidates for Appointment to the Civil and Military Service respectively of the said Company in *India*, and for Appointment as such Assistant Surgeons as aforesaid, shall be examined, and generally to provide for regulating and conducting such respective Examinations.

Persons qualified and entitled according to the Regulations only to be appointed.

XLI. Such Persons only shall be appointed or admitted by the Court of Directors to the Civil and Military Service of the said Company in *India*, or as such Assistant Surgeons as aforesaid, as shall be qualified and entitled to Admission according to the Regulations for the Time being in force under this Act, and the Court of Directors shall from Time to Time appoint such Persons as may become entitled to Appointments under such Regulations.

XLII. It

Board of Control to appoint Examiners.

XLII. It shall be lawful for the said Board of Commissioners from Time to Time to appoint such Persons as they may see fit, to be respectively Examiners for conducting the Examinations, under the Regulations to be made under this Act, of Persons desirous of being admitted as Students into the said College at *Haileybury* and Seminary at *Addiscombe*, and of Candidates for Appointment to the Civil and Military Service respectively of the said Company, and of Persons desirous of being appointed Assistant Surgeons in the said Company's Forces.

Commencement of Act.

XLIII. This Act shall, save as herein otherwise expressly provided, commence and take effect on the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

CAP. XCVI.

An Act to amend an Act passed in the Ninth Year of Her Majesty, "for the Regulation of the "Care and Treatment of Lunatics." [20th *August* 1853.]

8 & 9 Vict. c. 100.

'WHEREAS an Act was passed in the Ninth Year of Her Majesty, "for the Regulation of the "Care and Treatment of Lunatics:" And whereas it is expedient to amend the said Act as 'herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Section 25. of recited Act repealed, and Provision as to what may be included in One Licence.

I. Section Twenty-five of the said recited Act shall be repealed, and any One Licence to be granted for the Reception of Lunatics may, in the Discretion of the Commissioners or Justices granting such Licence, include Two or more Houses belonging to One Proprietor or to Two or more joint Proprietors, provided that no One of such Houses be separated from the other or others of them otherwise than by Land in the same Occupation, and by a Road, or by either of such Modes; and all Houses, Buildings, and Lands intended to be included in any Licence shall be specified, delineated, and described in the Plan required by Section Twenty-four of the said recited Act.

The Person or One of the Persons receiving a Licence to reside on the Premises.

II. No Person having, after the passing of the said recited Act, received for the First Time a Licence for the Reception of Lunatics, or hereafter receiving for the First Time such Licence, shall receive a Licence unless he shall reside on the Premises licensed; and no Two or more Persons having after the passing of the said recited Act received for the First Time a joint Licence for the Reception of Lunatics, or hereafter receiving for the First Time such Licence, shall receive such Licence unless they or One of them shall reside on the Premises licensed.

Sections 45, 46, 47, 48, and 49. of 8 & 9 Vict. c. 100. repealed.

III. Sections Forty-five, Forty-six, Forty-seven, Forty-eight, and Forty-nine of the said recited Act shall be repealed; but such Repeal shall not prevent or defeat any Prosecution for any Offence committed before the Commencement of this Act, and every such Offence shall and may be prosecuted, and every pending Prosecution continued, as if this Act had not been passed.

No Person not a Pauper to be received into a Hospital or licensed House without a certain Order and Certificates.

IV. Save as herein-after otherwise provided, no Person (not being a Lunatic) for or in respect of whom any Money shall be paid or agreed to be paid shall be boarded or lodged in any licensed House; and, save where otherwise provided or authorized under this or any other Act, no Person (not being a Pauper) shall be received as a Lunatic into any licensed House or Hospital without an Order under the Hand of some Person according to the Form in Schedule (A.) No. 1. annexed to this Act, together with such Statement of Particulars as is contained in the same Schedule, nor without the Medical Certificates, according to the Form in Schedule (A.) No. 2. annexed to this Act, of Two Persons, each of whom shall be a Physician, Surgeon, or Apothecary, and shall not be in Partnership with or an Assistant to the other, and each of whom shall separately from the other have personally examined the Person to whom the Certificate signed by him relates not more than Seven clear Days previously to the Reception of such Person into such House or Hospital; and such Order as aforesaid may be signed before or after the Medical Certificates or either of them; and every Person who shall receive any such Person as aforesaid into any such House or Hospital as aforesaid (save where otherwise provided or authorized under this or any other Act) without such Order and Medical Certificates as aforesaid shall be guilty of a Misdemeanor.

Proviso that in certain Cases any Person may be received on a Certificate signed by One Medical Practitioner only.

V. Provided always, That any Person (not a Pauper) may, under special Circumstances preventing the Examination of such Person by Two Medical Practitioners as aforesaid, be received as a Lunatic into any licensed House or any Hospital upon such Order as aforesaid, and with the Certificate of One Physician, Surgeon, or Apothecary alone, provided that the Statement accompanying such Order set forth the special Circumstances which prevent the Examination of such Person by Two Medical Practitioners; but in every such Case Two other such Certificates shall, within Three clear Days after his Reception into such House or Hospital, be signed by Two other Persons, each of whom shall be a Physician, Surgeon, or Apothecary, not in Partnership with or an Assistant to the other or the Physician, Surgeon, or Apothecary who signed the Certificate on which the Patient was received, and not connected with such House or Hospital, and shall within such Time and separately from the other of them have personally examined the Person so received as a Lunatic; and every Person who, having received any Person as a Lunatic into any House or Hospital as aforesaid upon the Certificate of One Medical Practitioner alone as aforesaid, shall keep or permit such Person to remain in such House or Hospital beyond the said Period of Three clear Days without such further Certificates as aforesaid, shall be guilty of a Misdemeanor.

VI. Provided

Any Person discharged may, with Assent of Visitors or Commissioners, be retained in licensed House, and a Relative or Friend may, with like Assent, be received therein.

VI. Provided also, That it shall be lawful for the Proprietor or Superintendent of any licensed House, with the previous Assent in Writing of Two of the Commissioners, such Assent not to be given until after such Commissioners have, by personal Examination of the Patient, satisfied themselves of his Desire to remain, to entertain and keep in such House as a Boarder any Person who may have been discharged as a Patient from such House for such Time after such Discharge as he may desire to remain, not exceeding the Time specified in such Assent, and also, for the Benefit of any Patient in such House, and with the previous Assent in Writing of Two of the Commissioners, to receive and accommodate as a Boarder therein, for a Time to be specified in the Assent, any Relative or Friend of such Patient, and any Two of the Commissioners may from Time to Time, by any Writing under their Hands, extend or revoke any such Assent as aforesaid; and every such Patient so retained after Discharge, and every such Relative or Friend so accommodated, shall, if required, be produced to the Commissioners and Visitors respectively at their respective Visits.

Paupers not to be received without a certain Order and Certificate.

VII. Save where otherwise provided or authorized under any Act, no Pauper shall be received into any licensed House or any Hospital without an Order according to the Form in Schedule (B.) No. 1. annexed to this Act, under the Hand of One Justice, or under the Hands of an Officiating Clergyman, and the Relieving Officer or One of the Overseers of the Union or Parish from which such Pauper shall be sent, together with such Statement of Particulars as is contained in the same Schedule, nor without the Medical Certificate, according to the Form in Schedule (B.) No. 2. annexed to this Act, of a Physician, Surgeon, or Apothecary, who shall have personally examined the Pauper to whom it relates not more than Seven clear Days previously to his Reception; and every Person who shall receive any Pauper into any such House or Hospital as aforesaid (save where otherwise provided or authorized under any Act) without such Order and Medical Certificate as last aforesaid shall be guilty of a Misdemeanor; provided always, that this Enactment shall not by Implication or otherwise give any Power or Authority to make such Order, or extend, alter, or affect any Power or Authority expressly given by any Act to any Justice, Officiating Clergyman, Relieving Officer, or Overseer to make or join in making any such Order, or any Provisions giving or relating to such Power or Authority.

The like Order and Certificates for Reception of a single Patient as for a private Patient into a licensed House.

VIII. Where, under Section Ninety of the said recited Act, the like Order and Medical Certificates are required on the Reception or taking the Charge or Care of any One Person as a Lunatic or alleged Lunatic as are therein-before required on the Reception of a Patient (not being a Pauper) into a licensed House, the like Order and Medical Certificates (in lieu of those required as first aforesaid) shall hereafter be required on the Reception of taking the Charge or Care of any such Person as are by this Act required on the Reception of a Patient (not being a Pauper) into a licensed House.

Penalty on Officers, &c. ill-treating Lunatics.

IX. If any Superintendent, Officer, Nurse, Attendant, Servant, or other Person employed in any registered Hospital or licensed House, or any Person having the Care or Charge of any single Patient, or any Attendant of any single Patient, in any way abuse, or ill-treat, or wilfully neglect any Patient in such Hospital or House, or such single Patient, or if any Person detaining, or taking or having the Care or Charge, or concerned or taking Part in the Custody, Care, or Treatment, of any Lunatic or Person alleged to be a Lunatic, in any way abuse, ill-treat, or wilfully neglect such Lunatic or alleged Lunatic, he shall be guilty of a Misdemeanor, and shall be subject to Indictment for every such Offence; or to forfeit for every such Offence, on a summary Conviction thereof before Two Justices, any Sum not exceeding Twenty Pounds.

Medical Certificate to specify Facts upon which Opinion of Insanity has been formed.

X. Every Physician, Surgeon, and Apothecary signing any Certificate under or for the Purposes of this Act shall specify therein the Facts upon which he has formed his Opinion that the Person to whom such Certificate relates is a Lunatic, an Idiot, or a Person of unsound Mind, and distinguish in such Certificate Facts observed by himself from Facts communicated to him by others; and no Person shall be received into any registered Hospital or licensed House, or as a single Patient, under any Certificate which purports to be founded only upon Facts communicated by others.

Orders and Medical Certificates may be amended.

XI. If after the Reception of any Lunatic it appear that the Order or the Medical Certificate, or (if more than One) both or either of the Medical Certificates, upon which he was received, is or are in any respect incorrect or defective, such Order and Medical Certificate or Certificates may be amended by the Person signing the same at any Time within Fourteen Days next after the Reception of such Lunatic; provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of One or more of the Commissioners.

Who not to sign Certificates, &c.

XII. No Physician, Surgeon, or Apothecary who, or whose Father, Brother, Son, Partner, or Assistant, is wholly or partly the Proprietor of, or a regular Professional Attendant in, a licensed House or a Hospital, shall sign any Certificate for the Reception of a Patient into such House or Hospital; and no Physician, Surgeon, or Apothecary shall himself, or by his Servants or Agents, receive to board or lodge in any unlicensed House, or take the Charge or Care of any Person upon or under any Medical Certificate signed by himself or his Father, Brother, Son, Partner, or Assistant, and no Physician, Surgeon, or Apothecary having (either before or after the passing of this Act) signed any Certificate for the Reception of any Person shall be the regular Professional Attendant of such Person while under Care or Charge under such Certificate; and no Physician, Surgeon, or Apothecary who, or whose Father, Brother, Son, Partner, or Assistant, shall sign the Order herein-before required for the Reception of a Patient, shall sign any Certificate for the Reception of the same Patient.

Giving false Certificates, &c. and a Person not being a Medical Man who

XIII. Any Physician, Surgeon, or Apothecary who shall sign any Certificate, or do any other Act (not declared to be a Misdemeanor) contrary to any of the Provisions herein contained, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds; and any Physician, Surgeon, or Apothecary

giving Certificates as such, guilty of a Misdemeanor.

who shall falsely state or certify anything in any Certificate under this Act, and any Person who shall sign any Certificate under this Act in which he shall be described as a Physician, Surgeon, or Apothecary, not being a Physician, Surgeon, or Apothecary respectively within the Meaning of this Act, shall be guilty of a Misdemeanor.

Commissioners may permit Medical Visitation of any single Patient less frequently than once a Fortnight, but if Patient be in the Care of a Medical Man he is to make an Entry once a Fortnight as to Health.

XIV. It shall be lawful for the Commissioners, by an Order under their Common Seal, where they see fit so to do, to permit the Visitation of any single Patient by a Physician, Surgeon, or Apothecary less frequently than once in every Two Weeks, as required by Section Ninety of the said recited Act, and to prescribe from Time to Time how often any single Patient shall be visited by such a Physician, Surgeon, or Apothecary as therein mentioned; but where such Visitation of any single Patient so often as once in every Two Weeks is so dispensed with, and such Patient is in the Care or Charge of a Physician, Surgeon, or Apothecary, such Physician, Surgeon, or Apothecary shall once at the least in every Two Weeks make an Entry in a Book to be kept for that Purpose, to be called "The Medical Journal," of the Condition of the Patient's Health, both mental and bodily, together with the Date of such Entry, and such Book shall be produced to the Visiting Commissioner on every Visit, and shall be signed by him as having been so produced, and every such Physician, Surgeon, or Apothecary who shall make an untrue Entry in the said Book shall be guilty of a Misdemeanor.

Visitors of licensed Houses may visit single Patients on Request of Commissioners.

XV. It shall be lawful for One or more of the Visitors appointed in or for any County or Borough under the said recited Act, upon the Request in Writing of the Commissioners, or any Two of them, under their Hands, so to do, to visit any Person detained in any unlicensed House in such County or Borough as a single Patient, and to inquire into and report to the Commissioners on the Treatment and State of Health, bodily and mental, of such Patient, and to inspect the Order and Certificates on which such Person was received; and the Provisions of the said recited Act for and concerning the Remuneration or Payment of any such Visitor, being a Physician, Surgeon, or Apothecary, in respect of the Execution of the Duties of that Act, and for the Payment of the Costs, Charges, and Expenses incurred by any Visitor in Proceedings under that Act, shall extend and be applicable to and for the Remuneration or Payment of any Visitor, being a Physician, Surgeon, or Apothecary, visiting as aforesaid any single Patient, and to and for the Payment of the Costs, Charges, and Expenses incurred by any Visitor in or about such Visit as aforesaid.

Annual Report to be made to the Commissioners by every Medical Man visiting or having Charge of a single Patient.

XVI. Every Physician, Surgeon, and Apothecary who visits any single Patient, or under whose Care or Charge any single Patient shall be, shall on the Tenth Day of *January*, or within Seven Days from that Time, in every Year report in Writing to the Commissioners the State of Health, bodily and mental, of such Patient, with such other Circumstances as he may deem necessary to be communicated to the Commissioners; and it shall be lawful for the Commissioners, at any other Time and from Time to Time as they see occasion, to call for and require from any such Physician, Surgeon, or Apothecary a Report in Writing relative to any single Patient visited by him or under his Care or Charge in such Form and specifying such Particulars as the Commissioners may direct.

Provisions concerning Discharge of Patients from licensed Houses by Relatives extended to single Patients.

XVII. The Provisions contained in Sections Seventy-two and Seventy-three of the said recited Act for the Discharge of Patients (not being Paupers) from licensed Houses shall extend and be applicable to and for the Discharge of any single Patient: Provided always, that this Enactment shall not extend to authorize the Discharge of any single Patient, if the Physician, Surgeon, or Apothecary who has the Care or Charge of or visits such Patient certify in Writing under his Hand that in his Opinion such Patient is dangerous, and unfit to be at large, together with the Grounds on which such Opinion is founded, unless One of the Commissioners shall consent in Writing to the Discharge of such Patient.

Lord Chancellor, upon Report of Commissioners, may order Discharge, &c. of any single Patient.

XVIII. It shall be lawful for the Lord Chancellor, upon the Report of the Commissioners in Lunacy, to order the Discharge of any Person received or detained as a single Patient, or to give such Orders and Directions in reference to such Patient as the Lord Chancellor shall think fit; and any Person detaining any such Patient for the Space of Three Days after a Copy of such Order for his Discharge shall have been served on him, or left at the House in which such Person so ordered to be discharged is detained, shall be guilty of a Misdemeanor.

On Recovery of a Patient Notice to be given to Friends, and in the Case of a Pauper to Guardians, &c., and in default of Discharge or Removal, to Commissioners and Visitors.

XIX. The Superintendent or Proprietor of every registered Hospital and licensed House, and every Person having the Care or Charge of any single Patient, shall forthwith, upon the Recovery of any Patient in such Hospital or House, or of such single Patient, transmit Notice of such Recovery in the Case of a Patient not a Pauper to the Person who signed the Order for his Reception, or by whom the last Payment on account of such Patient was made, and in the Case of a Pauper to the Guardians of his Union or Parish, or if there be no such Guardians to One of the Overseers of the Poor of his Parish, or if such Pauper be chargeable to any County to the Clerk of the Peace thereof, and in case such Patient be not discharged or removed within Fourteen Days from the giving of such Notice, such Superintendent, Proprietor, or Person as aforesaid shall immediately after the Expiration of such Period transmit Notice of the Recovery of such Patient to the Commissioners, and also, in the Case of a licensed House within the Jurisdiction of any Visitors, to the Clerk of such Visitors, with the Date of the Notice firstly in this Enactment mentioned, and where Notice is so given to the Clerk of any Visitors he shall forthwith communicate the same to the Visitors, or Two of them, One of whom shall be a Physician, Surgeon, or Apothecary; and in case of the Death of any Patient in any Hospital or licensed House, a Statement setting forth the Time and Cause of the Death, and the Duration of the Disease of which such Patient died, shall be prepared and signed by the Medical Person or Persons who attended the Patient during the Illness which terminated in Death, and such Statement shall be entered in the "Case Book," and a Copy of such Statement, certified by the Superintendent or Proprietor, shall, within Two Days of the Date

Provision in case of Death of Patient in any Hospital or licensed House.

Date of the Death, be transmitted to the Coroner for the County or Borough, and in case such Coroner, after receiving such Statement, shall think that any reasonable Suspicion attends the Cause and Circumstances of the Death of such Patient, he shall summon a Jury to inquire into the Cause of such Death.

Provision authorizing Transfer of private and single Patients.

XX. Any Person, having Authority to order the Discharge of any Patient (not being a Pauper) from any Asylum, registered Hospital, or licensed House, or of any single Patient, may, with the previous Consent in Writing of Two of the Commissioners, direct, by an Order in Writing under his Hand, the Removal of such Patient to any Asylum, registered Hospital, or licensed House, or to the Care or Charge of any Person mentioned or named in such Order; and every such Order and Consent shall be made and given respectively in duplicate, and One of the Duplicates shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House from which or the Person from whose Care or Charge the Patient is ordered to be removed, and the other Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House into which or the Person into whose Care or Charge the Patient is ordered to be removed; and such Order for Removal, together with such Consent in Writing, shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, registered Hospital, or licensed House into which or by the Person into whose Care or Charge he is ordered to be removed: Provided always, that a Copy of the Order and Certificates upon which such Patient was received into the Asylum, Hospital, or House from which he is removed, or as a single Patient, by the Person from whose Care he is removed, certified under the Hand of the Superintendent or Proprietor of such Asylum, Hospital, or House, or of such Person as last aforesaid, to be a true Copy, shall be furnished by him free of Expense, and shall be delivered, with One Duplicate of the said Order of Removal and Consent, to the Superintendent or Proprietor of the Asylum, Hospital, or House to which or to the Person to whose Care or Charge such Patient is removed.

Notice of Discharge of single Patients to be sent to the Commissioners.

XXI. Every Person from whose Care or Charge any single Patient shall be discharged shall transmit to the Commissioners a written Notice of such Discharge within the like Period, and under the like Penalty for Default, as by the said recited Act is required and provided in the Case of the Discharge of a Patient from a licensed House.

Provisions as to Change of Residence of Persons having Charge of single Patients, and temporary Removal of such Patients for Benefit of Health.

XXII. It shall be lawful for any Person having the Care or Charge of a single Patient to change his Residence, and remove such Patient to any new Residence of such Person, in *England*, provided that Seven clear Days before such Change of Residence he give Notice in Writing thereof, and of the Place of such new Residence, to the Commissioners and to the Person who signed the Order for the Reception of such Patient, or by whom the last Payment on account of such Patient was made; and it shall be lawful for any Person having the Care or Charge of any single Patient, having first obtained the Consent of Two of the Commissioners, to take or send such Patient, under proper Control, to any specified Place or Places, for any definite Time, for the Benefit of his Health: Provided always, that before any such Consent shall be given, the Approval in Writing of the Person who signed the Order for the Reception of such Patient, or by whom the last Payment on account of such Patient was made, shall be produced to such Commissioners, unless they shall, on Cause being shown, dispense with the same.

On Representation of Commissioners Lord Chancellor may require Statement of Property of Lunatic.

XXIII. Where any Person has already been received as a Lunatic under Order and Certificates, and shall be detained thereunder, and where any Person shall hereafter be in like Manner received and detained, and the Commissioners represent to the Lord Chancellor that it is desirable that the Extent and Nature of his Income should be ascertained, and the Application thereof, the Lord Chancellor may, if he think fit, through the Registrar in Lunacy, require that the Person signing the Order, or other the Person paying for the Care and Maintenance of the Lunatic or having the Management of the Property, shall transmit to the Lord Chancellor a Statement in Writing, to the best of his Knowledge, of the Particulars of the Property and Income of the Lunatic and of the Application of the Income.

Form of Notice of Admission.

XXIV. The Notice of Admission and Statement mentioned or referred to in Section Fifty-two of the said recited Act shall hereafter be according to the Form mentioned in Schedule (C.) annexed to this Act, in lieu of the Form set forth in Schedule (F.) to the said recited Act; and such Statement shall be signed by the Medical Superintendent, Proprietor, or Attendant of the Hospital or licensed House from which the same is sent, and the said Notice and Statement shall be accompanied by a Copy of the several Documents mentioned in the said Notice.

Form of Medical Visitation Book.

XXV. The Medical Visitation Book mentioned in Section Fifty-nine of the said recited Act shall henceforth be kept in the Form set forth in Schedule (D.) annexed to this Act, in lieu of the Form set forth in Schedule (H.) to the said recited Act; and the said Section shall be construed as if the Particulars mentioned in the several Heads of the said Form in the said Schedule (D.) had by the said Section been required to be entered in the said Book in lieu of the Particulars mentioned in the said Section.

Notice of Dismissal for Misconduct of Attendants to be sent to Commissioners.

XXVI. The Superintendent or Proprietor of every registered Hospital or licensed House shall, within One Week after the Dismissal for Misconduct of any Nurse or Attendant employed in such Hospital or House, transmit to the Commissioners, by the Post, Information in Writing under his Hand of such Dismissal, and of the Cause thereof; and every Superintendent or Proprietor neglecting to transmit such Information to the Commissioners within the Period aforesaid shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Powers vested in Private Committee to be vested in the Commissioners.

XXVII. Section Eighty-nine of the said recited Act, constituting from among the Commissioners a Private Committee for the Purposes in the said Act mentioned, shall be repealed, and all the Powers vested in, and all the Provisions of the said Act applicable to, the said Private Committee, or One or Two Members thereof, shall be vested in and be applicable to the Commissioners, or One Commissioner, or

or Two Commissioners, (as the Case may require,) as if, where in the said Act the said Private Committee, or One Member or Two Members thereof, (as the Case may be,) is or are mentioned or referred to, the Commissioners, or One Commissioner, or Two Commissioners, (as the Case may require,) had been mentioned or referred to, instead thereof.

Repeal of Section 111. of recited Act, and Provision as to Visitation of Workhouses.

XXVIII. Section One hundred and eleven of the said recited Act shall be repealed, and any One or more of the Commissioners shall and may on such Day or Days, and at such Hours in the Day, and for such Length of Time as he or they shall think fit, visit all such Parish and Union Workhouses in which there shall be or be alleged to be any Lunatic, as the Commissioners shall by any Resolution or Resolutions of the Board direct, and shall inquire whether the Provisions of the Law as to Lunatics in such Parish or Union have been carried out, and also as to the Dietary, Accommodation, and Treatment of the Lunatics in such Workhouses, and shall report in Writing thereon to the Poor Law Board.

Commissioners may in any special Case employ Persons to make the necessary Inquiries, and report to them thereon.

XXIX. It shall be lawful for the Commissioners, where, for any Reasons to be entered upon the Minutes of the Board, any Case appears to them specially to call for immediate Investigation, to authorize and direct, by an Order under their Common Seal, any competent Person or Persons to visit and examine and report to them upon the mental and bodily State and Condition of any Lunatic or alleged Lunatic in any Asylum, Hospital, or licensed House, or of any Pauper Lunatic in a Workhouse or elsewhere, or of any Lunatic or alleged Lunatic under the Care or Charge of any Person as a single Patient, and to inquire into and report upon any Matters into which the Commissioners are authorized to inquire; and every such Person shall, for the special Purposes mentioned in such Order, have all the Powers of a Commissioner; and the Commissioners may allow to every such Person a reasonable Sum for his Services and Expenses, such Sum to be paid in manner provided by the said recited Act with regard to Expenses incurred by or under the Authority of the Commissioners in Proceedings thereunder; but this Enactment shall not be taken to exonerate the Commissioners from the Performance of any Duty by Law imposed on them.

Regulations for Hospitals to be submitted to Secretary of State.

XXX. The Committee having the Management or Government of every registered Hospital shall, within Three Months after the passing of this Act in the Case of every Hospital now registered, and within Three Months after the Registration of every Hospital hereafter to be registered under the said recited Act, submit the existing Regulations, or Regulations to be framed by such Committee, to One of Her Majesty's Principal Secretaries of State, for his Approval, and any such Committee may, with the like Approbation, alter and vary such Regulations as they think necessary; and all such Regulations so approved shall be printed, abided by, and observed, and a Copy thereof shall be sent to the Commissioners, and another Copy thereof kept hung up in the Visitors Room of the Hospital.

Commissioners may make Regulations for Government licensed Houses.

XXXI. It shall be lawful for the Commissioners, with the Sanction and Approbation of One of Her Majesty's Principal Secretaries of State, from Time to Time to make Regulations for the Government of any House licensed for the Reception of Lunatics; and such Regulations of the Commissioners, or a Copy thereof, shall be transmitted by their Secretary to the Proprietor or resident Superintendent of every licensed House to which the same relate, and shall be abided by and observed therein.

Time at which Reports to Lord Chancellor as to State of Asylums, &c. are to be made.

XXXII. The Report required by Section Eighty-eight of the said recited Act to be made by the Commissioners to the Lord Chancellor in the Month of *June* in every Year of the State and Condition of the several Houses, Hospitals, Asylums, and other Places visited by them under that Act, and of the Care of the Patients therein, and of such other Particulars as they think deserving of Notice, shall be made in or before the Month of *March* in every Year, and shall be made up to the End of the preceding Year.

Provision for paying Persons to inspect Places where Lunatics are confined extended to Persons visiting under 8 & 9 Vict. c. 100. s. 112.

XXXIII. The Provision in Section One hundred and thirteen of the said recited Act, for and concerning the Payment for Attendance and Trouble of any Person (not being a Commissioner) employed under that Enactment, and of the travelling or other Expenses of any Person so employed, and as to the Fund out of which such Payment is to be made, shall extend and be applicable to and in the Case of any Person (not being a Commissioner) required to visit and examine any Lunatic or supposed Lunatic under Section One hundred and twelve of the said recited Act.

Obstructing Execution of Orders of Lord Chancellor or Secretary of State, made under ss. 112. or 113. of recited Act or of Commissioners under this Act.

XXXIV. Any Person who wilfully obstructs the Commissioners or any of them, or any other Person authorized by an Order in Writing under the Hand of the Lord Chancellor or Her Majesty's Principal Secretary of State for the Home Department, pursuant to the Provisions of Section One hundred and twelve or One hundred and thirteen of the said recited Act, to visit and examine any Lunatic or supposed Lunatic, or to inspect or inquire into the State of any Asylum, Hospital, Gaol, House, or Place wherein any Lunatic or Person represented to be lunatic is confined or alleged to be confined, in the Execution of such Order, and any Person who wilfully obstructs any Person authorized under this Act by any Order of the Commissioners to make any Visit and Examination or Inquiry in the Execution of such Order, shall (without Prejudice to any Proceedings, and in addition to any Punishment to which such Person obstructing the Execution of such Order would otherwise be liable,) forfeit for every such Offence any Sum not exceeding Twenty Pounds.

Sect. 116. of recited Act repealed, and Bethlehem Hospital to be subject to this Act.

XXXV. Section One hundred and sixteen of the said recited Act shall be repealed, and the Royal Hospital of *Bethlehem* shall henceforth be subject to the Provisions of the said recited Act and of this Act, in the same Manner as if the same had not been exempted from the said recited Act, and shall be forthwith registered as an Hospital accordingly, in pursuance of Section Forty-three of the said recited Act.

Interpretation of Terms.

XXXVI. In the Construction of the said recited Act and of this Act the Words "Physician," "Surgeon," and "Apothecary" shall respectively mean a Physician, Surgeon, and Apothecary duly authorized

authorized or licensed to practice as such by or as a Member of some College, University, Company, or Institution legally constituted and qualified to grant such Authority or Licence in some Part of the United Kingdom, or having been in Practice as an Apothecary in *England* or *Wales* on or before the First Day of *August* One thousand eight hundred and fifteen, and being in actual Practice as such Physician, Surgeon, or Apothecary; the Expression "Officiating Clergyman of the Parish" shall include the Chaplain of the Workhouse of the same Parish, or of the Workhouse of the Union to which such Parish belongs; the Expression "single Patient" shall mean any Person received or taken charge of as a Lunatic under Section Ninety of the said recited Act, or under such Section as amended by this Act; and the Expression "Attendant" shall mean any Person, whether Male or Female, who shall be employed either wholly or partially in the personal Care, Control, or Management of any Lunatic in any registered Hospital or licensed House, or of any single Patient; and in the Construction of this Act the Word "Board," as used in relation to the Commissioners in Lunacy, shall mean any Three or more of the Commissioners assembled at a Meeting convened in pursuance of Section Sixteen of the said recited Act, or holden under any Order or Rule for the Time being in force made under Section Seventy of the said recited Act for regulating the Duties of the Commissioners.

Recited Act and this Act to be construed as One Act, &c.

XXXVII. The said recited Act and this Act shall be construed together as One Act, and a Queen's Printers Copy of this Act shall be bound up in the "Visitors Book" of every Hospital and licensed House together with the said recited Act.

Act not to affect Provisions relating to Criminal Lunatics, 39 & 40 G. 3. c. 94., 1 & 2 Vict. c. 14., and 3 & 4 Vict. c. 54., save as herein provided.

XXXVIII. Nothing in this Act shall affect the Provisions of any of the following Acts; (that is to say,) an Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Ninety-four; an Act of the Session holden in the First and Second Years of Her Majesty, Chapter Fourteen; and an Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Fifty-four, or any other Provisions concerning Criminal Lunatics, save as herein-after provided; that is to say, it shall be lawful for One of Her Majesty's Principal Secretaries of State to issue his Warrant to remove or discharge any insane Person who shall be in Custody under the Provisions of the said Act of the Third and Fourth Years of Her Majesty, c. 54., provided it shall be duly certified to such Secretary of State, by Two Physicians or Surgeons, that such insane Person was harmless and might be discharged from Restraint as an insane Person without Danger to himself or to others, in like Manner as if it had been certified to such Secretary of State that such Person had become of sound Mind, anything in the said Act or any other Act to the contrary thereof in anywise notwithstanding.

Secretary to the Commissioners, if on Appointment a Barrister of Five Years standing, eligible to be a Commissioner.

XXXIX. 'And whereas by the said recited Act it is provided that every Person to be appointed in 'the Room of any Commissioner, being a Barrister of Five Years standing at the Bar and upwards, shall 'be a practising Barrister of not less than Five Years standing at the Bar: And whereas it is expedient 'to amend the said Provisions as herein-after mentioned;' the present or any future Secretary to the Commissioners, if at the Time of his Appointment to be such Secretary he was or shall have been a practising Barrister of not less than Five Years standing at the Bar, shall be eligible to be appointed a Commissioner in the Room of any such Commissioner as aforesaid.

Commencement of Act.

XL. This Act shall commence and come into operation on the First Day of *November* One thousand eight hundred and fifty-three.

SCHEDULES to the foregoing Act.

SCHEDULE (A.) No. 1. Sections 4, 8.

ORDER for the RECEPTION of a PRIVATE PATIENT.

I, the undersigned, hereby request you to receive *A.B.*, a Lunatic, [*or* an Idiot, *or* a Person of unsound Mind,] as a Patient into your House [*or* Hospital]. Subjoined is a Statement respecting the said *A.B.*

(Signed) Name.
Occupation (if any).
Place of Abode.
Degree of Relationship (if any), or other Circumstance of Connexion with the Patient.

Dated this Day of One thousand eight hundred and

To Proprietor [*or* Superintendent]
of [*describing the House or Hospital by Situation and Name, if any*].

STATEMENT.

[*If any Particulars in this Statement be not known, the Fact to be so stated.*]

Name of Patient, with Christian Name at Length.
Sex and Age.
Married, single, or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.

Previous

Previous Place of Abode.
Whether First Attack.
Age (if known) on First Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Whether found Lunatic by Inquisition, and Date of Commission or Order for Inquisition.
Special Circumstances (if any) preventing the Patient being examined, before Admission, separately by Two Medical Practitioners.

(Signed) Name.

[*Where the Person signing the Statement is not the Person who signs the Order, the following Particulars concerning the Person signing the Statement are to be added; viz.,*

Occupation (if any).
Place of Abode.
Degree of Relationship (if any) or other Circumstances of Connexion with the Patient.]

SCHEDULE (A.) No. 2. Sections 4, 5, 8, 10, 11, 12, 13.

FORM of MEDICAL CERTIFICATE.

I, the undersigned [*here set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary,* ex. gra., being a Fellow of the Royal College of Physicians in London], and being in actual Practice as a [Physician, Surgeon, *or* Apothecary, *as the Case may be*], hereby certify, That I, on the Day of at [*here insert the Street and Number of the House (if any) or other like Particulars*], in the County of , separately from any other Medical Practitioner, personally examined *A.B.* of [*insert Residence and Profession or Occupation, if any*], and that the said *A.B.* is a [Lunatic, *or* an Idiot, *or* a Person of unsound Mind], and a proper Person to be taken Charge of and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds; viz.

1. Facts indicating Insanity observed by myself [*here state the Facts*].
2. Other Facts (if any) indicating Insanity communicated to me by others [*here state the Information, and from whom*].

(Signed)
Place of Abode.

Dated this Day of One thousand eight hundred and .

SCHEDULE (B.) No. 1. Section 7.

ORDER for the RECEPTION of a PAUPER PATIENT.

I, *C.D.* [*or, in the Case of a Clergyman and Relieving Officer, &c.,* we, *C.D.* and *E.F.*], the undersigned, having called to my [*or* our] Assistance a Physician, [*or* Surgeon, *or* Apothecary, *as the Case may be,*] and having personally examined *A.B.*, a Pauper, and being satisfied that the said *A.B.* is a Lunatic [*or* an Idiot, *or* a Person of unsound Mind,] and a proper Person to be taken charge of and detained under Care and Treatment, hereby direct you to receive the said *A.B.* as a Patient into your House [*or* Hospital]. Subjoined is a Statement respecting the said *A.B.*

(Signed) *C.D.*
A Justice of the Peace for the County, City, or Borough of
[*or* an *or* the Officiating Clergyman of the Parish of].
(Signed) *E.F.*
The Relieving Officer of the Union or Parish of [*or* an Overseer of the Parish of].

Dated the Day of One thousand eight hundred .

To Proprietor [*or* Superintendent] of [*describing the House or Hospital*].

STATEMENT.

[*If any Particulars in this Statement be not known, to be so stated.*]

Name of Patient, and Christian Name at Length.
Sex and Age.
Married, single, or widowed.

Condition

Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether First Attack.
Age (if known) on First Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Parish or Union to which the Lunatic is chargeable.
Name and Christian Name and Place of Abode of nearest known Relative of the Patient, and Degree of Relationship (if known).

I certify that, to the best of my Knowledge, the above Particulars are correctly stated.

(Signed)
Relieving Officer [*or* Overseer].

SCHEDULE (B.) No. 2. Sections 7, 10, 11, 12, 13.

FORM of MEDICAL CERTIFICATE.

I, the undersigned [*here set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary,* ex. gra., being a Fellow of the Royal College of Physicians in London], and being in actual Practice as a [Physician, Surgeon, *or* Apothecary, *as the Case may be*], hereby certify, that I, on the Day of at [*here insert the Street and Number of the House (if any) or other like Particulars,*] in the County of , personally examined *A.B.* of [*insert Residence and Profession or Occupation (if any)*], and that the said *A.B.* is a [Lunatic, *or* an Idiot, *or* a Person of unsound Mind], and a proper Person to be taken charge of and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds; viz.

1. Facts indicating Insanity observed by myself [*here state the Facts*].
2. Other Facts (if any) indicating Insanity communicated to me by others [*here state the Information, and from whom*].

(Signed)
Place of Abode.

Dated this Day of One thousand eight hundred and .

SCHEDULE (C.) Section 24.

NOTICE of ADMISSION.

I HEREBY give you Notice, that *A.B.* was admitted into this House [*or* Hospital] as a Private [*or* Pauper] Patient on the Day of and I hereby transmit a Copy of the Order and Medical Certificates [*or* Certificate] on which he was received. [*If a Private Patient be received upon One Certificate only, the special Circumstances which have prevented the Patient from being examined by Two Medical Practitioners to be here stated, as in the Statement accompanying the Order for Admission*].

Subjoined is a Statement with respect to the mental and bodily Condition of the above-named Patient.

(Signed)
Superintendent [*or* Proprietor] of

Dated the Day of One thousand eight hundred and .

STATEMENT.

I have this Day [*some Day not less than Two clear Days after the Admission of the Patient*] seen and examined the Patient mentioned in the above Notice, and hereby certify that with respect to mental State he [*or* she] , and that with respect to bodily Health and Condition he [*or* she]

(Signed)
Medical Proprietor [*or* Superintendent, *or* Attendant] of .

Dated the Day of One thousand eight hundred and .

SCHE-

SCHEDULE (D.) Section 25.

FORM of MEDICAL VISITATION BOOK.

Date.	Number and Class of Patients.				Patients who are, or since the last Entry have been, under Restraint or in Seclusion, when, and for what Period, and Reasons, and, in Cases of Restraint, by what Means.				Patients under Medical Treatment, and for what (if any) bodily Disorder.		Deaths, Injuries, and Violence to Patients since the last Entry.
	Private.		Pauper.		Restraint.		Seclusion.				
	M.	F.	M.	F.	Males.	Females.	Males.	Females.	Males.	Females.	

C A P. XCVII.

An Act to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics, in *England*. [20th *August* 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

8 & 9 Vict. c. 126., 9 & 10 Vict. c. 84., and 10 & 11 Vict. c. 43. repealed, but not to affect Appointments, &c.

1. The following Acts relating to Lunatic Asylums for Counties and Boroughs, and the Maintenance and Care of Pauper Lunatics, in *England*, (that is to say,) an Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and twenty-six, an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Eighty-four, and an Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Forty-three, shall be repealed; but such Repeal shall not interfere with or affect any Appointment, Salary, or Annuity made or granted, or Act done, or Agreement or Contract entered into or made, or prevent or defeat any Prosecution or Proceeding for any Offence committed or any Penalty or Forfeiture incurred before the Commencement of this Act, but every such Agreement or Contract shall and may (subject to the Provisions herein-after contained in relation thereto) be carried into effect and enforced, and every such Offence prosecuted, and every such Penalty and Forfeiture sued for, recovered, and applied, and every pending Prosecution or Proceeding continued, in like Manner as if this Act had not been passed.

As to providing Asylums and Appointment of Committees of Visitors.

Justices of County and Borough not having a Lunatic Asylum to pro-

II. The Justices of every County and (save as herein-after otherwise provided) of every Borough not having an Asylum for the Pauper Lunatics thereof, shall provide an Asylum in manner herein directed, (that is to say,) the Justices of every such County and the Recorder of every such Borough shall at or before the General or Quarter Sessions for such County or Borough next after the Twentieth Day of *December* One thousand eight hundred and fifty-three direct public Notice to be given by the Clerk of the Peace of such County or Borough in some Newspaper or Newspapers commonly circulated in such County or Borough, of the Intention of the Justices of such County or Borough to appoint at the

the then next General or Quarter Sessions for such County, or (in the Case of a Borough) at a Special Meeting of the Justices of such Borough to be fixed in such Notice, and to be holden within Three Months from the Date thereof, a Committee of Justices to provide an Asylum for the Pauper Lunatics of such County or Borough, under the Provisions of this Act; and the Clerk of the Peace of such County or Borough shall, within Ten Days after being so directed as aforesaid, cause such Notice to be given accordingly.

Justices to provide one, and before a certain Time give Notice of Intention to appoint a Committee for that Purpose.

III. The Justices of every such County and Borough respectively (such Notice having been given as aforesaid) shall at the then next General or Quarter Sessions for such County, or at such Special Meeting as aforesaid of the Justices of such Borough, either themselves determine in which of the Modes herein-after mentioned an Asylum shall be provided for such County or Borough, or shall refer the Selection to the Committee to be appointed as herein-after mentioned, and shall elect some Justices of such County or Borough to be a Committee to provide such Asylum, and may authorize such Committee to provide such Asylum, in such of the Modes herein-after mentioned as the said Justices shall have determined, (that is to say,) to superintend the erecting or providing of an Asylum for the Pauper Lunatics of such County or Borough for such County or Borough alone, or to treat and enter into an Agreement for uniting with any County or Counties, Borough or Boroughs, alone or together with the Subscribers to any Hospital for the Reception of Lunatics, established or in course of Erection, or afterwards to be established, or for uniting with any County or Counties and Borough or Boroughs jointly, or jointly and also together with the Subscribers to any such Hospital as aforesaid, in erecting or otherwise providing an Asylum under or for the Purposes of this Act, as the Justices appointing such Committee may have determined, or in case the said Justices appointing such Committee think fit to refer the Selection of the Mode in which such Asylum shall be provided to the Committee, they may authorize such Committee to provide such Asylum in such of the Modes aforesaid as to the Committee may seem best; and any Committee so authorized to treat and enter into an Agreement may treat and enter into such Agreement with any Committee or Committees having due Authority in that Behalf under this Act, or any former Act, for any County or Counties, Borough or Boroughs, or on behalf of any such Subscribers as aforesaid, and with any Committee of Visitors of any existing Asylum, and whether or not any previous Agreement for uniting may have been already entered into between some of the Parties under this Act or any former Act; and by any such Agreement to be entered into as aforesaid the several Committees, Parties thereto, may, to the Extent of their Authority, in lieu of agreeing to erect or provide an Asylum, or in addition thereto, and in consideration of any Payment in gross or of the Payment of any Sum in the Nature of Rent or otherwise, agree for the joint Use of any existing Asylum or Hospital, and, where they think fit, for enlarging the same.

Justices to appoint a Committee to superintend the providing of an Asylum, or to treat for uniting with some County, &c., or to effect one or other of such Purposes.

IV. It shall be lawful for the major Part of such of the Subscribers to any such Hospital as aforesaid as shall be present at any Meeting of such Subscribers called together expressly for this Purpose by Advertisement in a Newspaper commonly circulated in the Place where such Hospital is or is intended to be situate, to elect any Number of such Subscribers not exceeding Five to be a Committee to treat and enter into an Agreement for uniting with any County or Counties or Borough or Boroughs alone, or any County or Counties and Borough or Boroughs jointly, under and for the Purposes of this Act; and where any such Agreement has been or shall be entered into under any former Act or this Act, nothing in this Act shall prevent the Reception into the Asylum provided under such Agreement, or the Discharge therefrom, of so many of any Lunatics other than Pauper Lunatics as might have been received into such Hospital or Asylum if this Act had not been passed.

Subscribers to any Hospital empowered to appoint a Committee to treat for uniting with any County or Borough, &c.

V. It shall be lawful for the Committee of Visitors of any Asylum already provided for any County or Borough, alone or otherwise, to enter into an Agreement for uniting for the Purposes of this Act with any County or Counties, Borough or Boroughs, alone or together with the Subscribers to any such Hospital as aforesaid, or for uniting with any County or Counties and Borough or Boroughs jointly, or jointly and also together with the Subscribers to any such Hospital.

Committees of Visitors of existing Asylums may enter into Agreements to unite.

VI. Provided always, That where a Committee has been appointed before the Commencement of this Act for any County or Borough for any of the Purposes aforesaid, or Proceedings have been taken for or towards the Appointment of a Committee for any of the said Purposes, nothing herein contained shall render it necessary to proceed afresh to the Appointment of a Committee for any of such Purposes; and any Proceedings already taken as aforesaid shall remain in force and be continued; and all the Provisions of this Act shall be applicable to any such Committee already appointed, or to be appointed under such Proceedings, in like Manner as if such Committee had been appointed under the Provisions of this Act.

Saving where a Committee is already appointed, or Proceedings for the Appointment of a Committee have been commenced.

VII. Provided also, That it shall be lawful for the Justices of any such Borough as aforesaid, at such Special Meeting, if they think fit, in lieu of electing a Committee to superintend the erecting or providing of an Asylum, or to treat for uniting, as herein-before mentioned, or to effect either of such Purposes, to elect a Committee of Justices of such Borough to contract with any Committee of Visitors of any existing Asylum, or any Committee providing or about to provide an Asylum, whether for any County or Borough, alone or otherwise, for the Reception of the Pauper Lunatics of such first-mentioned Borough into such Asylum, in consideration of such Payment in gross, or such annual or periodical Payment, and upon and subject to such Terms, Stipulations, and Conditions as to the Duration and Determination of the Contract, and otherwise, as may be agreed upon; and it shall be lawful for any Committee of Visitors of any existing Asylum, or any other such Committee as last aforesaid, to contract with the Committee for any such Borough accordingly; and during the Continuance of such Contract the

Justices of Boroughs may contract with Committees of Visitors, &c. for Reception of the Pauper Lunatics of the Borough.

the Justices of such Borough shall, at a Special Meeting of such Justices to be holden within Twenty Days after the Twentieth Day of *December* in every Year, appoint a Committee of such Justices to visit the Pauper Lunatics sent from such Borough to such Asylum, and Two at least of the Members of such Committee shall together once at the least in every Six Months visit such Asylum, and see and examine as far as Circumstances will permit every Lunatic received into such Asylum under such Contract, and shall after each such Visit report the Result thereof, with such Remarks as they think fit, to the Justices of such Borough at a Special Meeting of such Justices; and the Justices making any such Visit may, if they see fit, be accompanied by some Physician, Surgeon, or Apothecary, other than a Medical Officer of the Asylum; and such Justices may by Writing under their Hands order the Payment to such Physician, Surgeon, or Apothecary of such reasonable Sum for his Services on any such Visit as they may think fit, and such Sum shall, upon the Production of such Order, be paid to such Physician, Surgeon, or Apothecary by the Treasurer of such Borough; and every Report of such Justices so visiting shall be entered among the Records of the Court of Quarter Sessions of such Borough, and shall be open to the Inspection of any of the Commissioners in Lunacy; and such Commissioners may, if they think fit, require a Copy of every or any such Report to be transmitted to them by the Clerk of the Peace of such Borough; and while any such Contract making adequate Provision for the Pauper Lunatics of such Borough is in force such Borough shall not be required to provide an Asylum for itself alone, or in Union, as herein-before mentioned.

Borough now contributing to a County Asylum deemed to have an Asylum, but upon Notice may separate from the County.

VIII. Provided also, That every Borough situate within a County having an Asylum for Pauper Lunatics, and which at the Time of the passing of the said Act of the Eighth and Ninth Years of Her Majesty contributed and still contributes to such Asylum, shall be considered as having an Asylum for the Pauper Lunatics of such Borough; but it shall be lawful for any such Borough, at any Time hereafter, upon giving Six Months Notice in Writing under the Hand of the Town Clerk, in pursuance of a Resolution of the Council of such Borough, to the Clerk of the Peace of the County, to separate itself, so far as relates to the Establishment of a Lunatic Asylum for such County, and the Maintenance of Lunatics therein, from such County, and from and after the Expiration of such Notice such Borough shall for the Purposes of this Act be deemed a Borough not having an Asylum for the Pauper Lunatics thereof; and from and after the Expiration of such Notice, and the Withdrawal from such County Asylum of all Lunatics from or belonging to such Borough, such Borough shall not be liable to pay or contribute towards the Expense of the Establishment of such Asylum, or the Maintenance of Lunatics therein, but until the Withdrawal from such County Asylum of all Lunatics from or belonging to such Borough such Borough shall be liable to contribute towards the Expenses of such Asylum, in the same Manner and to the same Extent as if such Notice had not been given.

Every Borough not having Six Justices, besides the Recorder, to be annexed to the County or One of the Counties in which it is situate, for Purposes of this Act.

Recorder to appoint Two Justices to be Members of Committee of Visitors.

IX. Provided also, That every Borough in which at the passing of the said Act of the Eighth and Ninth Years of Her Majesty hereby repealed, there were not Six Justices besides a Recorder shall, for the Purposes of this Act, be annexed to and be Part of the County in which it is wholly situate, or in case it be not wholly situate in any One County shall for the Purposes of this Act be annexed to and be Part of such One of the Counties in which it is situate as such Borough may have been annexed to under the said Act of the Eighth and Ninth Years of Her Majesty, or if not already so annexed then the same shall be annexed to and be Part of such One of the said Counties as One of Her Majesty's Principal Secretaries of State shall by Writing under his Hand direct; and the Recorder of every such Borough shall, at the General or Quarter Sessions next after the Twentieth Day of *December* in every Year, appoint Two Justices of such Borough to be Members of the Committee of Visitors of the Asylum of the County to which such Borough is or shall be annexed; and the Justices of every County to which any Borough is or shall be annexed as aforesaid shall, at their General or Quarter Sessions, from Time to Time fix the Sum to be contributed by such Borough towards the Expenses of and incident to erecting, providing, and maintaining the Asylum of such County, according to the comparative Population of such Borough and County as stated in the then last Returns made of the same under the Authority of Parliament, and cause Notice thereof in Writing to be given to the Treasurer of such Borough, and such Sum shall be raised by a Borough Rate to be made by the Council of the Borough in manner directed by the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, "to provide for the "Regulation of Municipal Corporations in *England* and *Wales*," or out of the Borough Fund, if the Council think fit, and shall be paid by the Treasurer of the Borough to the Treasurer of the Asylum.

5 & 6 W. 4. c. 76.

Boroughs neglecting to provide an Asylum or to contract for Care of their Pauper Lunatics may be annexed by Secretary of State to the County.

Justices of Borough so annexed shall appoint Two Justices to be

X. If at any Time after the Expiration of One Year after the passing of this Act it appear to One of Her Majesty's Principal Secretaries of State, upon the Report of the Commissioners in Lunacy, that the Justices of any Borough by this Act required to provide an Asylum, or contract for the Care of the Pauper Lunatics thereof, have not provided an Asylum, or entered into an Agreement for that Purpose, or into a subsisting Contract making adequate Provision for the Care of the Pauper Lunatics thereof in some Asylum, and that any Asylum belonging wholly or in part to the County or any of the Counties (if more than One) in which such Borough is locally situate, either wholly or in part, is capable of affording Accommodation for the Pauper Lunatics of such Borough, or may be conveniently enlarged so as to afford such Accommodation, it shall be lawful for such Secretary of State, with the Consent of the Committee of Visitors of such Asylum, by Writing under his Hand, to annex such Borough for the Purposes of this Act to such County; and the Justices of every Borough so annexed under this Provision shall, at a Special Meeting of such Justices to be holden within Twenty Days after the Twentieth Day of *December* in every Year, appoint Two Justices of such Borough to be Members of the Committee of Visitors of the Asylum of the County to which such Borough shall be annexed; and the Provision in the Enactment

lastly

lastly herein-before contained in relation to the Contribution by a Borough annexed to a County under such Enactment to the Expenses of the Asylum of such County, shall extend to any Borough so annexed under this Provision.

Members of Committee of Visitors.

XI. Where any Committee has been appointed for any County or Borough (whether before or after the passing of this Act) for any of the Purposes herein-before mentioned, it shall be lawful for the Justices of such County or Borough, if they think fit, at any General or Quarter Sessions for such County, or (in the Case of a Borough) at any Special Meeting of the Justices of such Borough, after like public Notice as is required in the Case of the first Appointment of the Committee, to enlarge or alter the Powers of the Committee, so as to vest in the Committee any such Powers as might be vested in any Committee on the original Appointment thereof under this Act, and, if the Justices see fit so to do, to appoint additional Members of the said Committee, and every such Committee shall have the like Powers, and the Provisions of this Act shall be applicable to such Committee in like Manner as if such Committee had been originally appointed with the Powers so vested in them under such Enlargement or Alteration of their Powers.

Powers of Committees may be enlarged.

XII. Where any Committee appointed for any County or Borough (either before or after the passing of this Act) for any of the Purposes herein-before mentioned has ceased or shall hereafter cease to exist, without carrying into effect the Purposes for which it was appointed, or, if appointed for the Purpose only of treating for uniting or of contracting as aforesaid, has reported or shall hereafter report that it is not practicable or expedient to enter into an Agreement for uniting or into the proposed Contract, or to that Effect, the Justices of such County or the Recorder of such Borough shall, at or before the General or Quarter Sessions next after the passing of this Act, or next after the Occasion has arisen, cause public Notice to be given, in manner herein directed in the Case of the Original Appointment of a Committee under this Act for any of the said Purposes, of the Intention of the Justices of such County or Borough to appoint at the then next General or Quarter Sessions for such County, or (in the Case of a Borough) at some Special Meeting of the Justices of such Borough to be fixed in the Notice and to be holden within Three Months from the Date thereof, a Committee in lieu of the Committee previously appointed as aforesaid; and such Notice having been so given, the Justices of such County or Borough shall, at the then next General or Quarter Sessions for such County, or at such Special Meeting as aforesaid of the Justices of such Borough, appoint a Committee accordingly, and shall have the like Discretion and Authority for determining the Purposes for which such Committee shall be appointed as in the Case of an original Appointment of a Committee under the Provisions herein-before contained; or such Justices may, if they think fit, in lieu of appointing a new Committee in the Place of any such Committee appointed only for the Purpose of treating for uniting or of contracting as aforesaid, and which may have reported that it is not practicable or expedient to enter into an Agreement for uniting or into the proposed Contract, or to that Effect, enlarge or alter the Powers of such Committee as herein-before provided, and, if such Justices think fit, appoint additional Members of such Committee.

New Committees to be appointed in lieu of Committees which have ceased or shall hereafter cease to exist, &c.

XIII. Provided always, That where the Justices of any County or the Recorder of any Borough have or has not, in pursuance of any of the Provisions herein-before contained, at or before such General or Quarter Sessions as in that Behalf required, caused Notice to be given of the Intention of the Justices of such County or Borough to appoint a Committee under this Act, it shall be lawful for the Justices of such County or the Recorder of such Borough, at or before any subsequent General or Quarter Sessions, to cause such Notice to be given in manner required by this Act; and the Appointment of a Committee in pursuance of such Notice, or the Enlargement or Alteration of the Powers of any existing Committee, and the Appointment of any additional Members of such Committee, at the Sessions or Meeting for which such Notice has been given, shall be valid.

Notice for Appointment of a Committee given at a Time subsequent to that required by this Act, and such Appointment to be valid.

XIV. When Two or more Committees agree to unite for the Purposes of this Act, an Agreement shall be entered into and signed by the several Committees uniting, or the major Part of such Committees respectively, in the Form or to the Effect set forth in Schedule (A.) to this Act; and such Agreement, when signed by the major Part of each such Committee, and not before, shall be binding upon every County and Borough, and the Subscribers (if any) for or on behalf of which or whom such Agreement has been entered into; and every such Agreement shall specify the Proportion in which the Expenses necessary for carrying into execution the Purposes of this Act shall be charged upon each County and Borough, and the Subscribers (if any) so uniting; and the Proportions of the Counties and Boroughs uniting shall be calculated and fixed with reference to their respective Populations as stated in the then last Return made of the same under the Authority of Parliament; and where under any such Agreement a Right to the joint Use of any existing Asylum or Hospital is required by any County or Borough, or the Subscribers to any Hospital, such Agreement shall fix the Sum to be paid by such County, Borough, or Subscribers towards the Expenses already incurred in erecting or providing such Asylum or Hospital.

Committees uniting to enter into Agreement in the Form in Schedule (A.)

XV. Provided always, That it shall be lawful for such Committees to insert in the Agreement to be entered into by them any Stipulations or Conditions, in addition to the Matters by this Act required to be specified in such Agreement, so that such additional Stipulations or Conditions do not in any way subject the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by this Act, and the additional Stipulations and Conditions so inserted in the said Agreement shall be of the same Force and Effect as the Matters so required to be specified, notwithstanding that such additional Stipulations or Conditions may control in any other Manner than as herein-before specified and excepted the Discretion and Acts of the Committee of Visitors as regulated by this Act, or may require the Consent or Approval of, or may subject the Acts or Orders of the Visitors to be disallowed, modified, or controlled by, One of Her

Additional Stipulations or Conditions may be inserted in Agreement, but not so as to subject Acts of Visitors to Control of General or Quarter Sessions.

Majesty's Principal Secretaries of State, in Cases not provided for by this Act; but any Stipulations or Conditions subjecting the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by this Act, shall be void and of none effect.

With Consent of Visitors, Stipulations or Conditions may be repealed.

XVI. Provided also, That with the Consent in Writing under the Hands of the greater Number of Visitors of each County and Borough, and of the greater Number of Visitors of any Body of Subscribers united under any Agreement entered into under this Act or any former Act, and with the previous Consent in Writing under the Hand of One of Her Majesty's Principal Secretaries of State, the Committee of Visitors may from Time to Time repeal or alter any of the Stipulations or Conditions of such Agreement, but not so as to subject the Acts of the Committee of Visitors to the Approval or Control of any Court of General or Quarter Sessions, or of any Justices, in any Case not provided for by this Act.

Proportions of Expenses and of Visitors may be varied on any further Union being effected.

XVII. Where any Agreement for uniting has been entered into under this Act or any former Act, and the Union effected thereunder is added to by an Agreement for further Union, the Proportions in which any Expenses are under any former Agreement for Union to be charged on the Counties or Boroughs, or Counties and Boroughs, and the Subscribers, if any, uniting, and the Proportions in which Visitors are to be elected for and on behalf of such Counties or Boroughs, or Counties and Boroughs, and Subscribers (if any), may be altered as may be agreed upon.

As to Payment and Application of Money paid towards prior Expenses, or becoming repayable under Agreement for further Union.

XVIII. Where under an Agreement for Union any Money is to be paid towards the Expenses already incurred by any County or Borough in erecting or providing any Asylum, the same shall be paid to the Treasurer of such County or Borough, and shall be applied in Liquidation and Payment, *pro tanto*, of the Monies, if any, which shall have been raised by such County or Borough for the Purposes of this Act or the Acts hereby repealed, or any of them, in such Manner as the Justices of such County at any General or Quarter Sessions for the same, or the Council of such Borough, shall respectively order and direct, or if all such Monies shall have been paid, then the same shall be applied in diminution of any Rate to be made in pursuance of this Act.

Committees of Justices to report Agreement to Quarter Sessions, and the Original to be delivered to Clerk of the Peace of the County or Borough in which the Asylum is situate, and a Copy to Clerk of the Peace of each other County and Borough.

XIX. When any Agreement has been entered into and signed as aforesaid, the Committee for each County and Borough on behalf of which the same has been entered into shall report the same to the Justices of such County or the Recorder of such Borough at the then next General or Quarter Sessions; and the original Agreement shall, at such Sessions for the County or Borough in which the Asylum to which the same relates is situate or is intended to be situate, be delivered to the Clerk of the Peace of such County or Borough, to be by him entered among the Records thereof; and a Copy of such Agreement shall at such Sessions for each other County or Borough on behalf of which such Agreement has been entered into be delivered to the Clerk of the Peace of such County or Borough, to be by him entered among the Records thereof; and a Copy of every such Agreement shall be sent by the Clerk of the Peace to whom the original Agreement is delivered, within Twenty Days after the Delivery thereof to him, to the Commissioners in Lunacy; and any of the Justices of any County or Borough on behalf of which such Agreement has been entered into, and any Commissioner in Lunacy, shall be entitled, without Payment, to inspect the original Agreement so delivered to the Clerk of the Peace as aforesaid; and any Clerk of the Peace hereby required to send to the said Commissioners a Copy of any Agreement, who shall neglect so to do within the Time aforesaid, and any Clerk of the Peace who shall refuse to permit such Inspection as aforesaid, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and this Enactment shall extend and be applicable to and in respect of every Agreement by which any of the Stipulations or Conditions in any Agreement entered into under this Act or any former Act shall be repealed or altered.

After Agreement for uniting is reported, Visitors to be elected for carrying same into effect.

XX. When any Agreement for uniting has been entered into, signed, and reported as aforesaid, the Justices of every County to which the same relates shall, at the General or Quarter Sessions to which such Agreement is reported, elect from among the Justices of such County the Number of Visitors allotted to such County in the Agreement; and the Justices of every Borough to which such Agreement relates shall, at a Special Meeting of such Justices to be holden within Twenty Days after such Agreement has been reported to the General or Quarter Sessions for such Borough, elect from among the Justices of such Borough the Number of Visitors allotted to such Borough in the Agreement; and the Majority of such of the Subscribers to any Hospital to which such Agreement relates as shall be present at a Meeting of such Subscribers to be holden within Twenty-eight Days after the signing of such Agreement, and of which Meeting public Notice shall have been given by Advertisement in some Newspaper circulated in the Place in which such Hospital is situate or is intended to be situate, shall elect from among such Subscribers the Number of Visitors allotted to the Subscribers to such Hospital in such Agreement; and the Visitors so elected as aforesaid shall together form and be the Committee of Visitors for carrying such Agreement into effect.

Committee superintending Erection of Asylums to be the Committee of Visitors.

XXI. Every Committee elected for any County or Borough as herein-before provided, and authorized to superintend the erecting or providing of an Asylum for such County or Borough, shall, until the Election of Visitors or a Committee of Visitors for such County or Borough, or the Asylum thereof, under any of the Provisions herein contained, be deemed the Committee of Visitors for such County or Borough.

Visitors to be elected annually for Asylums.

XXII. At the General or Quarter Sessions to be held next after the Twentieth Day of *December* in every Year the Justices of every County, and at a Special Meeting to be held within Twenty Days after the Twentieth Day of *December* in every Year the Justices of every Borough, having for the Time being an Asylum (whether provided before or after the passing of this Act) either for the sole Use of such County

County or Borough or under any Agreement for uniting as aforesaid, shall elect some Justices of such County or Borough to be Visitors on behalf of such County or Borough for the said Asylum during the Year next ensuing the Election; and where such Asylum has been provided under any Agreement for uniting entered into with any such Subscribers as aforesaid, the Majority of such of the Subscribers as shall be present at a Meeting to be holden in the Month of *January* in every Year, of which Notice shall have been given by public Advertisement in some Newspaper circulated within the Place in which such Asylum is situate, shall elect some of such Subscribers to be Visitors for such Asylum during the Year then next ensuing; and where such Asylum is for the sole Use of any One County or Borough, the Visitors elected for such County or Borough as aforesaid shall be "the Committee of Visitors" of such Asylum; and where such Asylum has been provided under any Agreement for uniting, the Visitors elected as aforesaid on behalf of every County and Borough, and the Subscribers (if any) to which the Asylum belongs, shall together form and be "the Committee of Visitors" of such Asylum: Provided always, that the Number of the Committee of Visitors of any County or Borough having an Asylum for its sole Use shall not be less than Seven; and that in all other Cases the Number of Visitors to be elected on behalf of every County and Borough, and of any Body of Subscribers, to form and be the Committee of Visitors, shall be the Number provided for in the Agreement.

A separate Committee of Visitors to be appointed for every Asylum. Proviso.

XXIII. Where any County or Borough has more than One Asylum a separate Committee of Visitors shall be appointed as aforesaid for every such Asylum, each of which Committees shall have all the Powers and be subject to all the Provisions of this Act with regard to the Asylum for which it is appointed, as if it were the only Asylum for that County or Borough: Provided always, that it shall be lawful for the Justices of the County or Borough, if they think fit, with the Approval of One of Her Majesty's Principal Secretaries of State, to appoint the same Committee for Two or more such Asylums.

Meetings of Visitors.

XXIV. The several Persons elected Members of any Committee of Visitors shall within One Month after their Election assemble at some convenient Place to be named in a Notice in Writing given by Two or more of such Visitors, or by the Clerk to the outgoing Committee by the Direction of Two or more of the said Visitors, to the several Members so elected, such Notice to be given to each Member personally, or left at his Place of Abode, or transmitted to him through the Post Office, Seven Days at least before the Time appointed for such Meeting; and the said Visitors may adjourn the said Meeting from Time to Time or from Place to Place, and meet where and as often as they think necessary; and the said Visitors shall at their First Meeting after their Election elect One of their Members to be their Chairman, who shall preside at all Meetings at which he is present; and in case of the Absence of the Chairman from any Meeting the Members of the Committee then present shall elect One of such Members to be Chairman for the Meeting, who shall preside at the Meeting; and to constitute a Meeting of a Committee there shall be present not less than Three Members thereof, except for Adjournment, which may be made by less than Three; and every Question shall be decided by a Majority of Votes (the Chairman, whether permanent or temporary, having a Vote); and in the event of an Equality of Votes on any Question the Chairman for the Time being shall have an additional or casting Vote.

Every Committee to elect a Chairman.

Number of Members to constitute a Meeting.

Questions how to be decided.

Clerk, on Requisition of Chairman, &c. to call Meetings of Visitors.

XXV. The Clerk of any Committee of Visitors shall, whenever required in Writing by the Chairman or Two of the Visitors, or by the Superintendent of the Asylum, and the Chairman of any such Committee may, whenever he shall see fit, convene a Meeting of such Committee by a Notice in Writing to each Visitor of the Time and Place of such Meeting, such Notice to be delivered, left, or transmitted as aforesaid by such Clerk or Chairman Seven Days at least before the Time appointed for the Meeting.

Visitors to appoint a Clerk.

XXVI. Every Committee of Visitors shall appoint a Clerk to such Visitors for the Purposes of this Act, at such Salary or Remuneration as such Visitors think fit, and may, if and when they think fit, remove any Clerk appointed by them, and in any such Case, or in case of the Death or Resignation of any such Clerk, shall appoint a new Clerk; and the Clerk to any Committee of Visitors of any Asylum may also be the Clerk of such Asylum; and any Clerk to any Committee of Visitors shall, unless he sooner die, resign, or be removed, continue in Office so long as such Committee continue in Office.

Committee of Visitors to continue until First Meeting of new Committee, and in default of Election of new Committee to continue as if re-elected.

XXVII. The Powers of any Committee of Visitors and of the Members of such Committee, whether appointed or elected before or after the Commencement of this Act, shall continue until the First Meeting of the Committee by which such first-mentioned Committee is to be succeeded, anything herein contained to the contrary notwithstanding; and if the Justices of any County, or the Justices or Recorders of any Borough, or any Body of Subscribers, neglect in any Year to make such Election or Appointment as required by this Act, then the Committee of Visitors lastly before elected, or the Members of such Committee elected or appointed for such County or Borough, or on behalf of such Body of Subscribers, or such of them as shall continue to act, shall be deemed and taken to be the Committee of Visitors, or to form Part of the Committee of Visitors, as if such Committee or Members had been re-elected or re-appointed in such Year, and so from Time to Time so often as the said Justices, Recorder, or Subscribers so neglect.

Provision for supplying Vacancies in Committees.

XXVIII. In case any Member of any Committee or any Visitor, elected or appointed under this Act or any Act hereby repealed, die, resign, or become incapable to act, the Justices for the County or Borough for which such Member or Visitor was elected or appointed, at any General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, or where such Visitor was appointed by the Recorder of a Borough, then the Recorder of such Borough, shall elect or appoint some other Justice in his Place; and where any such Member or Visitor has been elected on behalf of any Body of Subscribers, the Majority of such of the said Subscribers as shall be present at some Meeting called in manner provided with respect to the annual Election of Visitors shall elect some other Subscriber in

Continuing Members may act.

in his Place; but, notwithstanding any Vacancy in any Committee, the continuing Members or Visitors may act as if no such Vacancy had occurred.

Secretary of State may require any County or Borough not having an Asylum to provide one.

XXIX. In case at any Time after the Expiration of One Year from the Commencement of this Act it appear to One of Her Majesty's Principal Secretaries of State, upon the Report of the Commissioners in Lunacy, that any County or Borough has not an Asylum for the Pauper Lunatics thereof, it shall be lawful for such Secretary of State, by Writing under his Hand, to require the Justices of such County or Borough forthwith to provide a fit and sufficient Asylum for so many Pauper Lunatics as upon the Report of the said Commissioners such Secretary of State may think fit and direct, and such Justices shall forthwith proceed as herein-before mentioned to cause such Asylum to be provided: Provided always, that no Borough annexed to any County by virtue of this Act or any former Act, or on behalf of which a subsisting Contract making adequate Provision for the Care of the Pauper Lunatics thereof shall have been entered into under this Act, or which now contributes to any Asylum for the County in which it is situate, and shall not have been separated from such County, shall be required to provide an Asylum under any such Order.

Where Accommodation of existing Asylum is inadequate, additional Asylum to be provided, or existing Asylum enlarged.

XXX. It shall be lawful for the Justices of every County and Borough having an Asylum or Asylums for the Pauper Lunatics thereof, where it appears to such Justices at any General or Quarter Sessions, or (in the Case of a Borough) at any Special Meeting of such Justices, that the Asylum or Asylums of such County or Borough is or are inadequate or unfit for the proper Accommodation of the Pauper Lunatics of such County or Borough, to cause an additional Asylum, or a new Asylum in lieu of any existing Asylum of such County or Borough, to be provided for such County or Borough, in like Manner as herein-before directed in the Case of a County or Borough not having an Asylum, or to direct the Committee of Visitors of any existing Asylum to cause the same to be enlarged or improved, or, in any other Case where the said Justices deem it necessary or expedient, to direct the Committee of Visitors of any existing Asylum to improve the same; but it shall not be incumbent on any such Committee under any such Direction as aforesaid to enlarge or improve such Asylum where the same does not belong to One County or Borough alone, without a like Direction from the Justices of every County or Borough to which the same belongs; and in case at any Time it appear to One of Her Majesty's Principal Secretaries of State, upon the Report of the Commissioners in Lunacy, that any existing Asylum or Asylums for any County or Borough is or are inadequate or unfit for the proper Accommodation of the Pauper Lunatics thereof, it shall be lawful for such Secretary of State, by Writing under his Hand, to require the Justices of such County or Borough forthwith to cause an additional Asylum, or a new Asylum in lieu of any existing Asylum, to be provided as aforesaid for such County or Borough, or the Committee or Committees of Visitors of any existing Asylum or Asylums forthwith to enlarge or improve the same, in such Manner as the said Secretary of State may see fit and direct, and the said Secretary of State may require Accommodation to be provided in and by such additional or new Asylum, or by means of the Enlargement of such existing Asylum or Asylums, for so many Pauper Lunatics as upon the Report of the said Commissioners such Secretary of State may think fit and direct; and the said Justices or Committee or Committees shall forthwith carry such Requisition of the said Secretary of State into effect; and the Powers and Provisions in this Enactment contained with respect to the Enlargement and Improvement of Asylums shall extend and be applicable to and for the Enlargement and Improvement of the Offices, Outbuildings, Yards, Courts, Outlets, Ground, Land, and Appurtenances belonging thereto.

When an Asylum or additional Asylum or Accommodation is required, the Visitors to procure and determine on Plans and Estimates, and to contract for the Purchase of Land and Buildings, and for erecting, &c. the necessary Buildings.

Contractors to give Security.

Contracts and Orders to be entered in a Book, to be deposited, and to be open to Inspection.

Visitors to report.

XXXI. It shall be lawful for any Committee of Visitors having Authority to provide an Asylum for Pauper Lunatics (but subject as herein-after mentioned) to procure, examine, and determine on Plans for the same, and Estimates, and contract for the Purchase of Lands and Buildings (and in the Case of Buildings, either with or without any Fittings-up and Furniture belonging thereto), and for building, erecting, altering, improving, restoring, furnishing, and completing, or otherwise providing such Asylum, and rendering the same in all respects fit and ready for the Reception of Lunatics, and for making, laying out, and completing the Offices, Outbuildings, Yards, Courts, Outlets, Grounds, Land, and Appurtenances of or for such Asylum, and for providing Clothing for Patients, and everything necessary for the opening of any such Asylum; and any Committee of Visitors having Authority to enlarge, alter, or improve any Asylum shall have like Powers for the Purpose of enlarging, altering, or improving such Asylum, or the Offices, Outbuildings, Yards, Courts, Outlets, Grounds, Land, and Appurtenances thereto belonging; and every Person contracting for building or doing any other such Work as aforesaid shall give to the Clerk of such Visitors sufficient Security for the due Performance of the Contract; and every such Contract, either for Purchase of Lands or Buildings, or for doing any such Work as aforesaid, and all Orders relating thereto, shall be entered in a Book to be kept by the Clerk to such Visitors; and when such Asylum and Appurtenances, or (as the Case may be) the Additions to or Alterations or Improvements thereof, are completed, such Book shall be deposited and kept among the Records of the County or Borough, or where more than One County or Borough is interested in such Contract by reason of an Agreement for Union, then among the Records of the County or Borough which has contributed the largest Proportion of the Expenses of such Contract; and every such Book may be inspected at all reasonable Times by any Person contributing to the Rates of the County or Borough, or, in the Case of a Union, to the Rates of any of the Counties or Boroughs, and also, if any Part of such Expenses has been paid by voluntary Subscriptions, by any of such voluntary Subscribers; and a Copy of every such Book shall be kept at the Asylum to which the Contract relates: Provided always, that the said Visitors shall from Time to Time make their Report to the General or Quarter Sessions of the County or Borough,

Counties or Boroughs, for which they, or such of them as have not been elected by Subscribers as aforesaid, have been elected, of the several Plans, Estimates, and Contracts which have been agreed upon, and of the Sum or Sums of Money necessary to be raised and levied for defraying the Purchase Monies and Expenses thereof on the County or Borough, or, in the Case of such Union as aforesaid, on each or every of the Counties or Boroughs; which Plans, Estimates, and Contracts shall be subject to the Approbation of the Court or Courts of General or Quarter Sessions of such County or Counties, and of the Justices of such Borough or Boroughs, before the same are completed or carried into execution, save where the Amount to be expended does not exceed an Amount previously fixed by the Court or Courts of General or Quarter Sessions of such County or Counties or by the Justices of such Borough or Boroughs.

Power to Visitors to purchase in consideration of a Rent reserved.

XXXII. It shall be lawful for any Committee of Visitors to purchase and take a Conveyance for the Purposes of this Act from any Person having absolute Power to sell and convey, independently of this Act, any Lands or Buildings, in consideration of a yearly Rentcharge or annual Sum to be limited to such Person, his Heirs and Assigns, or as he or they shall direct, out of the Lands or Buildings to be purchased, and the same shall accordingly be conveyed as aforesaid, subject thereto, and to Powers of Distress and Entry for securing the same.

Power for Visitors to take a Lease for Rent.

XXXIII. It shall be lawful for any Committee of Visitors, instead of purchasing any Land or Buildings which they are hereby authorized to purchase, to take a Lease thereof for any absolute Term of not less than Sixty Years, at such annual Rent and under such Covenants as the said Committee of Visitors think fit; and it shall also be lawful for such Committee to rent any Land by the Year for the Purpose of employing such of the Inmates of the Asylum as may be fit for such Employment, or otherwise for the Occupation and Use of the Patients.

Asylum may be erected beyond the Limits of any County, &c. and Justices of such County, &c. may notwithstanding act therein.

XXXIV. The Asylum, to be provided for any County or Borough, either solely or jointly, may be without the Limits of such County or Borough, and when any Asylum provided or to be provided solely or in part for any County or Borough, or any Part of such Asylum, is situate within the Limits of any other County or Borough, then and in every such Case the Justices of the County or Borough to which such Asylum wholly or partly belongs shall have full Power and Authority to act in such other County or Borough, so far as concerns the Regulation of such Asylum, and the Powers conferred by this Act, in the like Manner as if such Asylum and every Part thereof were situate within such first-mentioned County or Borough.

Assessment to local Rates not to be increased after Purchases for Purposes of this or any former Act.

XXXV. No Lands or Buildings already or to be hereafter purchased or acquired, under the Provisions of any former Act or this Act, for the Purposes of any Asylum, (with or without any additional Building erected or to be erected thereon), shall while used for such Purposes be assessed to any County, Parochial, or other local Rates at a higher Value or more improved Rent than the Value or Rent at which the same were assessed at the Time of such Purchase or Acquisition.

Certain Provisions of 8 & 9 Vict. c. 18. incorporated, and extended to authorize Exchanges.

XXXVI. The Provisions of "The Lands Clauses Consolidation Act, 1845," "with respect to the "Purchase of Lands by Agreement," "with respect to the Purchase Money or Compensation coming to "Parties having limited Interests, or prevented from treating, or not making Title," and all other Provisions of the said Act applicable to and in the Case of the Purchase of Lands by Agreement, shall be incorporated with this Act; and all Parties by the said Provisions empowered to sell any Lands may give Lands in exchange for the Purposes of this Act for other Lands, and enter into all necessary Agreements for that Purpose, and on any such Exchange Money may be paid by either Party by way of Equality of Exchange, and the said Provisions "with respect to Purchase Money or Compensation "coming to Parties having limited Interests, or prevented from treating, or not making Title," shall apply to any Money coming to any such Parties on any such Exchange; and any Lands to be purchased or taken in exchange for the Purposes of this Act shall be conveyed to such Persons, being not less than Five in Number, and in such Manner as the Committee of Visitors purchasing the same or taking the same in exchange may direct, in trust for the Purposes of this Act; and any Conveyance to be so made shall have the like Force and Effect as a Conveyance made under Section Eighty-one of the said Lands Clauses Consolidation Act.

Provision for the Appointment of new Trustees of Land purchased or acquired for Asylum.

XXXVII. When and so often as any Land purchased or acquired under this Act or any former Act, for the Purposes of an Asylum, shall be vested in less than Three Trustees, or there shall not be any Trustee thereof living, it shall be lawful for the Committee of Visitors of such Asylum, or any Three or more of them, by an Instrument in Writing under the Hands of such Visitors or any Three or more of them, to appoint such Number of new Trustees of such Land as such Visitors may think fit; and such Appointment shall be deposited and kept among the Records of the County or Borough, or, where more than One County or Borough is interested in such Land, then among the Records of the County or Borough having the largest Interest therein; and all the Estate and Interest in such Land which at the Time of such Appointment may be vested in any Trustee or Trustees, in trust for the Purposes aforesaid, or in any other Person, as Heir or Devisee, or otherwise, subject to such Trust, shall by virtue of such Appointment vest in the Trustees so appointed, either alone, or if there be any continuing Trustees or Trustee jointly with such continuing Trustees or Trustee, as the Case may require, without any Conveyance or Assignment for that Purpose.

Visitors to order all ordinary Repairs of Asylums, provided they do

XXXVIII. The Committee of Visitors of every Asylum may of their own Authority from Time to Time order all such ordinary Repairs as may be necessary for such Asylum, and any Additions, Alterations, or Improvements to or in such Asylum, or the Offices, Outbuildings, Yards, Courts, Outlets, Grounds, Land, and Appurtenances thereto belonging, which to them may seem necessary or proper for the

not exceed 400*l.* per Annum.

As to Payment of Expenses of Repairs, &c.

the further or better Accommodation of the Pauper Lunatics who may be received or taken care of therein, provided that the Expense of all such Additions, Alterations, and Improvements shall not exceed Four hundred Pounds in any One Year; and if such Asylum belong to One County or Borough only, they shall cause the Expense of such Repairs, Additions, Alterations, or Improvements to be paid by making an Order upon the Treasurer of such County or Borough for the Payment thereof, but if otherwise they shall apportion such Expense in the Proportion in which each County or Borough has contributed to the Erection thereof, or where any other Proportion is fixed by any Agreement for the Time being in force, then in such other Proportion, and where any such Agreement only provides in what Proportion the Expense of Repairs shall be defrayed, the said Committee shall apportion the Expense of such Additions, Alterations, and Improvements in the same Proportion unless it be otherwise provided by such Agreement, and the said Committee shall make an Order on the Treasurer of each County or Borough for the Payment of the Proportion to be paid by such County or Borough, and such Treasurer shall pay the same accordingly out of any Money of such County or Borough then in his Hands, or which may thereafter come to his Hands, not specifically appropriated to any other Purpose, and the same may be recovered from him, for the Benefit of such Asylum, by the Treasurer or Clerk thereof, together with all Costs and Expenses, in any of Her Majesty's Courts at *Westminster*, or in any other Court of competent Jurisdiction: Provided always, nevertheless, that no Order for any such Repairs, Additions, Alterations, or Improvements as aforesaid, or for the Payment of any Money for the Expenses thereof, where such Expenses exceed the Sum of One hundred Pounds, shall be made, unless Notice of the Meeting at which the same shall be ordered, and of the Intention to determine thereat the Question of such Expenditure, have been given in such Manner and so long before the Time appointed for the Meeting as is herein-before provided with respect to Notices of Meetings of Committees of Visitors, nor unless Three Visitors concur in and sign such Order: Provided also, that where any such Expenditure as aforesaid is incurred otherwise than for ordinary Repairs, the Visitors shall report the same to the next General or Quarter Sessions of the County or Borough, or each County and Borough, on behalf of which such Expenditure has been incurred.

No Order for Payment of Money exceeding 100*l.* to be made unless Notice has been given of the Meeting at which the same shall be ordered.

Power of Visitors, with Consent of Secretary of State, to dissolve Unions.

XXXIX. It shall be lawful for every Committee of Visitors, with the Consent of One of Her Majesty's Principal Secretaries of State under his Hand, to determine and dissolve any Union, whether such Union have been formed under this Act or under any former Act, and upon such Dissolution to divide and allot the Lands, Buildings, Hereditaments, Chattels, Monies, and Effects of or belonging to such Union between or among every such County and Borough, and the Subscribers (if any) between which and whom such Union existed, in the Proportions in which they respectively have contributed thereto or are interested therein, or in such other Proportions and Manner as the said Visitors, with the Approbation of the said Secretary of State, think fit; and if on any such Division or Allotment there cannot be conveniently allotted to any County or Borough or Subscribers the proper Proportion of such County, Borough, or Subscribers in the Lands, Buildings, Hereditaments, Chattels, Monies, and Effects of such Union, there shall be paid to such County, Borough, or Subscribers such Sum of Money as the said Visitors, with the Approbation of the said Secretary of State, may direct, in full or in part Satisfaction, as the Case may require, of the aforesaid Proportion of such County, Borough, or Subscribers; and every such Sum of Money shall be raised by the County or Counties, Borough or Boroughs, to or between or among which the Lands, Buildings, Hereditaments, Monies, Chattels, and Effects of the said Union shall be allotted (if more than One) in such Shares as the said Visitors, with the Approbation of the said Secretary of State, think fit, in the same Manner and by the same Means as other Monies are appointed to be raised by Counties or Boroughs for the Purposes of this Act: Provided always, that no Union shall be so dissolved by any Committee of Visitors except under a Resolution of such Committee at a Meeting specially convened for the Purpose of determining the Question of such Dissolution by a Notice given in such Manner and so long before the Time appointed for such Meeting, as is herein-before provided with respect to Notices of Meetings of Committees of Visitors, nor unless the Majority of the whole Number of the Committee of Visitors shall at such Meeting have concurred in such Resolution: Provided always, that in the Case of a Dissolution of Union, where any County or Borough having an Asylum shall be united with any County or Counties, Borough or Boroughs, not having an Asylum, and have erected additional Buildings and incurred any other Expense for their Benefit, and be in the Receipt of an annual fixed Sum or Rent as a Remuneration for the Expenses so incurred in lieu of the Payment of a Sum in gross, it shall be lawful for the said County or Counties, Borough or Boroughs, so paying such Rent, if they shall think fit, to raise, in the same Manner as is provided in the Act for the Purpose of erecting County Asylums, such a Sum of Money for the Purpose of compensating the County or Borough receiving such Rent for the Cessation of such Rent as may be agreed upon and approved of by the Committee of Visitors of such County or Counties, Borough or Boroughs, as may have been so united as aforesaid.

Power for Visitors, with Consent of Secretary of State, to sell or exchange Lands and Buildings.

XL. It shall be lawful for every Committee of Visitors, with the previous Consent of One of Her Majesty's Principal Secretaries of State under his Hand, to sell, either by Public Auction or Private Contract, and subject to any Conditions, any Lands or Buildings or Parts of Lands or Buildings which may have belonged to and been used as or together with an Asylum, or which may have been purchased or otherwise acquired under any former Act or this Act, for the Purposes of an Asylum, and found unsuitable or otherwise not required for such Purposes, or to give the same in exchange for other Lands or Buildings, and to pay or receive through the Treasurer of such Asylum any Money by way of Equality of Exchange; and every Conveyance of Lands or Buildings so sold or given in exchange which shall be executed

executed by the Persons in whom the same may then be vested as Trustees, or by any Three of the Members of the Committee of Visitors who sell the same, shall be effectual to convey the same for all the Estate or Interest then vested in such Trustees, in trust for the Purposes of such Asylum, and the Receipt of any Three of the Committee of Visitors shall be a sufficient Discharge for the Purchase Monies or for any Monies to be received for Equality of Exchange; and such Monies, in case the Sale or Exchange be made by a Committee of Visitors of any One County or Borough alone, shall be applied in carrying into execution the Powers and Purposes of this Act, or shall be paid to the Treasurer of such County or Borough, and be applied for the general Purposes thereof, or otherwise, as the Justices of such County or Borough shall, at some General or Quarter Sessions for such County, or at some Special Meeting of the Justices of such Borough, direct; and in every other Case the Monies received shall be paid to the Treasurer of the County, Borough, or Subscribers to which or to whom the Property sold or exchanged belonged, in case it belonged to any One of them, or if the same was joint Property then to the respective Treasurers of every County and Borough, and of the Subscribers, if any, in the Proportion in which such County, Borough, and Subscribers were respectively interested therein; and such Monies shall be held and applied by every such Treasurer, in the Case of a County or Borough, as Part of the general Rates or Funds of such County or Borough, and in the Case of any Subscribers, as the Majority of such of the Subscribers as shall be present at any Meeting convened for that Purpose shall direct.

Application of Purchase Monies.

XLI. Where any Committee of Visitors have (either before or after the passing of this Act) contracted for the Purchase of any Lands for the Purposes of an Asylum, or for any Exchange of any Lands for other Lands for such Purposes, and the Lands so contracted to be purchased or taken in exchange are found to be unsuitable or are not required for such Purposes, such Committee, or any other Committee appointed in their Place, may, with the Consent in Writing of One of Her Majesty's Principal Secretaries of State, (notwithstanding such Contract may have been approved as required by the said Acts hereby repealed, or this Act,) procure a Release from the said Contract, and in consideration of such Sum of Money (if any) as the said Committee, with such Consent as aforesaid, may agree to pay; and the said Committee or any Three of such Committee may, in consideration of such Release, execute a Release to the other Party to such Contract or other the Persons bound thereby; and the Consideration Money (if any) by the said Committee agreed to be paid as aforesaid, and all Expenses in relation to the said Contract and Releases, shall be paid, defrayed, and raised in like Manner as if the same were payable in respect of the Purchase of Lands for the Purposes aforesaid.

Visitors may, with Consent of Secretary of State, get released from Contracts.

XLII. It shall be lawful for every Committee of Visitors to contract with the Committee of Visitors of any Asylum, or with the Subscribers to any Hospital registered or the Proprietor of any House licensed for the Reception of Lunatics, for the Reception into such Asylum, Hospital, or House of the whole or of a Portion of the Pauper Lunatics of the County or Counties, Borough or Boroughs, or Counties and Boroughs, or any of them respectively, for which such first-mentioned Committee is acting, or for the Use and Occupation of all or any Part of such registered Hospital or licensed House, at such Sum, either in gross or by way of annual or other periodical Payment or Rent, and under and subject to such Terms, Stipulations, and Conditions, as such Visitors shall think fit; and it shall be lawful for the Committee of Visitors of any Asylum, or the Subscribers to any registered Hospital, or the Proprietor of any licensed House, to contract with any Committee of Visitors accordingly: Provided always, that no such Contract shall be made for any longer Period than for the Term of Five Years, and that any such Contract may be determined by Notice in Writing under the Hand of One of Her Majesty's Principal Secretaries of State, and that every such Contract with the Proprietor of a licensed House shall determine on such House ceasing to be duly licensed for the Reception of Lunatics; provided also, that no such Contract shall exempt the Justices of any County or Borough or any Committee from the immediate Duty and Obligation of erecting or providing, or uniting in erecting or providing, an Asylum or additional Asylum, or of enlarging or improving any Asylum, as required by this Act, where One of Her Majesty's Principal Secretaries of State has caused Notice to be given as aforesaid for the Determination of such Contract, although the Term for which such Contract was entered into has not expired by Effluxion of Time: Provided also, that any Money which may be payable under such Contract for the Reception of the Lunatics of any County or Borough into any Asylum beyond the weekly Sums which may be charged under this Act for the Lodging, Maintenance, Medicine, Clothing, and Care of Lunatics in the Asylum belonging to the County or Borough to which such Lunatics shall belong, shall be paid, defrayed, and raised by such County or Borough out of any Monies in the Hands of the Treasurer for the County which shall be applicable for the Repairs or other ordinary Expenses of such Asylum; provided also, that any Hospital or licensed House with the Subscribers or Proprietor of which any such Committee so contract as aforesaid shall be subject to the Visitation of any of the Members of such Committee for the Time being.

Visitors empowered to contract for the Reception of Pauper Lunatics into Asylums of other Counties or Hospitals or licensed Houses.

Period of such Contract limited.

As to Money payable under Contract for Reception of Lunatics into any Asylum.

XLIII. Whenever it appears to the Committee of Visitors of any Asylum that such Asylum is more than sufficient for the Accommodation of all the Pauper Lunatics of the County or Borough or each County and Borough to which the same wholly or in part belongs, and of any County or Counties, Borough or Boroughs with which any existing Contract for the Reception of all or any of the Pauper Lunatics thereof in such Asylum has been entered into, or which shall otherwise contribute to such Asylum, it shall be lawful for the Committee of Visitors, if they think fit, to give Notice thereof by Advertisement in some Newspaper commonly circulated in such County or Borough, or every such County or Borough as aforesaid, and (subject nevertheless and without Prejudice to any Agreement with any voluntary Subscribers), by a Resolution of the said Committee, to permit the Admission of so many

When any Asylum can accommodate more than the Lunatics of the County or Borough, Visitors may order the Admission of other Lunatics.

Pauper Lunatics of any other County or Borough, and (if such Committee think fit) Lunatics not Paupers, but who, in the Opinion of such Committee, may be proper Objects to be admitted into a public Asylum, as to such Committee may seem expedient, and at any Time to rescind or vary any such Resolution; and such Committee may, if they think fit, by such Resolution require that no Pauper Lunatic shall be admitted into such Asylum thereunder without an Undertaking by the Minute of the Guardians of the Union or Parish, or signed by Two of the Overseers of the Parish, to which such Lunatic is chargeable, or in the Case of a Lunatic not a Pauper by the Person signing the Order for the Admission of such Lunatic, for the due Payment of the weekly Charge for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic during his Continuance in such Asylum, and of the Expenses of his Burial in case he die therein, as well as for the Removal of such Lunatic from such Asylum within Six Days after due Notice given in Writing by the Superintendent of such Asylum; and such Lunatic not being a Pauper shall have the same Accommodation in all respects as the Pauper Lunatics.

No Visitor to have any Interest in any Contract or Agreement.

XLIV. No Visitor of any Asylum shall have or take, or be capable of having or taking, any Interest or Concern whatsoever, either in his own Name or in the Name of any other Person, in any Contract or Agreement to be made under the Authority of this Act, or in anywise relating to or connected with such Asylum, or shall, for any Design or Plan he may deliver or produce, receive any Benefit or Emolument whatever, or otherwise have or take any Benefit or Emolument whatsoever from or out of the Funds of the Asylum: Provided always, that this Enactment shall not extend to any such Interest, Benefit, or Emolument which any Visitor may have or derive by reason of his being a Shareholder of any Joint Stock Company established by Act of Parliament or by Charter, with which any Contract may be entered into on behalf of such Asylum, or which may otherwise receive any Benefit or Emolument out of the Funds of the Asylum; provided that no Contract or Dealing between such Company and the Visitors of such Asylum be at or upon Rates or Terms more advantageous to such Company than in the Case of Contracts or Dealings by such Company with other Parties.

Plans, &c. to be submitted to Commissioners in Lunacy, and approved by Secretary of State.

XLV. Every Committee of Justices or Visitors shall submit all Agreements for uniting for the Purposes of this Act, and all Contracts under this Act, for the Reception of the Pauper Lunatics of any County or Borough, or any of them, into any Asylum, registered Hospital, or licensed House, or for the Use and Occupation of all or any Part of any such Hospital or licensed House, and all Plans for building or providing or enlarging or improving any Asylum for Pauper Lunatics, and all Contracts for Purchases of Lands or Buildings for any such Purpose, to the Commissioners in Lunacy, who shall make such Inquiries in reference thereto, and to the Amount of the Accommodation requiring to be provided, as they may deem proper, and shall report thereon in Writing to One of Her Majesty's Principal Secretaries of State, and such Committee shall submit to One of such Secretaries of State Estimates of the Cost and Expense of carrying into execution such Plans, and no such Agreement, Contract, or Plan shall be carried into effect until the same has been approved by such Secretary of State in Writing under his Hand.

How Monies to be raised for providing Asylums.

Provisions for raising Monies required for the Purposes of this Act by County and Borough Rates.

XLVI. In order to pay and defray the Monies, Costs, and Expenses payable for any of the Purposes of this Act or the said Acts hereby repealed by any County, the Justices of such County at any General or Quarter Sessions for the same may and shall assess and tax a General County Rate or Rates upon such County, and may and shall fix a Sum or Rate to be contributed by all Places whatsoever within such County, (other than any Borough being within such County or by this Act for the Purposes thereof annexed thereto,) and whether such Places be or be not liable to contribute to an ordinary County Rate; and in order to pay and defray the Monies, Costs, and Expenses payable as aforesaid by any Borough, the Council of such Borough may and shall assess a General Borough Rate in the Nature of a County Rate upon such Borough, and the said Rates shall be collected, levied, and recovered in the same Manner, and by the same Powers, Authorities, Ways, and Means, and under the same Penalties, as any ordinary Rate for such County or Borough respectively may by Law be collected, levied, and recovered; and the Monies, Costs, and Expenses to be paid and contributed by any County or Borough for the Purposes of this Act shall be paid by the Treasurer of such County or Borough, out of the Rates aforesaid, to the Treasurer of the Asylum to which such County or Borough shall either alone or jointly pay or contribute: Provided always, that it shall be lawful for the Council of any Borough, if they think fit, to direct that any Monies payable for the Purposes of this Act, or any Part thereof, shall be paid out of the Borough Fund of such Borough, and such Monies shall be paid by the Treasurer of such Borough out of such Fund accordingly.

Power for Justices of Counties and Councils of Boroughs to raise Money by Mortgage of the Rates.

XLVII. It shall be lawful for the Justices of every County in General or Quarter Sessions assembled, or the major Part of them, such major Part not being less than Five, and for the Council of every Borough, from Time to Time to borrow and take up on Mortgage of the Rates to be made under this Act for such County or Borough, or on Mortgage of such Rates together with all other Rates or Funds, or any of them, of the same County or Borough, all or any of the Monies required for paying and defraying any such Monies, Costs, and Expenses, as aforesaid, payable by such County or Borough; and such Money may be so raised at any Rate of Interest not exceeding Five Pounds *per Centum per Annum*, and every such Mortgage may be made by an Instrument in the Form contained in the Schedule B. hereunto annexed, or to that or the like Effect, and shall be executed in the Case of a County by the Chairman, and Two or more other Justices present at the Time of making such Mortgage, and in the Case of a Borough by affixing the Common Seal of the Borough thereto; and every such Mortgage shall be effectual for securing to the Person advancing the Sum of Money in such Mortgage expressed to be advanced, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest for the same, after such Rate and at such Time and in such Manner as in such Mortgage provided; and the said

Mortgages

Mortgages shall be numbered in the Order of Succession in which they are granted; and Copies or Extracts of all such Mortgages shall be kept by the Clerk of the Peace, or other proper Officer having the Custody of the Records of the Quarter Sessions of such County or of the Records of such Borough, as the Case may be; and every Person to whom any such Mortgage has been made under the Act hereby repealed or any former Act, or is made under this Act, his Executors or Administrators, is hereby empowered, by endorsing his or their Name or Names on such Mortgage, to transfer the same, and his and their Right to the Principal Money and Interest thereby secured, unto any Person, and every Assignee under this Act or any former Act of any such Mortgage, his Executors and Administrators, may in like Manner transfer the same again, and so *toties quoties;* and the Persons to whom such Mortgages or such Transfer thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed to be mortgaged in an equal Degree one with another, and shall not have any Preference or Priority other than is provided under the Powers of this Act.

Power to Public Works Loan Commissioners to lend Money for Purposes of this Act.

XLVIII. It shall be lawful for the Justices and Council of any County and Borough respectively to make Application for any Advance of any Sum necessary for the Purposes of this Act, or the said Acts hereby repealed, to the Commissioners acting in the Execution of an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Twenty-three, "to authorize for a further "Period the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on "Public Works and Fisheries, and Employment of the Poor," and any Act or Acts amending or continuing the same, and the said Commissioners are hereby empowered, if they think fit, to make such Advance upon the Security of such Mortgage as aforesaid.

Provision for the Payment of the Interest on the Mortgages, and of a Portion of the Principal in each Year.

XLIX. The said Justices or Council, as the Case may be, shall in every Year charge the Rates or Funds of such County or Borough with the Sum for the Time being required to pay the Interest of the Money borrowed on any Mortgages under this Act or any former Act, or such of them as for the Time being remain unpaid, and also with the Payment of a further Sum, not less than One Thirtieth Part of the whole of such Mortgages at the Time of the same being first made, and such Sums shall be applied under the Direction of the said Justices or Council in discharge of the Interest on the said Mortgages or such of them as for the Time being remain unpaid, and of so many of the Principal Sums owing on the said Mortgages for the Time being remaining unpaid, as such Sums after Payment of the Interest as aforesaid will extend to discharge, until the whole of the Principal Monies for which such Mortgages shall have been made, and the Interest thereof, shall be fully paid and discharged; and the said Justices and Council, as the Case may be, are and is hereby required to fix One or more Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for such Payments being regularly made; and the said Justices of Council, as the Case may be, shall, by Agreement with the Parties, or others advancing any Money for the Purposes of this Act, determine the Order or Priority in which the several Sums advanced shall be respectively discharged; and the Justices of every County and the Council of every Borough so borrowing Money on Mortgage as aforesaid are and is hereby required to appoint a proper Person to keep an exact and regular Account of all Receipts and Payments in respect of Principal Monies borrowed or taken up as aforesaid under this Act or any former Act, and the Interest thereof, in a Book or Books separate and apart from all other Accounts, and the said Book and Books, duly adjusted and settled up to the Time being, to deliver annually, in the Case of a County into Court at some General or Quarter Sessions for such County, and in the Case of a Borough to the Council of the Borough, at such Time as such Council shall appoint; and the Justices for every such County at such Sessions, and the Council for every such Borough, are and is hereby required carefully to inspect all such Accounts, and to make such Orders for carrying the several Purposes aforesaid into execution as to them shall seem meet.

Provision to be made for paying Money borrowed within a limited Time not exceeding Thirty Years.

L. Provided always, That the Justices of every County and the Council of every Borough borrowing Money as aforesaid shall make Provision by means of the Rates which they are hereby respectively authorized to make, and by the Orders and Directions which they are hereby authorized to give, that the whole Principal Money to be borrowed under the Authority of this Act by such County or Borough, and all Interest for the same, shall be fully paid and discharged within a Time to be limited by such Justices or Council, not exceeding Thirty Years from the Time of borrowing the same.

Persons lending Money on Mortgage of Rates, &c. not bound to give Proof that Notices have been given, &c.

LI. No Person lending Money to any Justices of any County or the Council of any Borough, and taking a Mortgage for securing Repayment of the same, executed in manner directed by this Act, and purporting to be made under the Authority of this Act, shall be bound to require Proof that the several Provisions of this Act or of any former Act or Acts have been duly complied with; and if there be an Order of the Justices of any County in General or Quarter Sessions, or of the Council of any Borough making Application for the Loan, and any Mortgage have been thereupon duly executed, either before or after the passing of this Act, as by any Act then in force or this Act is provided, the Justices or Council (as the Case may be) shall have and be deemed to have had full Power to levy the Rates so mortgaged for Repayment of the Money so borrowed with Interest, notwithstanding that the Provisions of this Act or any former Act or Acts may not have been complied with; and it shall not be competent to any Ratepayer or other Person to question the Validity of any such Rate or Mortgage on the Ground that such Provisions had not been complied with.

Power to raise Money to pay off Sums already borrowed.

LII. Provided also, That in every Case in which any Monies have been borrowed under the Powers of any former Act or this Act, it shall be lawful for the Justices of the County or Council of the Borough for which such Monies shall have been borrowed, (with the Consent of the Parties to whom the same shall be owing,) to pay off the Monies so borrowed, and to raise and borrow the Monies necessary for

that Purpose, and also to repay the said last-mentioned Monies and the Interest thereof under the Powers of this Act, as if such Monies were borrowed under the Powers herein-before contained; but so, nevertheless, that all Monies borrowed shall be discharged within Thirty Years from the Time of first borrowing the same.

Regulation and Management of Asylums, and Appointment of Officers.

Visitors to submit General Rules to the Secretary of State, and, subject to such General Rules, to make Regulations and determine Diet of Lunatics.

LIII. Every Committee of Visitors shall, within Twelve Months after the passing of this Act, in the Case of every Asylum already established, and General Rules for the Government whereof have not been already submitted to One of Her Majesty's Principal Secretaries of State, and within Twelve Months after the Completion of every Asylum hereafter established, submit the existing General Rules, or General Rules to be prepared by such Committee, for the Government of the Asylum under their Superintendence to One of Her Majesty's Principal Secretaries of State for his Approval; and such Rules, when approved by him, shall be printed, abided by, and observed; and every such Committee shall have Power, with the like Approbation, to alter and vary such Rules from Time to Time as they think necessary; and every such Committee shall make from Time to Time such Regulations and Orders as they think fit, not inconsistent with the General Rules for the Time being in force for the Management and Conduct of the Asylum, and in such Regulations there shall be set forth the Number and Description of Officers and Servants to be kept, the Duties to be required of them, and the Salaries to be paid to them respectively; and every such Committee shall from Time to Time determine the Diet of the Patients; and in and by such Regulations such Committee may direct that any Number of Beds in such Asylum, and in such respective Parts thereof as such Committee may think fit, shall be always reserved for such Cases as in and by such Regulations shall be in this Behalf mentioned; and in such Case such Asylum shall for the Purposes of this Act, as respects the Admission of all Cases not within the Description or Class for which such Beds are reserved, be deemed full when there are no vacant Beds in such Asylum except those so reserved, but nevertheless it shall be in the Power of the Committee of Visitors of such Asylum for the Time being to fill the Beds so reserved as they may deem expedient; and any such Committee may, if they see fit, by any such Regulations or Order, exclude from Admission into the Asylum Persons afflicted with any Disease or Malady which such Committee may deem contagious or infectious, and Persons coming from any District or Place in which any such Disease or Malady may be prevalent.

Visitors to fix weekly Rate to be paid for Maintenance of each Lunatic, not to exceed 14*s.* per Week.

LIV. Every Committee of Visitors shall fix a weekly Sum to be charged for the Lodging, Maintenance, Medicine, Clothing, and Care of each Pauper Lunatic confined in such Asylum, of such Amount that the same may be sufficient to defray the whole Expense of the Lodging, Maintenance, Care, Medicine, and Clothing, and other Expenses requisite for each Pauper Lunatic, and that the total Amount of such weekly Sums, after defraying such Expenses, may also be sufficient to pay the Salaries of the Officers and Attendants, and such Committee may from Time to Time alter the Amount of such weekly Sum as Occasion may require; provided always, that any such Committee may, if they think fit, fix a greater weekly Sum to be charged as aforesaid in respect of Pauper Lunatics other than those sent to such Asylum from or settled in some Parish or Place situate in any County or Borough to which such Asylum belongs; provided also, that such Sum shall in no Case exceed the Rate of Fourteen Shillings *per* Week; but if the aforesaid Rate of Fourteen Shillings be found insufficient for the Purposes aforesaid, it shall be lawful for the major Part of the Justices of the County or Borough, or of each County or Borough to which such Asylum may belong, present at any General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, or each such County or Borough respectively, to make such Addition to such Rate as to them respectively shall seem fit and necessary, and to make an Order or Orders accordingly, which Order or Orders shall be signed by the Clerk of the Peace for the County, or Clerk to the Justices for the Borough, and forthwith published in some Newspaper commonly circulated within such County or Borough.

If the Rate be found insufficient, Justices in Quarter Sessions may increase it.

Visitors to appoint a Chaplain.

LV. The Committee of Visitors of every Asylum shall appoint a Chaplain for the same, who shall be in Priest's Orders, and shall be licensed by the Bishop of the Diocese, and the Licence of any such Chaplain as aforesaid shall be revocable by the Bishop whenever he shall think fit; and such Chaplain, or his Substitute approved by the Visitors, shall perform and celebrate, in the Chapel of or in some convenient Place within or belonging to such Asylum, Divine Service according to the Rites of the Church of *England* as established by Law, on every *Sunday*, *Christmas Day*, and *Good Friday*, and shall also perform and celebrate such Service within the said Asylum at such other Times, and also such other Services according to the Rites of the Church of *England* as established by Law at such Times, as the Visitors shall direct; and if any Patient be of a religious Persuasion differing from that of the Established Church, a Minister of such Persuasion, at the special Request of such Patient or his Friends, shall, with the Consent of the Medical Officer of such Asylum, and under such Regulations as he shall direct, be allowed to visit such Patient at proper and reasonable Times; and the Committee of Visitors of every Asylum shall appoint a Medical Officer, who shall be resident in such Asylum, and who shall not be Clerk or Treasurer of such Asylum, and a Clerk and Treasurer, and such other Officers and Servants for the Asylum as the Committee may think fit; and the Committee shall have Power to remove the Chaplain, Medical Officer, Clerk, and Treasurer, or any other Officer or Servant, and shall from Time to Time, upon every Vacancy, by Death, Removal, or otherwise, in the Office of the Chaplain, Medical Officer, Clerk, or Treasurer of the Asylum, appoint some other Person to such Office, subject to the Conditions and Restrictions affecting the original Appointment to such Office, and may from Time to Time fill up or not, as in their Discretion they may think fit, Vacancies among other Officers and Servants of the Asylum; and the Committee shall, if they think fit, have Power to appoint a Visiting Physician

Patients allowed the Visits of any Minister of their own Persuasion.

Visitors to appoint Medical Officer, Clerk, and Treasurer, and such other Officers and Servants as they think fit.

Physician or Surgeon to every such Asylum, and shall from Time to Time appoint the Medical Officer or One of the Medical Officers (if more than One) of the Asylum, or where there is a separate Medical Officer of each Division, then the Medical Officer or One of the Medical Officers (if more than One) of each Division, to be the Superintendent of the Asylum or of such respective Division thereof, and may remove any such Officer from being such Superintendent, and such Superintendent shall be resident in the Asylum; and the Committee shall from Time to Time fix the Salaries and Wages to be paid to the Officers and Servants of the Asylum: Provided always, that it shall be lawful for the said Committee, with the Sanction and Approbation of One of Her Majesty's Principal Secretaries of State, to appoint any Person other than such Medical Officer to be such Superintendent: Provided also, that where, on the Tenth Day of *February* One thousand eight hundred and fifty-three, any Person, other than a resident Medical Officer, was the Superintendent of any Asylum, such Person may continue to be such Superintendent as if this Act had not been passed, unless and until the Committee otherwise direct.

Clerk of Asylum to transmit to Commissioners in Lunacy Information of Dismissal of Attendants.

LVI. The Clerk of every Asylum shall, within One Week after the Dismissal for Misconduct of any Nurse or Attendant employed in such Asylum, transmit to the Commissioners in Lunacy, by the Post, Information in Writing under his Hand of such Dismissal, and of the Cause thereof; and every such Clerk neglecting to transmit such Information to the said Commissioners within One Week after the Dismissal of any such Nurse or Attendant shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Visitors may grant Superannuations to the Superintendent, &c., not exceeding Two Thirds of their Salaries.

LVII. In case any Superintendent, Chaplain, Matron, or any Officer or Servant of any Asylum, become, from confirmed Sickness, Age, or Infirmity, incapable of executing the Office in Person, or have been an Officer or Servant in the Asylum for not less than Twenty Years, and be not less than Fifty Years of Age, it shall be lawful for the Committee of Visitors of such Asylum, if in their Discretion they think fit so to do, but not otherwise, to grant to such Superintendent, Chaplain, Matron, or other Officer or Servant such Annuity by way of Superannuation as they in their Discretion think proportionate to the Merits and Time of Service of such Superintendent, Chaplain, Matron, or other Officer or Servant (whether incapable from Sickness, Age, or Infirmity, or retiring from long Service and Age), and every such Annuity shall be payable out of the Rates lawfully applicable to the building or repairing of such Asylum: Provided always, that the annual Amount paid by way of Superannuation to any retired Superintendent, Chaplain, Matron, or other Officer or Servant of any Asylum shall not exceed the Amount of Two Thirds of the Salary payable at the Time of his or her Retirement, and that no such Superannuation shall be granted unless Notice of the Meeting at which the same shall be granted, and of the Intention to determine thereat the Question of such Superannuation, have been given, in such Manner and so long before the Time appointed for such Meeting as is herein-before provided with respect to Notices of Meetings of Committees of Visitors, nor unless Three Visitors concur in and sign the Order granting the same.

Clerk of the Asylum to keep Account of Monies paid and received, and send Abstract thereof annually to Secretary of State and Commissioners in Lunacy.

LVIII. The Clerk of every Asylum shall keep all Books, Documents, and Instruments which the Visitors of the Asylum are required to keep or direct to be kept, and shall also keep an Account of all Monies received or paid on account of the Asylum, either to or by the Treasurer of the Asylum or otherwise, and shall in the Month of *March* in every Year send an Abstract of such Account for the Year previous ending on the Thirty-first Day of *December* to One of Her Majesty's Principal Secretaries of State, and to the Clerk or Clerks of the Peace of the County or Borough, or of each County or Borough, to which the Asylum shall belong, and also to the Commissioners in Lunacy, such Abstract to contain such Particulars and be in such Form as the Commissioners in Lunacy may direct; and such Commissioners shall, within One Month from the Receipt of such Abstract, cause a Copy thereof to be laid before both Houses of Parliament.

Treasurer to keep Accounts.

LIX. The Treasurer of every Asylum shall keep Accounts of all Monies received and paid by him.

Visitors to audit Accounts.

LX. The Committee of Visitors of every Asylum shall, previously to the Month of *March* in every Year, audit the Accounts of the Treasurer and Clerk of such Asylum, and shall report the same to the next General or Quarter Sessions of the County or each of the Counties, and to the Council of the Borough or each of the Boroughs, to which the Asylum wholly or in part belongs.

Two Visitors at least to visit once in every Two Months every Asylum.

LXI. Not less than Two Members of every Committee of Visitors shall together, once at the least in every Two Months, inspect every Part of the Asylum of which they are Visitors, and see and examine, as far as Circumstances will permit, every Lunatic therein, and the Order and Certificate for the Admission of every Lunatic admitted since the last Visitation of the Visitors, and the General Books kept in such Asylum, and shall enter in a Book to be kept for that Purpose any Remarks which they may deem proper in regard to the Condition and Management of such Asylum and the Lunatics therein, and shall sign such Book upon every such Visit.

Annual Reports to be made by Committees of Visitors to Justices at Quarter Sessions, &c., and Copies sent to Commissioners in Lunacy.

LXII. The Committee of Visitors of every Asylum shall in every Year lay before the Justices of every County and Borough to which such Asylum wholly or in part belongs, at the Court of General or Quarter Sessions to be holden next after the Twentieth Day of *December* in every Year for such County, or at a Special Meeting of the Justices of such Borough to be holden within Twenty Days after the Twentieth Day of *December* in every Year, a Report in Writing of the State and Condition of such Asylum, and as to its Sufficiency for the proper Accommodation of the Number of Lunatics for whom it may be requisite to provide Accommodation, and as to the Management of such Asylum, and the Conduct of the Officers and Servants thereof, and the Care of the Patients therein, and such Committee may in such Report make such Remarks or Observations in relation to any Matters connected with such Asylum as they may think fit; and the Clerk to such Committee shall transmit a Copy of such Report

Report to the Commissioners in Lunacy, and if any such Clerk neglect so to do for Twenty-one Days after the laying of such Report before the Justices of any County or Borough, he shall for such Offence forfeit any Sum not exceeding Ten Pounds.

List of Pauper Patients in Asylums to be made half-yearly, and laid before Visitors, and Copies transmitted to Clerks of the Peace and Commissioners in Lunacy.

Lists of private Patients to be sent half-yearly to the Commissioners.

LXIII. The Clerk of every Asylum shall, on the First Day of *January* and the First Day of *July* in every Year, prepare a List of all Pauper Lunatics then in such Asylum, according to the Form in Schedule (C.) No. 1. to this Act annexed, and within Fifteen Days after such List shall have been prepared One Copy thereof shall be laid by such Clerk before the Visitors of the Asylum, and another shall be transmitted by him to the Clerk of the Peace of every or any County and to the Clerk to the Justices of every or any Borough to which such Asylum solely or jointly belongs, to be by him laid before the Justices of such County or Borough, and another Copy of such List shall within the same Time be transmitted by such Clerk to the Commissioners in Lunacy; and the Clerk of every Asylum receiving private Patients shall also on the First Day of *January* and First Day of *July* in every Year prepare a List containing the Christian Names and Surnames of all the private Patients in such Asylum in the Form in Schedule (C.) No. 2. to this Act annexed, and shall within Fifteen Days after such List shall have been prepared transmit the same to the Commissioners in Lunacy; and shall also within the same Time transmit to such Clerk of the Peace and Clerk to the Justices as aforesaid, for the Purposes aforesaid, a Certificate under his Hand of the Number of such private Patients of each Sex.

Clerks of Boards of Guardians, and Overseers where no Guardians, to make annual Returns of Pauper Lunatics.

LXIV. The Clerk of the Board of Guardians of every Union, and of every Parish under a Board of Guardians, and the Overseers of every Parish not in a Union nor under a Board of Guardians, shall, on the First Day of *January* in every Year, or as soon after as may be, make out and sign a true and faithful List of all Lunatics chargeable to the Union or Parish in the Form in Schedule (D.) hereunto annexed, and shall on or before the First Day of *February* next succeeding, lay One Copy of such List before the Visitors of the Asylum, or before the Visitors of each Asylum (if more than One) of the County or Borough in which such Union or Parish is situate, and shall transmit One Copy of such List to the Clerk of the Peace of the County, or the Clerk to the Justices of the Borough within which the Union or Parish to which each such Lunatic is chargeable is situate, to be by him laid before the Justices acting for such County at their next General or Quarter Sessions, or before the Justices of such Borough, and another Copy of such List to the Commissioners in Lunacy, and another Copy thereof to the Poor Law Board; and any such Clerk or Overseer neglecting to make out and sign such List, or to transmit Copies thereof, as herein directed, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Power for Medical Persons, Guardians, and Overseers of Unions and Parishes, to visit Pauper Patients of such Unions and Parishes confined in any Asylum.

LXV. Any Physician, Surgeon, or Apothecary to be appointed by the Guardians of any Union or Parish or the Overseers of any Parish, and also the Guardians of any Union or Parish, and the Overseers of any Parish, shall be permitted, whenever they see fit, between the Hours of Eight in the Morning and Six in the Evening, to visit and examine any or every Pauper Lunatic chargeable to such Union or Parish confined in any Asylum, registered Hospital, or licensed House: Provided always, that if the Medical Officer of any Asylum be of opinion that it will be injurious to any Lunatic to permit such Visit and Examination, and such Medical Officer state in Writing the Reasons why such Lunatic should not be visited and examined, and sign such Statement, and deliver the same to such Person or Persons so requiring to visit and examine such Lunatic, then and in such Case it shall be lawful for such Medical Officer to refuse such Visit and Examination; and in every such Case such Medical Officer shall forthwith enter in the Medical Journal the Reasons set forth in such Statement for such Refusal, and shall sign such Entry.

Provisions concerning Visitation, Confinement, Removal, and Discharge of Lunatics.

Every Pauper Lunatic not in an Asylum, registered Hospital, or licensed House, to be visited once a Quarter by the Medical Officer of the Parish or Union, and Lists of such Lunatics to be sent to Commissioners in Lunacy.

LXVI. Every Pauper Lunatic not in an Asylum, or a Hospital registered or a House licensed for the Reception of Lunatics, shall be visited once in every Quarter of a Year (reckoning the several Quarters of the Year as ending on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December*,) by the Medical Officer of or for the Parish or Union or District of a Parish or Union in which such Lunatic is resident; and such Medical Officer shall be paid the Sum of Two Shillings and Sixpence for each such quarterly Visit to any Pauper not being in a Workhouse, which Sum shall be paid by the same Persons, and be charged to the same Account as the Relief of such Pauper; and within Seven Days after the End of every such Quarter such Medical Officer shall prepare and sign a List according to the Form in the Schedule (E.) to this Act of all such Lunatics, and shall state therein whether in the Opinion of such Medical Officer all or any of such Lunatics are or are not properly taken care of, and may or may not properly remain out of an Asylum, and such Medical Officer shall within the Time aforesaid deliver or send such List to the Clerk to the Guardians of such Parish or Union, or if such Parish be not under a Board of Guardians to One of the Overseers thereof; and the Forms for such Lists shall be from Time to Time furnished to the Medical Officer of every Parish under a Board of Guardians, and to the Medical Officers of every Union, by the Guardians of such Parish or Union; but nothing in this Enactment shall be taken or construed to relieve any Medical Officer from any Obligation by this Act imposed upon him to give Notice to a Relieving Officer or Overseer where it appears to such Medical Officer that any Pauper Lunatic ought to be sent to an Asylum; and such Clerk or Overseer receiving any such List as aforesaid shall, within Three Days after the Receipt thereof, transmit the same to the Commissioners in Lunacy, and a Copy thereof to the Clerk to the Visitors of the Asylum for the County or Borough in which the Parish or Union for which he is Clerk or Overseer is situate; and every such Medical Officer, Clerk, or Overseer failing to comply with this Enactment shall for every such Offence forfeit any Sum not exceeding Twenty Pounds nor under Two Pounds.

LXVII. Every

Provision for sending Pauper Lunatics to Asylums.

LXVII. Every Medical Officer of a Parish or Union who shall have Knowledge that any Pauper resident in such Parish, or in any Parish within the District of such Medical Officer, is or is deemed to be a Lunatic, and a proper Person to be sent to an Asylum, shall within Three Days after obtaining such Knowledge give Notice thereof in Writing to a Relieving Officer of such Parish, or if there is no Relieving Officer then to One of the Overseers of such Parish, and every Relieving Officer of any Parish within a Union or under a Board of Guardians, and every Overseer of a Parish of which there is no Relieving Officer, who shall have Knowledge, either by such Notice or otherwise, that any Pauper resident in such Parish is or is deemed to be a Lunatic, and a proper Person to be sent to an Asylum, shall within Three Days after obtaining such Knowledge give Notice thereof to some Justice of the County or Borough within which such Parish is situate: and thereupon the said Justice shall, by an Order under his Hand and Seal, require such Relieving Officer or Overseer to bring such Pauper before him, or some other Justice of the said County or Borough, at such Time and Place within Three Days from the Time of such Notice being given to such Justice as shall be appointed by the said Order; and the said Justice before whom such Pauper shall be brought shall call to his Assistance a Physician, Surgeon, or Apothecary, and examine such Person; and if such Physician, Surgeon, or Apothecary shall sign a Certificate with respect to such Pauper, according to the Form in Schedule (F.) No. 3. to this Act annexed, and such Justice be satisfied, upon View, or personal Examination of such Pauper or other Proof, that such Pauper is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, he shall, by an Order under his Hand according to the Form in the said Schedule (F.) No. 1. to this Act annexed, direct such Pauper to be received into such Asylum as herein-after mentioned, or, where herein-after authorized in this Behalf, into some Hospital registered or some House duly licensed for the Reception of Lunatics; and such Relieving Officer or Overseer shall immediately convey or cause the said Lunatic to be conveyed to such Asylum, Hospital, or House, and such Lunatic shall be received and detained therein: Provided always, that it shall be lawful for any Justice, upon Notice being given to him as aforesaid, or upon his own Knowledge, without any such Notice as aforesaid, to examine any Pauper deemed to be lunatic at his own Abode or elsewhere, and to proceed in all respects as if such Pauper were brought before him in pursuance of an Order for that Purpose; provided also, that in case any Pauper deemed to be lunatic cannot, on account of his Health or other Cause, be conveniently taken before any Justice, such Pauper may be examined at his own Abode or elsewhere by an Officiating Clergyman of the Parish in which he is resident, together with a Relieving Officer, or if there be no Relieving Officer an Overseer of such Parish, and such Officiating Clergyman, together with such Relieving Officer or Overseer, shall call to their Assistance a Physician, Surgeon, or Apothecary; and if such Physician, Surgeon, or Apothecary shall sign a Certificate with respect to such Pauper according to the said Form in the said Schedule (F.) No. 3., and if upon View or Examination of such Pauper such Officiating Clergyman and such Relieving Officer or Overseer be satisfied that such Pauper is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, such Officiating Clergyman, together with such Overseer or Relieving Officer, shall, by an Order under their Hands according to the said Form in the said Schedule (F.) No. 1., direct such Pauper to be received into such Asylum as herein-after mentioned, or, where herein-after authorized in this Behalf, into some such registered Hospital or licensed House as aforesaid, and such Relieving Officer or Overseer shall immediately convey or cause such Pauper to be conveyed to such Asylum, Hospital, or House, and such Pauper shall be received and detained therein; provided also, that if the Physician, Surgeon, or Apothecary by whom any such Pauper shall be examined shall certify in Writing that he is not in a fit State to be removed, his Removal shall be suspended until the same or some other Physician, Surgeon, or Apothecary shall certify in Writing that he is fit to be removed; and every such Physician, Surgeon, and Apothecary is required to give such last-mentioned Certificate as soon as in his Judgment it ought to be given; provided also, that where a Certificate in the Form in the said Schedule (F.) No. 3. is signed by the Medical Officer of the Parish or Union in which the Pauper named therein is resident, as well as by some other Person being a Physician, Surgeon, or Apothecary called to the Assistance of the Justice or Clergyman and Overseer or Relieving Officer, as herein-before mentioned, such joint Certificate, or such Two Certificates, (as the Case may be,) shall be received by the Justice or Clergyman and Overseer or Relieving Officer by whom such Person is examined as herein-before mentioned as conclusive Evidence that the Person named therein is a Lunatic, and a proper Person to be taken charge of and detained under Care and Treatment, and he or they shall make an Order in the Form in the said Schedule (F.) No. 1. accordingly.

Provision as to Lunatics wandering at large, not being properly taken care of, or being cruelly treated, &c.

LXVIII. Every Constable of any Parish or Place, and every Relieving Officer and Overseer of any Parish, who shall have Knowledge that any Person wandering at large within such Parish or Place (whether or not such Person be a Pauper) is deemed to be a Lunatic, shall immediately apprehend and take or cause such Person to be apprehended and taken before a Justice; and it shall also be lawful for any Justice, upon its being made to appear to him by the Information upon Oath of any Person whomsoever that any Person wandering at large within the Limits of his Jurisdiction is deemed to be a Lunatic, by an Order under the Hand and Seal of such Justice, to require any Constable of the Parish or Place, or Relieving Officer or Overseer of the Parish where such Person may be found, to apprehend him and bring him before such Justice, or some other Justice having Jurisdiction where such Person may be found; and every Constable of any Parish or Place, and every Relieving Officer and Overseer of any Parish, who shall have Knowledge that any Person in such Parish or Place not a Pauper and not wandering at large as aforesaid is deemed to be a Lunatic, and is not under proper Care and Control, or is cruelly treated

treated or neglected by any Relative or other Person having the Care or Charge of him, shall, within Three Days after obtaining such Knowledge, give Information thereof upon Oath to a Justice, and in case it be made to appear to any Justice, upon such Information or upon the Information upon Oath of any Person whomsoever, that any Person within the Limits of his Jurisdiction not a Pauper, and not wandering at large, is deemed to be a Lunatic, and is not under proper Care and Control, or is cruelly treated or neglected by any Relative or other Person having the Care or Charge of him, such Justice shall, either himself visit and examine such Person and make Inquiry into the Matters so appearing upon such Information, or by an Order under his Hand and Seal direct and authorize some Physician, Surgeon, or Apothecary to visit and examine such Person, and make such Inquiry, and to report in Writing to such Justice his Opinion thereupon; and in case upon such personal Visit, Examination, and Inquiry by such Justice, or upon the Report of such Physician, Surgeon, or Apothecary, it appear to such Justice that such Person is a Lunatic, and is not under proper Care and Control, or is cruelly treated or neglected by any Relative or other Person having the Care or Charge of him, it shall be lawful for such Justice, by an Order under his Hand and Seal, to require any Constable of the Parish or Place, or any Relieving Officer or Overseer of the Parish, where such Person is alleged to be, to bring him before any Two Justices of the same County or Borough; and the Justice or Justices (as the Case may be) before whom any such Person as aforesaid in the respective Cases aforesaid is brought, under this Enactment, shall call to his or their Assistance a Physician, Surgeon, or Apothecary, and shall examine such Person, and make such Inquiry relative to such Person as he or they shall deem necessary; and if upon Examination of such Person or other Proof such Justice be satisfied that such Person so brought before him is a Lunatic, and was wandering at large, and is a proper Person to be taken charge of and detained under Care and Treatment, or such Two Justices be satisfied that such Person so brought before them is a Lunatic, and is not under proper Care and Control, or is cruelly treated or neglected by any Person having the Care or Charge of him, and that he is a proper Person to be taken charge of and detained under Care and Treatment, and if such Physician, Surgeon, or Apothecary sign a Certificate with respect to every such Person so brought either before One Justice or Two Justices according to the Form in the Schedule (F.) No. 3. to this Act, it shall be lawful for the said Justice or Justices, by an Order under his or their Hand and Seal or Hands and Seals, according to the Form in the Schedule (F.) No. 1. to this Act, to direct such Person to be received into such Asylum as herein-after mentioned, or, where herein-after authorized in this Behalf, into some Hospital registered or House licensed for the Reception of Lunatics, and the said Constable, Relieving Officer, or Overseer who may have brought such Person before the said Justice or Justices, or any Constable whom such Justice or Justices may require so to do, shall forthwith convey such Person to such Asylum, Hospital, or House accordingly: Provided always, that it shall be lawful for any Justice, upon such Information on Oath as aforesaid, or upon his own Knowledge, and alone, in the Case of any such Person as aforesaid wandering at large and deemed to be a Lunatic, or with some other Justice, in any other of the Cases aforesaid, to examine the Person deemed to be a Lunatic, at his own Abode or elsewhere, and to proceed in all respects as if such Person were brought before him or them as herein-before mentioned; provided also, that it shall be lawful for the said Justice or Justices to suspend the Execution of any such Order for removing any such Person as aforesaid to any Asylum, Hospital, or House for such Period not exceeding Fourteen Days as he or they may deem meet, and in the meantime to give such Directions or make such Arrangements for the proper Care and Control of such Person as he or they shall consider necessary; provided also, that if the Physician, Surgeon, or Apothecary by whom such Person is examined certify in Writing that he is not in a fit State to be removed, the Removal of such Person shall be suspended until the same or some other Physician, Surgeon, or Apothecary certify in Writing that such Person is fit to be removed; and every such Physician, Surgeon, and Apothecary is hereby required to give such last-mentioned Certificate as soon as in his Judgment it ought to be given; provided also, that nothing herein contained shall be construed to extend to restrain or prevent any Relation or Friend from retaining or taking such Lunatic under his own Care, if such Relation or Friend shall satisfy the Justice or Justices before whom such Lunatic shall be brought, or the Visitors of the Asylum in which such Lunatic is or is intended to be placed, that such Lunatic will be properly taken care of.

Power to Justices to order Payment of a Fee to any Physician, &c. called in to examine any Person.

LXIX. It shall be lawful for any Justice or Justices causing any Person to be examined by any Physician, Surgeon, or Apothecary, under the Provisions herein-before contained, if he or they think fit so to do, to make an Order under his or their Hand and Seal or Hands and Seals upon the Guardians of the Union or Parish or the Overseers of the Parish to which such Person is chargeable, under the Provisions herein contained, for the Payment of such reasonable Remuneration to any such Physician, Surgeon, or Apothecary, for the Examination of such Person, and of all other reasonable Expenses in or about the Examination of such Person, and the bringing him before such Justice or Justices, and in case he be ordered to be conveyed to any Asylum, registered Hospital, or licensed House, of conveying him thereto, as to such Justice or Justices may seem proper.

Penalties on Medical Officers, Overseers, &c. omitting to give Notice as aforesaid.

LXX. If any Medical Officer of any Parish or Union omit for more than Three Days after obtaining Knowledge of any Pauper resident in such Parish, or in any Parish within his District, being or being deemed to be lunatic, and a proper Person to be sent to an Asylum, to give such Notice thereof as is herein-before required, or if any Relieving Officer of any Parish, or any Overseer of any Parish of which there is no Relieving Officer, omit for more than Three Days after obtaining Knowledge of any Pauper resident in such Parish, being deemed to be a Lunatic, and a proper Person to be sent to an Asylum, to give Notice thereof to a Justice as herein-before required, or if any Constable, Relieving Officer,

Officer, or Overseer omit to apprehend and take before a Justice, as herein-before required, any Person wandering at large and deemed to be a Lunatic, or omit for Three Days after obtaining Knowledge that any Person deemed to be a Lunatic (not a Pauper and not wandering at large) is not under proper Care and Control, or is cruelly treated or neglected by any Person having the Care or Charge of him, to give Information thereof to a Justice as herein-before required, such Medical Officer, Relieving Officer, Overseer, or Constable, as the Case may be, shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Penalty on Relieving Officers, Overseers, &c. delaying to execute Orders.

LXXI. If any Relieving Officer, Overseer, or Constable by this Act required to convey any Person to any Asylum, registered Hospital, or licensed House, in pursuance of any Order under this Act, refuse or wilfully neglect to execute such Order with all reasonable Expedition, he shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Orders of Justices, &c. may extend to authorize Reception into Hospitals or licensed Houses, but Lunatics to be always sent to Asylum, if Circumstances permit.

LXXII. Every such Order by a Justice or Justices, or by a Clergyman and Overseer or Relieving Officer as aforesaid, for the Reception of a Lunatic into an Asylum, may authorize his Admission, not only into any Lunatic Asylum of the County or Borough in which the Parish or Place from which the Lunatic is sent is situate, but also into any other Asylum for the Reception of Pauper Lunatics of such County or Borough, and also into any Asylum for any other County or Borough, or any Hospital registered or House licensed for the Reception of Lunatics; but every Lunatic shall under every such Order be sent to an Asylum of the County or Borough in which the Parish or Place from which he is sent is situate, unless there be no such Asylum, or there be a Deficiency of Room, or unless there be some special Circumstances by reason whereof such Lunatic cannot conveniently be taken to such Asylum, which Deficiency of Room or special Circumstances shall be stated in the Order for the Reception of such Lunatic into any Asylum other than such Asylum as aforesaid, or into any registered Hospital or licensed House; and no Lunatic shall be sent to any registered Hospital or House licensed for the Reception of Lunatics, by virtue of such Order, except there be no such Asylum, or no such Asylum in which he can be received, or there be some special Circumstances by reason whereof he cannot be taken thereto, which shall be stated in like Manner as aforesaid.

No Pauper to be received into any Asylum without a certain Order and Certificate.

LXXIII. No Pauper shall be received into any Asylum, registered Hospital, or licensed House (save under the Provisions herein contained with respect to Removal of Lunatics) without an Order according to the Form required in the said Schedule (F.) No. 1., under the Hands of One Justice, or under the Hands of an Officiating Clergyman, and of One of the Overseers or the Relieving Officer of the Parish or Union from which such Pauper is sent as aforesaid, together with such Statement of Particulars as is contained in the same Schedule, nor without a Medical Certificate according to the Form in the said Schedule (F.) No. 3., signed by One Physician, Surgeon, or Apothecary, who shall have personally examined him not more than Seven clear Days previously to his Reception; and every Person who receives any Pauper into any Asylum without such Order and Medical Certificate (save under any of the said Provisions) shall be guilty of a Misdemeanor.

No Person to be received into an Asylum, except under the Provisions of this Act, without an Order and Two Medical Certificates.

LXXIV. No Person, not a Pauper, shall be received into any Asylum (save under the Provisions herein contained) without an Order under the Hand of some Person according to the Form in Schedule (F.) No. 2. to this Act annexed, together with such Statement of Particulars as is contained in the same Schedule, nor without the Medical Certificate, according to the Form and containing the Particulars required in Schedule (F.) No. 3. annexed to this Act, of Two Persons, each of whom shall be a Physician, Surgeon, or Apothecary, and shall not be in Partnership with or an Assistant to the other, and each of whom shall separately from the other have personally examined the Person to whom it relates, not more than Seven clear Days previously to the Reception of such Person into such Asylum, and such Order as aforesaid may be signed before or after the Medical Certificates or either of them; and every Person who receives any Person, not a Pauper, into any Asylum, save under the Provisions herein contained, without such Order and Medical Certificates as aforesaid, shall be guilty of a Misdemeanor: Provided always, nevertheless, that any Person may, under special Circumstances, preventing the Examination of such Person by Two Medical Practitioners as aforesaid, be received into any Asylum upon the Certificate of One Physician, Surgeon, or Apothecary alone, provided that the Statement accompanying such Order set forth the special Circumstances which prevent the Examination of such Person by Two Medical Practitioners; but in every such Case Two other such Certificates shall, within Three clear Days after the Reception of such Patient into such Asylum, be signed by Two other Persons, each of whom shall be a Physician, Surgeon, or Apothecary, not in Partnership with or an Assistant to the other, or the Physician, Surgeon, or Apothecary who signed the Certificate on which the Patient was received, and shall within such Time, and separately from the other of them, have personally examined the Person so received as a Lunatic; and any Person who, having received any Person into any Asylum as aforesaid upon the Certificate of One Medical Practitioner alone as aforesaid, shall keep or permit such Person to remain in such Asylum beyond the said Period of Three clear Days, without such further Certificates as aforesaid, shall be guilty of a Misdemeanor.

Medical Certificate to specify Facts upon which Opinion of Insanity has been formed.

LXXV. Every Physician, Surgeon, and Apothecary signing any Certificate under or for the Purposes of this Act, shall specify therein the Facts upon which he has formed his Opinion that the Person to whom such Certificate relates is a Lunatic, an Idiot, or a Person of unsound Mind, distinguishing in such Certificate Facts observed by himself from Facts communicated to him by others; and no Person shall be received into any Asylum under any Certificate which purports to be founded only upon Facts communicated by others.

Who not to sign Certificate for Reception of a Patient.

LXXVI. No Physician, Surgeon, or Apothecary who, or whose Father, Brother, Son, Partner, or Assistant, shall sign the Order for the Reception of a Patient, shall sign any Certificate for the Reception of the same Patient, and no Patient shall be received into any Asylum upon or under any Certificate signed by any Medical Officer of such Asylum.

Power to Two Visitors of any Asylum, being Justices, to order Removal of Pauper Lunatics to or from such Asylum.

LXXVII. It shall be lawful for any Two of the Visitors of any Asylum, being Justices, by an Order in Writing under their Hands and Seals, to order any Pauper Lunatic chargeable to any Parish or Union within the County or Borough or any County or Borough to which such Asylum wholly or in part belongs, or to such County, and who may be confined in any other Asylum, or in any registered Hospital or licensed House, to be removed to such first-mentioned Asylum; and it shall be lawful for any Two of the Visitors of any Asylum, being Justices, in manner aforesaid to order any Pauper Lunatic to be removed from such Asylum to some other Asylum, or to some registered Hospital or licensed House; but no such Lunatic shall be removed as last aforesaid without the Consent in Writing of Two of the Commissioners in Lunacy, except to an Asylum within or belonging wholly or in part to the County within which the Asylum from which the Lunatic is removed is situate, or the County in some Parish of which the Lunatic may have been adjudged to be settled, or a registered Hospital or licensed House within any such County as aforesaid, or an Asylum, registered Hospital, or licensed House into which the Lunatic can be received under a subsisting Contract for the Reception of Lunatics therein; and it shall be lawful for the Justices making any such Order in and by the same to direct or require any Overseer or Relieving or other Officer of the Parish, Union, or County to which such Lunatic is chargeable, or to authorize any other Person, to execute the same; and every such Order and Consent shall be made and given respectively in Duplicate, and one Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House from which the Patient is removed, and the other shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House to which the Patient is removed, and such Order, with such Consent in Writing (where such Consent is required), shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, Hospital, or licensed House to which he is ordered to be removed: Provided always, that no Person shall be removed under any such Order without a Medical Certificate, signed by the Medical Officer of the Asylum, or the Medical Practitioner, or One of the Medical Practitioners, keeping, residing in, or visiting the Hospital or licensed House from which such Person is ordered to be removed, certifying that he is in a fit Condition of bodily Health to be removed in pursuance of such Order; and the Superintendent or Proprietor of such Asylum, Hospital, or licensed House shall, at the Time of delivering the Person ordered to be removed to the Overseer, Officer, or Person having the Execution of the Order for Removal, deliver to such Overseer or Officer, free of any Charge for the same, the Certificate of such Medical Officer, and also a Copy (certified under the Hand of such Superintendent or Proprietor to be a true Copy) of the Order and Certificate under which such Person was received into and detained in such Asylum, Hospital, or licensed House, and the said Certificate and certified Copies, with One Duplicate of the Order for Removal, shall be delivered by such Overseer, Officer, or Person to the Superintendent or Proprietor of the Asylum, Hospital, or licensed House to which such Person is ordered to be removed, or any other Officer of such Asylum, Hospital, or licensed House into whose Care such Person is delivered.

Pauper Lunatics not to be received into other than County or Borough Asylum without Endorsement of Order by a Visitor, and Orders not compulsory.

LXXVIII. Provided always, That no Lunatic being a Pauper shall be received under any Order made by virtue of this Act into any Asylum, other than an Asylum belonging wholly or in part to the County or Borough in which the Parish or Place from which such Lunatic is sent, or the Parish in which he is adjudged to be settled, is situate, except there be a subsisting Contract for the Reception of Lunatics of such County or Borough therein, or such Borough otherwise contributes to such Asylum, unless such Order be endorsed by a Visitor of such Asylum; and it shall not be compulsory on the Superintendent of any registered Hospital or the Proprietor of any licensed House to receive any Lunatic under any such Order, except in pursuance of any subsisting Contract.

Discharge of Lunatics from Asylums.

LXXIX. It shall be lawful for any Three of the Visitors of any Asylum, by Writing under their Hands and Seals, to order the Discharge of any Person detained in such Asylum, whether such Person be recovered or not, and also for any Two of such Visitors, with the Advice in Writing of the Medical Officer of such Asylum, to discharge any Person detained therein, or to permit any such Person to be absent from the Asylum upon Trial for such Period as such Visitors think fit; and it shall be lawful for such Visitors to make such Allowance to such last-mentioned Person, not exceeding what would be the Charge for such Person if in the Asylum, which Allowance, and no greater Sum, shall be charged for him and be payable as if he were actually in the Asylum; and in case any Person so allowed to be absent on Trial for any Period do not return at the Expiration of such Period, and a Medical Certificate as to his State of Mind, certifying that his Detention in an Asylum is no longer necessary, be not sent to the Visitors, he may, at any Time within Fourteen Days after the Expiration of such Period, be retaken, as herein provided in the Case of an Escape.

Overseers and Relieving Officers to remove Lunatics upon Notice of Discharge, and to be liable to a

LXXX. When the Visitors of any Asylum shall order a Pauper Lunatic confined therein to be discharged therefrom, it shall be lawful for them, when they shall see Occasion, to send Notice in Writing, signed by their Clerk, through the Post or otherwise, of their Intention to discharge such Lunatic, to the Overseers of the Parish wherein it shall have been adjudged that such Lunatic is settled, or, if no such Adjudication shall have been made, to the Overseers of the Parish from which such Lunatic shall have been sent to such Asylum, unless such Lunatic shall be chargeable to the Common Fund of any Union,

Union, and in any such last-mentioned Case to some One Relieving Officer of such Union; and upon Receipt of such Notice the Overseers or Relieving Officers respectively shall cause such Lunatic, upon his Discharge, to be forthwith removed to their Parish, or to the Workhouse of the Union at the Cost and Charge of their Parish or of the Common Fund of the Union, as the Case shall require; and any Overseer or Relieving Officer who shall refuse or wilfully neglect to remove such Lunatic from the said Asylum within the space of Seven Days after such Notice shall have been sent to him shall be guilty of an Offence against this Act, and shall forfeit for such Offence any Sum not exceeding Ten Pounds, to be recovered as other Penalties imposed by this Act are recoverable.

Penalty for Refusal or wilful Neglect.

LXXXI. Where Application is made to the Committee of Visitors of any Asylum by any Relative or Friend of a Pauper Lunatic confined therein, requiring that he may be delivered over to the Custody and Care of such Relative or Friend, it shall be lawful for any Two of the Visitors aforesaid, if they think fit, and upon the Undertaking in Writing of such Relative or Friend to the Satisfaction of such Visitors that such Lunatic shall be no longer chargeable to any Union, Parish, or County, and shall be properly taken care of, and shall be prevented from doing Injury to himself or others, to discharge such Lunatic.

Visitors may discharge a Lunatic on Relative or Friend undertaking he shall not be chargeable, &c.

LXXXII. It shall be lawful for the Commissioners in Lunacy, or any Two of them, by Writing under their Hands and Seals, to order and direct the Removal of any Lunatic from any Asylum, registered Hospital, or licensed House to any other Asylum, registered Hospital, or licensed House; and every such Order shall be made in Duplicate, and one Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House from which the Patient is removed, and the other shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or licensed House to which the Patient is removed, and such Order shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, Hospital, or licensed House to which he is ordered to be removed.

Commissioners in Lunacy may order Removal of Lunatics.

LXXXIII. If and when any Person who signed the Order on which any Patient (not being a Pauper) was received into any Asylum (whether or not such Patient have since been removed under any Order made under this Act or otherwise to any other Asylum) shall by Writing under his Hand direct that such Patient be discharged or removed, then and in such Case such Patient shall forthwith be discharged or removed as the Person who signed the Order for his Reception may direct.

Person who signed Order for Reception of a private Patient may order his Discharge, &c.

LXXXIV. If the Person who signed the Order on which any Patient (not being a Pauper) was received into any Asylum be dead, or be incapable, by reason of Insanity, Absence from *England*, or otherwise, of giving an Order for the Discharge or Removal of such Patient, then the Person who made the last Payment on account of such Patient, or the Husband or Wife, or (if there be no Husband, or the Husband or Wife be incapable as aforesaid,) the Father, or (if there be no Father, or he be incapable as aforesaid,) the Mother of such Patient, or if there be no Mother, or she be incapable as aforesaid, then any One of the nearest of Kin for the Time being of such Patient, may, by Writing under his or her Hand, give such Direction as aforesaid for the Discharge or Removal of such Patient, and thereupon such Patient shall be forthwith discharged or removed accordingly.

Provision where the Person who signed the Order for Reception is dead or incapable of acting.

LXXXV. Provided always, That no Patient shall be discharged under either of the Two last foregoing Provisions if the Medical Officer of the Asylum in which such Patient is certify in Writing under his Hand that in the Opinion of such Medical Officer such Patient is dangerous and unfit to be at large, together with the Grounds on which such Opinion is founded, unless Two of the Visitors of such Asylum, being Justices, shall after such Certificate shall have been produced to them, give their Consent in Writing to such Patient's being so discharged; provided that nothing in this Enactment shall prevent the Transfer of any Patient so certified to be dangerous and unfit to be at large from any Asylum to any other Asylum, or to any registered Hospital or licensed House, but in such Case the Patient shall be placed under the Control of an Attendant belonging to the Asylum, Hospital, or House from or to which he is about to be removed for the Purpose of such Removal, and shall remain under such Control until such Time as the Removal has been duly effected.

Patient not to be discharged where certified to be dangerous, without Visitors Consent.

Not to prevent Transfer under Control of an Attendant.

LXXXVI. Any Person having Authority to order the Discharge of any Patient (not being a Pauper) from any Asylum, registered Hospital, or licensed House, or of any single Patient, may, with the previous Consent in Writing of Two of the Commissioners, direct, by an Order in Writing under his Hand, the Removal of such Patient to any Asylum, registered Hospital, or licensed House, or to the Care or Charge of any Person mentioned or named in such Order; and every such Order and Consent shall be made and given respectively in Duplicate, and One of the Duplicates shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House from which or the Person from whose Care or Charge the Patient is ordered to be removed, and the other Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Asylum, Hospital, or House into which or the Person into whose Care or Charge the Patient is ordered to be removed; and such Order for Removal, together with such Consent in Writing, shall be a sufficient Authority for the Removal of such Patient, and also for his Reception into the Asylum, registered Hospital, or licensed House into which or by the Person into whose Care or Charge he is ordered to be removed: Provided always, that a Copy of the Order and Certificates upon which such Patient was received into the Asylum, Hospital, or House from which he is removed, or as a single Patient, by the Person from whose Care he is removed, certified under the Hand of the Superintendent or Proprietor of such Asylum, Hospital, or House, or of such Person as last aforesaid, to be a true Copy, shall be furnished by him free of Expense, and shall be delivered, with One Duplicate of the said Order of Removal and Consent, to the Superintendent or Proprietor of the Asylum, Hospital, or House to which, or to the Person to whose Care or Charge, such Patient is removed.

Provision authorizing Transfer of private and single Patients.

Orders and Medical Certificates may be amended.

LXXXVII. If after the Reception of any Lunatic into any Asylum it appear that the Order or the Medical Certificate, or (if more than One) both or either of the Medical Certificates, upon which he was received, is or are in any respect incorrect or defective, such Order and Medical Certificate or Certificates may be amended by the Person or Persons signing the same at any Time within Fourteen Days next after the Reception of such Lunatic; provided nevertheless, that no such Amendment shall have any Force or Effect unless the same shall receive the Sanction of One or more of the Commissioners in Lunacy.

Persons received into Asylums, &c. may be detained till Removal or Discharge, and in case of Escape may be retaken within 14 Days.

LXXXVIII. Every Person received into any Asylum, registered Hospital, or licensed House under such Order as is required by this Act, accompanied by the requisite Medical Certificate, may be detained therein until he be removed or discharged as authorized by this Act, and in case of Escape may, by virtue of such Order and Certificate or Certificates, be retaken at any Time within Fourteen Days after his Escape by the Superintendent or Proprietor of such Asylum, Hospital, or House, or any Officer or Servant belonging thereto, or any other Person authorized in Writing in this Behalf by such Superintendent or Proprietor, and conveyed to and received and detained in such Asylum, Hospital, or House.

Every Clerk receiving a Lunatic into an Asylum to make an Entry thereof, and to transmit a Copy of the Order and Certificate of Medical Officer of the Asylum to Commissioners in Lunacy.

LXXXIX. The Clerk of every Asylum shall, immediately on the Admission of any Person as a Lunatic into such Asylum, make an Entry with respect to such Lunatic in a Book to be kept for that Purpose, to be called "The Register of Patients," according to the Form and containing the Particulars specified in the Schedule (G.) No. 1. to this Act, except as to the Form of Disorders, the Entry as to which is to be supplied by the Medical Officer of the Asylum within One Month after the Admission of the Patient, and after the Second and before the End of the Seventh clear Day from the Day of the Admission of any Person as a Lunatic into any Asylum shall transmit to the Commissioners in Lunacy a Copy of the Order and Statement and Certificate or Certificates on which such Lunatic has been so received, together with a Statement, to be made and signed by the Medical Officer of the Asylum, not sooner than Two clear Days after such Admission, according to the Form in the said Schedule (F.) No. 4. to this Act annexed; and any Clerk omitting so to make such Entry, or to transmit such Copy and Statement within the Time aforesaid, and every Medical Officer omitting to make or sign such Statement, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Weekly Journal and Case Book to be kept in every Asylum.

XC. In every Asylum the Medical Officer thereof shall once in every Week enter in a Book to be kept for that Purpose, to be called "The Medical Journal," a Statement according to the Form in the said Schedule (G.) No. 3., showing the Number of Patients of each Sex then in such Asylums, the Christian Name and Surname of every Patient who is or has been under Restraint or in Seclusion since the last Entry, and when and for what Period and Reasons, and in case of Restraint by what Means, and the Christian Name and Surname of every Patient under Medical Treatment, and for what, if any, bodily Disorder, and every Death, Injury, and Violence which shall have happened to or affected any Patient since the then last preceding Entry, and shall also enter into a Book to be called "The Case Book," as soon as may be after the Admission of any Patient, the mental State and bodily Condition of every Patient at the Time of his Admission, and also the History from Time to Time of his Case whilst he shall continue in the Asylum; and such Books shall from Time to Time be regularly laid before the Visitors for their Inspection and Signature, and every Medical Officer omitting to make such Entries or any of h em, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Copies of Entries made by Commissioners visiting Asylums to be sent to the Office of Commissioners.

XCI. The Clerk of every Asylum shall, within Three Days after every Visit to such Asylum of Two or more of the Commissioners in Lunacy, transmit to the Office of such Commissioners a true and perfect Copy of any Entries of any Remarks or Observations made by such visiting Commissioners in any of the Books of such Asylum, and every such Clerk omitting to transmit as aforesaid any such Copy shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

In case of the Death of a Lunatic the Cause of Death to be stated, and sent to the Registrar of Deaths, the Commissioners in Lunacy, and Relieving Officer or Overseers.

XCII. In case of the Death of any Patient in any Asylum a Notice and Statement according to the Form in Schedule (F.) No. 5. of the Death and Cause of the Death of such Patient, and the Name of any Person or Persons who was or were present at the Death, shall be drawn up and signed by the Clerk and Medical Officer of such Asylum, and a Copy thereof shall be by the Clerk transmitted to the Registrar of Deaths for the District and to the Commissioners in Lunacy within Forty-eight Hours of the Death of such Patient, and also to the Relieving Officer or the Overseers of the Union or Parish to which such Lunatic (if a Pauper) was chargeable, and if not a Pauper to the Person who shall have signed the Order for the Admission of the Lunatic, or who made the last Payment on account of such Lunatic; and every Clerk or Medical Officer who neglects or omits to draw up, sign, or transmit such Notice or Statement as aforesaid, within the Time aforesaid, shall respectively forfeit and pay any Sum not exceeding Twenty Pounds.

Entries to be made of Deaths, Discharges, and Removals, and Notice given to the Commissioners in case of the Discharge, Removal, Escape, and Recapture of every Lunatic.

XCIII. The Clerk of every Asylum shall, within Three clear Days after the Death, Discharge, or Removal of any Patient, make an Entry thereof in the said Register of Patients, and also in a Book to be kept for that Purpose according to the Form and containing the Particulars in the Schedule (G.) No. 2. to this Act, and shall also, within Three clear Days after the Discharge, Removal, Escape, or Recapture of any Patient, transmit a written Notice of such Discharge or Removal, according to the Form in the said Schedule (F.) No. 5., or of such Escape or Recapture, to the Commissioners in Lunacy; and every such Clerk who neglects or omits to make such Entry as aforesaid, or transmit such Notice as aforesaid within the Time aforesaid, shall forfeit and pay any Sum not exceeding Ten Pounds; and every such Clerk who shall knowingly and wilfully in such Entry untruly set forth any of the Particulars required shall be guilty of a Misdemeanor.

XCIV. Where

As to Expense of Maintenance and Removal, &c. of Pauper and other Lunatics.

How Justices are to proceed where it appears to them that the Lunatic has Property applicable to his Maintenance.

XCIV. Where any Lunatic shall be sent to an Asylum, registered Hospital, or licensed House, under any Order made by virtue of the Authority herein-before given to Two Justices, if it appear to such Justices that such Lunatic hath an Estate applicable to his Maintenance, and more than sufficient to maintain his Family (if any), it shall be lawful for such Justices to make an Application in Writing under their Hands and Seals to the nearest known Relative or Friend of such Lunatic, for the Payment of the Charges of the Examination, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic; and in case such Charges be not paid within One Month after such Application, it shall be lawful for the same or any other Justices, by an Order under their Hands and Seals, to direct a Relieving Officer or Overseer of the Parish from which such Lunatic shall be sent, or where any Property of such Lunatic shall be, to seize so much of the Money, and to seize and sell so much of the Goods and Chattels, and take and receive so much of the Rents and Profits of the Lands and Tenements of such Lunatic, and of any other Income of such Lunatic, as may be necessary to pay the Charges of the Examination, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic, accounting for the same to the same or any other Justices, such Charges having been first proved to the Satisfaction of the said Justices, and the Amount set forth in such Order; and if any Trustee or other Person having the Possession, Custody, or Charge of any Property of such Lunatic, or if the Governor and Company of the Bank of *England*, or any other Body or Person having in their or his Hands any Stock, Interest, Dividend, or Annuity belonging or due to such Lunatic, pay the whole or any Part thereof to any Overseer or Relieving Officer, to defray the Charges set forth in such Order, the Receipt of such Overseer or Relieving Officer shall be a good Discharge to such Trustee, Governor, and Company, or other Body or Person as aforesaid: Provided always, that, notwithstanding it may appear to the said Justices that such Lunatic hath such Estate as aforesaid, it shall be lawful for such Justices, in the meantime and until such Charges as aforesaid shall be paid, in pursuance of such Application or Order as aforesaid, to make an Order on the Guardians of the Union or Parish, or the Overseers of the Parish, from which such Lunatic shall be sent for Confinement, for Payment of the Charges of the Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic; and such Guardians or Overseers shall be reimbursed such Charges under any Order to be made as aforesaid for Payment of such Charges, out of the Property of the Lunatic, unless the same be sooner repaid by some Relative or Friend of such Lunatic in pursuance of such Application as aforesaid.

Every Pauper Lunatic to be chargeable to the Parish from which he is sent till otherwise adjudged.

XCV. When any Pauper Lunatic is confined under the Provisions of this Act he shall, for the Purposes of this Act, be chargeable to the Parish from which, or at the Instance of some Officer or Officiating Clergyman of which, he has been sent, unless and until such Parish shall have established, under the Provisions herein contained, that such Lunatic is settled in some other Parish, or that it cannot be ascertained in what Parish such Lunatic is settled; and every Pauper Lunatic who is chargeable to any Parish shall, whilst he resides in an Asylum, registered Hospital, or licensed House, be deemed for the Purposes of his Settlement to be residing in the Parish to which he is chargeable.

Justices to make an Order upon the Officers of Unions and Parishes for Maintenance of Lunatics.

XCVI. It shall be lawful for the Justice by whom any Pauper Lunatic is sent to an Asylum, registered Hospital, or licensed House under the Powers of this Act, or for any Two Justices of the County or Borough in which the Asylum, registered Hospital, or licensed House in which any Pauper Lunatic is confined is situate, or from any Part of which any Pauper Lunatic has been sent, or for any Two Justices being Visitors of such Asylum or licensed House, to make an Order upon the Guardians of the Union or Parish or the Overseers of the Parish (if not in a Union or under a Board of Guardians) from which, or at the Instance of any Officer or Officiating Clergyman of which, such Lunatic is or has been sent for Confinement, for Payment to the Treasurer, Officer, or Proprietor of the Asylum, registered Hospital, or licensed House of the reasonable Charges of the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic in such Asylum, Hospital, or House, and any such Order may be retrospective or prospective, or partly retrospective and partly prospective; and the Guardians or Overseers on whom such Order shall be made shall from Time to Time pay to the said Treasurer, Officer, or Proprietor the Charges aforesaid.

Two Justices may inquire into and adjudge the Settlement of a Lunatic, and order Payment of Maintenance, &c. accordingly.

XCVII. It shall be lawful for any Two Justices for the County or Borough in which any Asylum, registered Hospital, or licensed House in which any Pauper Lunatic is or has been confined is situate, or to which such Asylum wholly or in part belongs, or from any Part of which any Pauper Lunatic is or has been sent for Confinement, at any Time to inquire into the last legal Settlement of such Pauper Lunatic, and if satisfactory Evidence can be obtained as to such Settlement in any Parish, such Justices shall, by Order under their Hands and Seals, adjudge such Settlement accordingly, and order the Guardians of the Union to which the Parish in which such Lunatic is adjudged to be settled belongs, or of such Parish in case such Parish be in a Union or be under a Board of Guardians, and if not, then the Overseers of such Parish, to pay to the Guardians of any Union or Parish, or the Overseers of any Parish, all Expenses incurred by or on behalf of such Union or Parish in or about the Examination of such Lunatic, and the bringing him before a Justice or Justices, and his Conveyance to the Asylum, Hospital, or House, and of all Monies paid by such last-mentioned Guardians or Overseers to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House, for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic, and incurred within Twelve Calendar Months previous to the Date of such Order, and, if such Lunatic is still in Confinement, also to pay to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the reasonable Charges of the future Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic; and the Guardians or Overseers on whom any such Order is made shall immediately pay to the Guardians or Overseers to whom the same are ordered

to

to be paid the Amount of the Expenses and Monies by such Order directed to be paid to them, and from Time to Time pay to the said Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the future Charges aforesaid.

If Settlement cannot be ascertained, a Pauper Lunatic may be made chargeable to the County.

XCVIII. If any Pauper Lunatic be not settled in the Parish by which, or at the Instance of some Officer or Officiating Clergyman of which, he is sent to any Asylum, registered Hospital, or licensed House, and it cannot be ascertained in what Parish such Pauper Lunatic is settled, and if a Relieving Officer of such first-mentioned Parish, or of the Union in which the same is situate, or the Overseers of such first-mentioned Parish, shall give Ten Days Notice to the Clerk of the Peace of the County in which such Lunatic was found to appear for such County before Two Justices thereof, at a Time and Place to be appointed in such Notice, it shall be lawful for such Two Justices, or any Two or more Justices of such County, upon the Appearance of such Clerk of the Peace, or any one on his Behalf, or, in case of his Non-appearance, upon Proof of his having been served with such Notice, to inquire into the Circumstances of the Case, and to adjudge such Pauper Lunatic to be chargeable to such County, and to order the Treasurer of such County to pay to the Guardians of any Union or Parish or the Overseers of any Parish all Expenses incurred by or on behalf of such Union or Parish in or about the Examination of such Lunatic, and the bringing him before a Justice or Justices, and his Conveyance to the Asylum, Hospital, or House, and all Monies paid by such Guardians or Overseers to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House, for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic, and incurred within Twelve Calendar Months previous to the Date of such Order, and (if such Lunatic is still in Confinement) also to pay to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the reasonable Charges of the future Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic; and every such Treasurer of a County on whom any such Order is made shall, out of any Monies which may come into his Hands by virtue of his Office, immediately pay to such Guardians or Overseers the Amount of the Expenses and Monies by such Order directed to be paid to them, and from Time to Time pay to the said Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the future Charges aforesaid: Provided always, that such Justices may direct such Inquiry to be made to ascertain the Parish in which any Pauper Lunatic is settled as they think fit, and delay adjudging such Pauper Lunatic to be chargeable to any County until such further Inquiry has been made: Provided also, that every County to which any Pauper Lunatic is adjudged to be chargeable as aforesaid may at any Time thereafter inquire as to the Parish in which such Lunatic is settled, and may procure such Lunatic to be adjudged to be settled in any Parish.

Provision for Reimbursement to a County of Monies paid on account of a Lunatic afterwards adjudged to belong to any Parish.

XCIX. If, after any Pauper Lunatic has been sent to an Asylum, registered Hospital, or licensed House as aforesaid, and has been adjudged to be chargeable to a County, such County procure such Lunatic to be adjudged to be settled in any Parish, it shall be lawful for any Two Justices of the County or Borough in which the Asylum, registered Hospital, or licensed House in which such Lunatic is confined is situate, or from any Part of which such Lunatic was sent for Confinement, or for any Two Justices being Visitors of such Asylum or licensed House, to make an Order upon the Guardians of the Union to which such Parish belongs, or of any such Parish, if such Parish be in a Union or be under a Board of Guardians, or if not, then upon the Overseers of such Parish, for Payment to the Treasurer of the said County of all Expenses and Monies paid by such Treasurer as herein-before is provided, and of all Monies paid by such Treasurer to the Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House, for the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic, and incurred within Twelve Calendar Months previous to such Order, and (if such Lunatic is still in Confinement) also for Payment to the Treasurer or Officer or Proprietor of the Asylum, Hospital, or House of the reasonable Charges of the future Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic; and such Guardians or Overseers shall immediately pay to the Treasurer of such County the Amount of the Expenses and Monies by such Order directed to be paid to him, and from Time to Time pay to the said Treasurer, Officer, or Proprietor of the Asylum, Hospital, or House the future Charges aforesaid.

Justices to make Orders out of their respective Jurisdictions.

C. It shall be lawful for any Justices herein-before authorized to make any such Order as aforesaid upon the Guardians of any Union or Parish, or upon the Overseers of any Parish, to make such Order upon such Guardians or Overseers, although such Union or Parish be not within the Jurisdiction of such Justices.

Order for Payment of Charges of Maintenance in Asylums, &c. to extend to any Asylum, &c. to which the Lunatic may be removed.

CI. Where any Order has been made for the Payment of the future Charges of the Lodging, Maintenance, Medicine, Clothing, and Care of any Lunatic in any Asylum, registered Hospital, or licensed House, such Order shall extend to and be applicable in respect of the Charges of the Lodging, Maintenance, Medicine, Clothing, and Care of such Lunatic in any Asylum, registered Hospital, or licensed House to which he may be removed under the Powers of this or any other Act, in like Manner as if such Charges had by such Order been directed to be paid to the Treasurer or an Officer or the Proprietor of the Asylum, registered Hospital, or licensed House in which such Lunatic may for the Time being be confined.

The Costs of Pauper Lunatics who are irremoveable to be borne by the Parish wherein they were exempt from Re-

CII. Provided always, That all the Expenses incurred since the Twenty-ninth Day of *September* One thousand eight hundred and fifty-three, or hereafter to be incurred, in and about the Examination, bringing before a Justice or Justices, Removal, Lodging, Maintenance, Medicine, Clothing, and Care of a Pauper Lunatic heretofore or hereafter removed to an Asylum, registered Hospital, or licensed House under the Authority of this or any other Act, who would, at the Time of his being conveyed to such Asylum, Hospital, or House, have been exempt from Removal to the Parish of his Settlement or the Country of his Birth by reason of some Provision in the Act of the Session holden in the Ninth and Tenth

Tenth Years of Her Majesty, Chapter Sixty-six, shall be paid by the Guardians of the Parish wherein such Lunatic shall have acquired such Exemption if such Parish be subject to a separate Board of Guardians, or by the Overseers of such Parish where the same is not subject to such separate Board, and where such Parish shall be comprised in any Union the same shall be paid by the Guardians, and be charged to the Common Fund of such Union so long as the Cost of the Relief of Paupers rendered irremoveable by the last-mentioned Act shall continue to be chargeable upon the Common Funds of Unions; and no Order shall be made under any Provision contained in this or any other Act upon the Parish of the Settlement in respect of any such Lunatic Pauper during the Time that the above-mentioned Charges are to be paid and charged as herein provided; and Section Five of the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and three, shall be repealed.

moval, or by the Common Fund in Unions.

Section 5. of 12 & 13 Vict. c. 103. repealed.

CIII. Provided also, That any Guardians or Overseers who would be liable under any Provision contained in this Act to have an Order made upon them for the Payment of any Money may pay the same without any such Order being made, and may charge the same to such Account as they could have done if such Order had been made.

Guardians, &c. may pay Charges without Orders of Justices.

CIV. If it appear to any Justice or Justices by this Act authorized to make any Order for the Payment of Money for the Maintenance of any Lunatic that such Lunatic has an Estate, Real or Personal, applicable to his Maintenance, and more than sufficient to maintain his Family, if any, he or they shall, by an Order under his or their Hand and Seal or Hands and Seals, direct the Overseers of the Parish, or a Relieving Officer of the Parish or Union, or the Treasurer or some other Officer of the County to which such Lunatic is chargeable, or in which any Property of the Lunatic may be, or an Officer of the Asylum in which the Lunatic may be, to seize so much of any Money, and to seize and sell so much of the Goods and Chattels, and to take and receive so much of the Rents and Profits of the Lands and Tenements of such Lunatic and other Income of such Lunatic, as may be necessary to pay the Charges of the Examination, bringing before a Justice or Justices, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic, accounting for the same to such Justice or Justices, such Charges having been first proved to the Satisfaction of such Justice or Justices, and the Amount set forth in such Order; and if any Trustee or other Person having the Possession, Custody, or Charge of any Property of such Lunatic, or if the Governor and Company of the Bank of *England*, or any other Body or Person having in their or his Hands any Stock, Interest, Dividend, or Annuity belonging or due to such Lunatic, pay any Money according to any such Order, or pay any Money without any such Order, to the Guardians of any Union or Parish, or to any Overseer of any Parish not in a Union or under a Board of Guardians, or to the Treasurer of any County, or any other Officer of any County authorized to receive the same, to defray the Charges paid or incurred by or on behalf of such Parish, Union, or County for the Examination, bringing before a Justice or Justices, Removal, Lodging, Maintenance, Clothing, Medicine, and Care of such Lunatic, the Receipt of the Person authorized to receive such Money under such Order, or of such Guardians, Overseer, or Treasurer, or other Officer, shall be a good Discharge to such Trustee, Governor, and Company, or other Body or Person as aforesaid.

Lunatic's Property to be available for his Maintenance.

CV. The Liability of any Relation or Person to maintain any Lunatic shall not be taken away or affected where such Lunatic is sent to or confined in any Asylum, registered Hospital, or licensed House by any Provision herein contained concerning the Maintenance of such Lunatic.

Liability of Relations of Pauper not to be affected.

CVI. If any Person feel aggrieved by any Refusal of an Order of any Justice or Justices as aforesaid, such Person may appeal to the next General or Quarter Sessions of the Peace for the County or Borough where the Matter of Appeal has arisen, the Person so appealing having given to the Justice or Justices against whom such Appeal is made Fourteen clear Days Notice of such Appeal, and such Sessions are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and their Determination shall be final and conclusive.

Persons aggrieved by Refusal of an Order may appeal to the Sessions.

CVII. The Overseers of any Parish, and the Guardians of any Union or Parish, and the Clerk of the Peace of any County, obtaining any Order under this Act adjudging the Settlement of any Lunatic to be in any Parish, shall, within a reasonable Time after such Order has been made, send or deliver, by Post or otherwise, to the Overseers or Guardians of the Parish in which such Lunatic is adjudged to be settled, a Copy or Duplicate of such Order, and also a Statement in Writing under their or his Hands or Hand, or where they are the Guardians of a Union or Parish under the Hands of any Three or more of such Guardians, stating the Description and Address of the Overseers, Guardians, or Clerk of the Peace obtaining such Order, and the Place of Confinement of the Lunatic, and setting forth the Grounds of such Adjudication, including the Particulars of any Settlement or Settlements relied upon in support thereof; and on the Hearing of any Appeal against any such Order it shall not be lawful for the Respondents to go into or give Evidence of any other Grounds in support of such Order than those set forth in such Statement.

Party obtaining Order of Adjudication to send Copy thereof and Statement of Grounds to the Parish or County affected.

CVIII. If the Guardians of any Union or Parish, or the Overseers of any Parish, feel aggrieved by any such Order as aforesaid adjudging the Settlement of any Lunatic, they or he may appeal against the same to the next General Quarter Sessions of the Peace for the County in behalf of which such Order has been obtained, or in which the Union or Parish obtaining such Order is situate, or in case such Parish or Union extend into several Jurisdictions, then to the next General Quarter Sessions of the Peace for the County or Borough in which the Asylum, registered Hospital, or licensed House in which such Lunatic is or has been confined is situate, and such Sessions upon hearing the said Appeal shall have full Power finally to determine the Matter.

Appeal against Order of Adjudication.

CIX. The

Copy of Depositions to be furnished on Application.

CIX. The Clerk to the Justices making any Order adjudging the Settlement of any Lunatic, or the Clerk of the Peace in the Case herein-after provided for, shall keep the Depositions upon which such Order was made, and shall within Seven Days furnish a Copy of such Depositions to any Party authorized to appeal against such Order, if such Party apply for such Copy, and pay for the same at the Rate of Twopence for every Folio of Seventy-two Words; provided that no Omission or Delay in furnishing such Copy of the Depositions shall be deemed or construed to be any Ground of Appeal against the Order: Provided also, that on the Trial of any Appeal against any such Order, no such Order shall be quashed or set aside either wholly or in part on the Ground that such Depositions do not furnish sufficient Evidence to support, or that any Matter therein contained or omitted raises an Objection to the Order, or Grounds on which the same was made: Provided also, that if the Justices who make any such Order have not any Clerk, they shall send or deliver the Depositions to the Clerk of the Peace of the County or Borough to the General Quarter Sessions whereof the Appeal against such Order is given by this Act, and the Party obtaining such Order shall, in such Statement of Grounds of Adjudication as aforesaid, state that such Justices have not any Clerk.

No Appeal if Notice not given within a certain Time after Notice of Order.

CX. No Appeal shall be allowed against any such Order if Notice in Writing of such Appeal be not sent or delivered by Post or otherwise to the Party on whose Application the Order was obtained within the Space of Twenty-one Days after the sending or Delivery, as herein-before directed, of a Copy or Duplicate of such Order and such Statement as herein-before mentioned, unless within such Period of Twenty-one Days a Copy of the Depositions shall have been applied for as aforesaid by the Party intending to appeal, in which Case a further Period of Fourteen Days after the sending of such Copy shall be allowed for the giving of such Notice of Appeal.

Grounds of Appeal to be stated.

CXI. In every Case where Notice of Appeal against such Order is given the Appellant shall, with such Notice, or Fourteen Days at least before the First Day of the Sessions at which such Appeal is intended to be tried, send or deliver by Post or otherwise to the Respondent a Statement in Writing under their or his Hands or Hand, or where the Appellants are the Guardians of any Union or Parish, under the Hands of any Three or more of such Guardians, of the Grounds of such Appeal; and it shall not be lawful for the Appellant on the Hearing of any Appeal to go into or give Evidence of any other Grounds of Appeal than those set forth in such Statement.

As to the Sufficiency of Statement of Grounds of Adjudication or Appeal.

Power to amend Statement.

CXII. Upon the Hearing of any Appeal against any such Order no Objection whatever on account of any Defect in the Form of setting forth any Ground of Adjudication or Appeal in any such Statement shall be allowed, and no Objection to the Reception of legal Evidence offered in support of any such Ground alleged to be set forth in any such Statement shall prevail unless the Court be of opinion that such alleged Ground is so imperfectly or incorrectly set forth as to be insufficient to enable the Party receiving the same to inquire into the Subject of such Statement, and to prepare for Trial: Provided always, that in all Cases where the Court is of opinion that any such Objection to such Statement or to the Reception of Evidence ought to prevail, it shall be lawful for such Court, if it so think fit, to cause any such Statement to be forthwith amended by some Officer of the Court, or otherwise, on such Terms as to Payment of Costs to the other Party, or postponing the Trial to another Day in the same Sessions, or to the next subsequent Sessions, or both Payment of Costs and Postponement, as to such Court appears just and reasonable.

Power for Court to amend Order on account of Omission or Mistake.

Proviso.

CXIII. If, upon the Trial of any Appeal against any such Order, or upon the Return to a Writ of Certiorari, any Objection be made on account of any Omission or Mistake in the drawing up of such Order, and it be shown to the Satisfaction of the Court that sufficient Grounds were in proof before the Justices making such Order to have authorized the drawing up thereof free from the said Omission or Mistake, it shall be lawful for the Court, upon such Terms as to Payment of Costs as it think fit, to amend such Order and to give Judgment as if no such Omission or Mistake had existed: Provided always, that no Objection on account of any Omission or Mistake in any such Order brought up upon a Return to a Writ of Certiorari shall be allowed, unless such Omission or Mistake have been specified in the Rule for issuing such Writ of Certiorari.

Party making frivolous or vexatious Statement of Grounds liable to pay Costs.

CXIV. If any of the Parties to the said Appeal shall have included in the Statement of Grounds of Adjudication or of Appeal sent to the opposite Party any Ground or Grounds in support of the Order or of Appeal which, in the Opinion of the Court determining the Appeal, is or are frivolous and vexatious, such Party shall be liable, at the Discretion of the said Court, to pay the whole or any Part of the Costs incurred by the other Party in disputing any such Ground or Grounds.

Party losing Appeal to pay Costs as Court may direct.

CXV. Upon every such Appeal the Court before whom the same is brought shall and may, if they think fit, order and direct the Party against which the same is decided to pay to the other such Costs and Charges as may to such Court appear just and reasonable, and shall certify the Amount thereof.

Decisions of Courts upon hearing Appeals to be final.

CXVI. The Decision of the Court upon the Hearing of any Appeal against any such Order, as well upon the Sufficiency and Effect of the Statement of the Grounds in support of the Order and Appeal, and of the Copy or Duplicate of the Order sent to the Appellant Parish or County, as upon the amending or refusing to amend the Order as aforesaid, or the Statement of Grounds, shall be final, and shall not be liable to be reviewed in any Court by means of a Writ of Certiorari or Mandamus or otherwise.

Abandonment of Orders.

CXVII. In any Case in which an Order has been made as aforesaid, and a Copy or Duplicate thereof sent as herein required, it shall and may be lawful for the Party who has obtained such Order, whether any Notice of Appeal against such Order has or has not been given, and whether any Appeal has or has not been entered, to abandon such Order, by Notice in Writing under the Hand or Hands of such Party,

or,

or, where such Order has been obtained by the Guardians of any Union, under the Hands of any Three or more of such Guardians, to be sent by Post or delivered to the Appellant or the Party entitled to appeal, and thereupon the said Order and all Proceedings consequent thereon shall become and be null and void to all Intents and Purposes as if the same had not been made, and shall not be in any way given in Evidence, in case any other Order for the same Purposes shall be obtained: Provided always, that in all Cases of such Abandonment the Party so abandoning shall pay to the Appellant or the Party entitled to appeal the Costs which he has incurred by reason of such Order and of all subsequent Proceedings thereon; which Costs the proper Officer of the Court before whom any such Appeal (if it had not been abandoned) might have been brought shall, upon Application, tax and ascertain at any Time, whether the Court be sitting or not, upon Production to him of such Notice of Abandonment, and upon Proof to him that such reasonable Notice of Taxation, together with a Copy of the Bill of Costs, has been given to the Overseers, Guardians, or Clerk of the Peace abandoning such Order, as the Distance between the Parties shall in his Judgment require; and thereupon the Sum allowed for Costs, including the usual Costs of Taxation, which such Officer is hereby empowered to charge and receive, shall be endorsed upon the said Notice of Abandonment, and the said Notice so endorsed shall be filed among the Records of the said Court.

Provisions of this Act as to Expenses to extend to Pauper Lunatics sent to Asylums under any other Act, &c.

CXVIII. The Provisions of this Act for and concerning the Payment of Expenses incurred or to be incurred in relation to Pauper Lunatics shall be applicable with respect to Persons confined as Pauper Lunatics sent to any Asylum, registered Hospital, or licensed House under any other Act authorizing their Reception therein as Pauper Lunatics, and (save as herein otherwise provided concerning any Lunatic who shall appear to have an Estate, Real or Personal, applicable to his Maintenance) with respect to all other Lunatics sent to any Asylum, registered Hospital, or licensed House under any Order of a Justice or Justices made under this Act, or the Acts hereby repealed, or any of them, as if such last-mentioned Lunatics were at the Time of being so sent actually chargeable to the Parish from which they have been or shall be sent.

In Cases of Inquiries and Appeals Guardians and Officers interested to have Access to the Lunatic.

CXIX. In every Case of an Inquiry, Investigation, Dispute, or Appeal as to the Parish in which a Pauper Lunatic is settled, the Guardians, Clerks of the Guardians, Relieving Officers, and Overseers of every Union including any Parish, or of any Parish, which Parish respectively is interested in such Inquiry, Investigation, Dispute, or Appeal, and every Person duly authorized by them respectively, and the Clerk of the Peace of any County interested in such Inquiry, Investigation, Dispute, or Appeal, and every Person duly authorized by such Clerk of the Peace, shall at all reasonable Times be allowed free Access in the Presence of the Medical Attendant, to the Lunatic, to examine him as to the Premises.

Expenses of the Burial, Removal, or Discharge of a Pauper.

CXX. On the Death, Discharge, or Removal of any Pauper from any Asylum, registered Hospital, or licensed House, the necessary Expenses attending the Burial, Discharge, or Removal of such Pauper shall be borne by the Union or Parish (if any) to which such Pauper is chargeable, as herein-before provided, or if such Pauper be chargeable to a County as herein-before provided, then by such County, and shall be paid by the Guardians of such Union or Parish, or by the Overseers of such Parish if not in a Union or under a Board of Guardians, or by the Treasurer of such County.

Money ordered to be paid by any Clerk, Overseer, Relieving Officer, or Treasurer to be levied (in case of Neglect to pay) by Distress or Action.

CXXI. If any Overseer, or any Treasurer of any County, upon whom any Order of Justices for the Payment of Money under the Provisions of this Act or of any Act hereby repealed is made, shall refuse or neglect for the Space of Twenty Days next after due Notice of such Order to pay the Money so ordered to be paid, the said Money, together with the Expenses of recovering the same, shall be recovered by Distress and Sale of the Goods of the Overseer or Treasurer so refusing or neglecting, by Warrant under the Hands and Seals of any Two Justices hereby authorized to make the Order for Payment of the Money aforesaid, or by an Action at Law, or by any other Proceeding in any Court of competent Jurisdiction, against such Overseer or Treasurer; and if the Guardians upon whom any such Order is made refuse or neglect for such Time as aforesaid to pay the Money so ordered to be paid, the same, together with the Expenses of recovering the same, may be recovered by an Action at Law or by any other Proceeding in any such Court; and in case of any such Action or Proceeding no Objection shall be taken to any Default or Want of Form in any Order of Admission or Maintenance, or in any Certificate or Adjudication under this Act, if such Order or Adjudication shall not have been appealed against, or if appealed against shall have been affirmed.

Miscellaneous.

Medical Men signing false Certificates, and Persons not Medical Men giving Certificates as such, guilty of Misdemeanor.

CXXII. Any Physician, Surgeon, or Apothecary who shall sign any Certificate contrary to any of the Provisions herein contained shall for every such Offence forfeit any Sum not exceeding Twenty Pounds; and any Physician, Surgeon, or Apothecary who shall falsely state or certify anything in any Certificate under this Act, and any Person who shall sign any Certificate under this Act, in which he shall be described as a Physician, Surgeon, or Apothecary, not being a Physician, Surgeon, or Apothecary respectively within the Meaning of this Act, shall be guilty of a Misdemeanor.

Penalty on Officers or Servants ill-treating Lunatics.

CXXIII. If any Superintendent, Officer, Nurse, Attendant, Servant, or other Person employed in any Asylum strike, wound, ill-treat, or wilfully neglect any Lunatic confined therein, he shall be guilty of a Misdemeanor, and shall be subject to Indictment for every such Offence, or to forfeit for every such Offence, on a summary Conviction thereof before Two Justices, any Sum not exceeding Twenty Pounds nor less than Two Pounds.

Penalty on Officers, &c. allowing Luna-

CXXIV. If any Superintendent, Officer, or Servant in any Asylum shall, through wilful Neglect or Connivance, permit any Patient in any Case to quit or escape from such Asylum, or be at large without such Order as in this Act mentioned, (save in the Case of temporary Absence authorized under the Regulations of the Committee of Visitors,) or shall secrete, or abet or connive at the Escape of any such Person, he

tics to escape or be at large without Permission.

he shall for every such Offence forfeit and pay any Sum not more than Twenty Pounds nor less than Two Pounds.

Visitors may sue and be sued in the Name of their Clerk, whose Removal shall not abate Action.

CXXV. Every Committee of Visitors may sue and be sued in the Name of their Clerk; and no Action brought or commenced by or against any such Committee of Visitors in the Name of their Clerk shall abate or be discontinued by the Death or Removal of such Clerk, but the Clerk for the Time being to the Visitors shall always be deemed Plaintiff or Defendant in such Action, as the Case may be.

Secretary of Commissioners in Lunacy and Clerks to Visitors may prosecute for Offences.

CXXVI. It shall be lawful for the Secretary of the Commissioners in Lunacy, by their Order, to prosecute or proceed against any Person for any Offence against this Act, and for the Clerk to any Committee of Visitors of any Asylum, by their Order, to prosecute or proceed against any Person for any Offence against this Act committed by any Officer or Servant belonging thereto or employed therein; and such Secretary or Clerk acting as the Prosecutor or Complainant in any such Prosecution or Proceeding shall be competent to be a Witness therein, in the same Manner as if he were not such Prosecutor or Complainant; and no such Prosecution or Proceeding shall abate or be discontinued by reason of the Death or Removal of such Secretary or Clerk, but his Successor shall come and be in his Place.

Penalties to be recovered in manner provided by 11 & 12 Vict. c. 43.

Application of Penalties.

CXXVII. All Penalties and Forfeitures imposed by this Act shall and may be recovered summarily before Two Justices in manner provided by the Act of the Twelfth Year of Her Majesty, "to facilitate "the Performance of the Duties of Justices of the Peace out of Sessions, within *England* and *Wales*, "with respect to summary Convictions and Orders;" and such Penalties and Forfeitures, when recovered upon Proceedings taken by the Secretary of the Commissioners, shall be paid to such Secretary, and be applied and accounted for by him in like Manner as Money received for Licences for the Reception of Lunatics granted by the said Commissioners, and when recovered upon Proceedings taken by the Clerk to any Committee of Visitors of any Asylum shall be paid to the Treasurer of such Asylum, to be by him applied for the Purposes of such Asylum in such Manner as such Committee may think fit and direct, and in all other Cases shall be paid to the Treasurer of the County or Borough for which the Justices by whom the Person convicted of such Offence have acted in such Conviction.

Power of Appeal to the Quarter Sessions.

CXXVIII. Any Person who thinks himself aggrieved by any Order or Determination of any Justices under this Act, other than Orders adjudicating as to the Settlement of any Lunatic Pauper, and providing for his Maintenance, may, within Four Calendar Months after such Order or Determination made or given, appeal to the General or Quarter Sessions, the Person appealing having first given at least Fourteen clear Days Notice in Writing of such Appeal and the Nature and Matter thereof to the Person appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereupon; and the said General or Quarter Sessions, upon Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Appeal, or, if they think proper, adjourn the Hearing thereof until the next General or Quarter Sessions, and if they see Cause may reduce any Penalty or Forfeiture to not less than One Fourth of the Amount imposed by this Act, and may order any Money to be returned which shall have been levied in pursuance of such Order or Determination, and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said General or Quarter Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Council of every Borough to exercise the same Duties, &c. of erecting Asylums as are conferred upon Justices, &c.

CXXIX. The Council of every Borough which shall within Six Months after the passing of this Act, by Writing under their Common Seal, give Notice to One of Her Majesty's Principal Secretaries of State of the Intention of such Council to take upon itself the Duties, Powers, and Authorities herein-before imposed or conferred upon or given to the Justices of the Borough, shall from and after the giving of such Notice be subject to and have and exercise all the Duties, Powers, and Authorities of and for erecting and providing Asylums and carrying into execution the Purposes of this Act which by this Act are imposed or conferred upon or given to the Justices of such Borough, or upon any Committee of Visitors to be appointed as directed by this Act, and all Liabilities and Contracts incurred or entered into by such Justices or Committee on behalf of such Borough under this Act, or any Act hereby repealed, shall thereupon become transferred to and obligatory upon such Council to the same Extent as they would have been binding or obligatory on such Justices or Committee, and all Matters and Things which in this Act are required to be done at any General or Quarter Sessions, or at any Meeting of the Justices of such Borough, may and shall thenceforth be done at any Meeting of the Council of such Borough, and all Notices which by this Act are required to be given to or by the Clerk of the Peace shall and may thenceforth be given to or by the Town Clerk of such Borough.

Committee appointed by Council to have same Powers as Committee of Visitors.

CXXX. It shall and may be lawful for the Council of any such Borough to confer upon any Committee to be appointed by such Council such of the Powers and Authorities which by this Act are conferred upon any Committee of Visitors to be appointed thereunder, as to such Council shall seem fit.

Every City, Town, Liberty, &c., not being a Borough within the Meaning of this Act, to be

CXXXI. Every City, Town, Liberty, Parish, Place, or District, not being a Borough or Part of a Borough within the Meaning of this Act, shall for all the Purposes of this Act be annexed to and be treated and rated as Part of the County within which the same is situate, or if such City, Town, Liberty, Parish, Place, or District be situate partly in one County and partly in another, then to and as Part of such one of the same Counties as such City, Town, Liberty, Parish, Place, or District may have been annexed to under the said Act of the Eighth and Ninth Years of Her Majesty, hereby repealed, or if not already so annexed, then to and as Part of such one of the same Counties as One

of

of Her Majesty's Principal Secretaries of State shall by Writing under his Hand and Seal direct, and shall contribute rateably to the Expenses of the Asylum of the County to which it is or shall be so annexed, whether such Asylum have been provided before or after the passing of this Act, and shall for the Purposes of this Act be within the Jurisdiction of the Justices of such County; and in every Case in which any such City, Town, Liberty, Parish, Place, or District as aforesaid is or shall be annexed to a County in which an Asylum has been or shall have been already erected or provided, and such City, Town, Liberty, Parish, Place, or District shall not have contributed as provided by Law towards the Expenses incurred in erecting or providing such Asylum, the present or any future Committee of Visitors of such Asylum shall, as soon as conveniently may be after the passing of this Act, or after such Annexation, fix a Sum to be paid by the City, Town, Liberty, Parish, Place, or District so annexed towards the Expenses then already incurred in erecting or providing such Asylum, in due Proportion to the Population of such City, Town, Liberty, Parish, Place, or District, and of the County to which it shall be annexed, according to the last Returns under the Authority of Parliament, and the same shall be paid by every such City, Town, Liberty, Parish, Place, or District to the Treasurer of such Asylum, and shall be levied and raised by such City, Town, Liberty, Parish, Place, or District by a Rate to be made therein in the same Manner as any Rate to be made therein for the Purpose of levying or raising any other Monies hereby directed to be levied and raised for the Purposes of this Act; and the Justices for the County to which such City, Town, Liberty, Parish, Place, or District is or shall be annexed as aforesaid, in General or Quarter Sessions, are hereby authorized and required to make such Rate as aforesaid; and the Sum so paid by such City, Town, Liberty, Parish, Place, or District shall be applied by the Treasurer of the Asylum to whom the same shall have been paid in such Manner as the Committee of Visitors shall direct, according to the Provisions and for carrying into execution the Purposes of this Act.

annexed to and rated as Part of the County within which the same is situate.

CXXXII. In this Act the Words and Expressions following shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Terms.

"County" shall mean every County, Riding, and Division of a County, County of a City, County of a Town, and shall include every City, Town, Parish, Place, or District by this Act annexed to a County for the Purposes hereof:

"Borough" shall mean every Borough Town and City Corporate having a Quarter Sessions, Recorder, and Clerk of the Peace:

"Parish" shall mean any Parish, Township, Vill, Tithing, Extra-parochial Place, or Place maintaining its own Poor:

"Union" shall mean a Union of Parishes formed under the Act of the Fifth Year of King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* England *and* Wales, or under the Act of the Twenty-second Year of King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor*, or incorporated or united for the Relief or Maintenance of the Poor under any Local Act:

"Lunatic" shall mean and include every Person of unsound Mind, and every Person being an Idiot:

"Pauper" shall mean every Person maintained wholly or in part by or chargeable to any Parish, Union, or County:

"Justice" shall mean Justice of the Peace:

"Officiating Clergyman of the Parish" shall include the Chaplain of the Workhouse of the same Parish, or of the Workhouse of a Union to which such Parish belongs:

"Guardians" shall mean Guardians, Governors, Directors, Managers, or acting Guardians, entitled to act in the ordering of Relief to the Poor from Poor Rates:

"Overseer" shall mean Overseer of the Poor of any Parish, or any Person acting as such:

"Relieving Officer" and "Clerk of the Guardians" shall respectively mean such Relieving Officer and Clerk of the Guardians, and any Persons acting as such respectively:

"Clerk of the Peace" shall mean every Clerk of the Peace, and every Person acting as such, or any Deputy duly appointed:

"Physician," "Surgeon," and "Apothecary" shall respectively mean a Physician, Surgeon, and Apothecary duly authorized or licensed to practise as such by or as a Member of some College, University, Company, or Institution legally established, and qualified to grant such Authority or Licence, in some Part of the United Kingdom, or having been in Practice as an Apothecary in *England* or *Wales* on or before the Fifteenth Day of *August* One thousand eight hundred and fifteen, and being in actual Practice as a Physician, Surgeon, or Apothecary:

"Treasurer of the Borough" shall mean every Officer who has the Custody of any Monies raised by a Borough Rate:

"Treasurer of the County" shall mean every Officer who has the Custody of any County Rate, or of any Rate of any City, Town, Parish, Place, or District by this Act annexed to a County for the Purposes hereof:

"County Rate" shall mean a County Rate and any Funds assessed upon or raised in or belonging to any County in the Nature of County Rates, and applicable to the Purposes to which County Rates are applicable:

"Borough Rate" shall mean a Borough Fund or Rate, and any Fund assessed upon or raised in or belonging to any Borough in the Nature of Borough Rates, and applicable to the Purposes to which Borough Rates are applicable:

48 G. 3. c. 96. 9 G. 4. c. 40.

"Asylum" shall mean any Asylum, House, Building, or Place already erected or provided under the Provisions of an Act passed in the Forty-eighth Year of King *George* the Third, Chapter Ninety-six, or an Act of the Ninth Year of King *George* the Fourth, Chapter Forty, or the said Acts hereby repealed, or any of them, or subject to the Provisions of the said Acts or any of them, or to be erected or provided under the Provisions of this Act.

Not to affect Provisions of 39 & 40 G. 3. c. 94., 1 & 2 Vict. c. 14., or 3 & 4 Vict. c. 54. as to Criminal Lunatics.

CXXXIII. Nothing in this Act shall affect the Provisions of any of the following Acts; (that is to say,) an Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Ninety-four; an Act of the Session holden in the First and Second Years of Her Majesty, Chapter Fourteen; and an Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Fifty-four; or any other Provisions relating to Criminal Lunatics.

Commencement of Act.

CXXXIV. This Act shall commence and come into operation on the First Day of *November* One thousand eight hundred and fifty-three.

Extent of Act.

CXXXV. This Act shall extend only to *England* and *Wales*.

Short Title.

CXXXVI. This Act may be cited as "The Lunatic Asylums Act, 1853."

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

FORM of AGREEMENT for uniting under the foregoing Act for the Purpose of erecting or providing an Asylum for the Reception of Lunatics.

IT is agreed this Day of by and between the Committees of Justices of the Peace for the County [*or* Counties] and the Borough [*or* Boroughs] of and the Committee of the Subscribers of the Lunatic Hospital of [*as the Case may be*], severally appointed to treat for the uniting of the said County and Borough [*or* Counties and Boroughs] [and Lunatic Hospital, *as the Case may be*], for the Purposes of an Act passed in the Year of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], that the said County [*or* Counties] and Borough [*or* Boroughs, and the said Lunatic Hospital, *as the Case may be*], shall henceforth be united for the Purposes of the said Act; and that an Asylum for the Reception of Lunatics, with all necessary Buildings, Courts, Yards, and Outlets, shall be immediately provided and properly fitted up and accommodated for the Purposes mentioned in the said Act; and that the necessary Expenses attending the providing, building, fitting up, Repairs, and Maintenance of the said Asylum shall be defrayed by the said County [*or* Counties] and Borough [*or* Boroughs and Lunatic Hospital], so united, in the following Proportions; (that is to say,)

The County of Five Ninths of the said Expenses.
The Borough of Two Ninths of the same.
The Lunatic Hospital of Two Ninths of the same [*as the Case may be*].

And it is further agreed, that the Committee of Visitors to superintend the building, Erection, and Management of the said Asylum shall be appointed in the following Proportions; the Justices of the Peace for the said County of shall appoint* , the Justices of the Peace for the Borough of shall appoint* , and the Subscribers to the said Lunatic Hospital of shall appoint* and the Proportions in which the said Committee of Visitors are to be appointed as aforesaid may be from Time to Time varied, with the Consent in Writing under the Hands of the greater Number of Visitors of the said County and Borough, [*or* each of the said Counties and Boroughs], and of the greater Number of Visitors appointed by the said Body of Subscribers, and with the Consent of the Commissioners in Lunacy: And hereunto we, the undersigned, being the major Part of each of the Committees of Justices of the Peace for the said County and Borough [*or* Counties and Boroughs] respectively, and the major Part of the Committee of Subscribers to the said Lunatic Hospital, do, on behalf of the said County and Borough [*or* Counties and Boroughs] and Lunatic Hospital, set our Hands and Seals, this Day of in the Year .

SCHEDULE (B.)

FORM of MORTGAGE and CHARGE upon the County or Borough Rates for securing the Money borrowed.

WE, the Chairman of the Court of Quarter Sessions of the Peace of the County of holden at the Day of and Two other of Her Majesty's Justices of the Peace for the said County, assembled in the said Court, [*or* We, the Mayor and Council of the Borough of *as the Case shall be*,] in pursuance of the Powers to us given by an Act passed in the Year of Her Majesty Queen Victoria, intituled "An Act" [*here insert the Title of this Act*], do hereby mortgage and charge all the Rates and Funds to be raised and paid within the said County [*or* Borough, *as the Case may be*], under the Description

* *Insert in these Blanks either the Number or the Proportion of Visitors; and where the Number of the Committee of Visitors is not fixed in the Agreement, but only the Proportions, a Provision shall be made by the Agreement for fixing from Time to Time the Number of such Committee.*

of

of County Rates [*or* Borough Fund or Rates,] with the Payment of the Sum of which of hath advanced and paid towards defraying the Expenses of purchasing Lands, and for building and repairing, *&c.* [*as the Case shall be*] a Lunatic Asylum for the said County [*or* Borough, *or* the United Counties and Boroughs of, *&c., as the Case may be*], and we do hereby grant and confirm the same Rates and Funds unto the said his Executors, Administrators, and Assigns, for securing the Repayment of the said Sum of and Interest for the same after the Rate of per Centum per Annum, and do order the Treasurer for such County [*or* Borough, *&c., as the Case shall be,*] to pay the Interest of the said Sum of half-yearly, as the same shall become due, until the Principal shall be discharged, at the Times and in the Manner agreed upon between the said and the said Justices [*or* the said Mayor and Council, *as the Case may be,*] pursuant to the Directions of the said Act.

SCHEDULE (C.) No. 1.

NAMES of all Pauper Lunatics in the Asylum at for the County [*or* Borough, *&c., as the Case may be,*] of on the Day of 18 .

Names of those chargeable to a Parish.	Date of Admission.	Names of those chargeable to County.	Date of Admission.	Names of Criminals.

This is a correct Return.

(Signed)

Dated Clerk of the Asylum.

SCHEDULE (C.) No. 2.

NAMES of all private Lunatics in the Asylum at for the County [*or* Borough, *&c., as the Case may be,*] of on the Day of 18 .

Names.	Date of Admission.

This is a correct List.

(Signed)

Dated Clerk of the Asylum.

SCHE-

SCHEDULE (D.)

FORM OF ANNUAL RETURN.

A TRUE LIST of all LUNATICS, IDIOTS, and other Persons of unsound Mind, chargeable to the Common Fund, or to the Parishes comprised within [such Part of] the Union [as is situate] [*or* to the Parish of] in the County of specifying the Names, Sex, and Age of each, and whether dangerous or otherwise, and for what Length of Time they have been supposed to be of unsound Mind, and where detained, or how otherwise disposed of.*

Name.	Age.	Sex.	Parish to which chargeable.	Where maintained.					Weekly Cost of Maintenance and Clothing.	Whether Lunatic or Idiot.	Dangerous to himself or others.	Of dirty Habits.	For what Length of Time supposed to be of unsound Mind.	Observations.
				In a County or Borough Asylum, and what Asylum, and when sent thither.	In a registered Hospital or licensed House, and where, and when sent thither.	In the Workhouse.	In Lodgings, or boarded out, and where, and with whom, by Name.	Residing with Relatives, and where, and with whom, by Name.						

Signed by me this Day of 18 .

A.B.

Clerk to the Board of Guardians of the said Union,
[*or* Overseer of the said Parish]

* *Lunatics chargeable to the Common Fund, who are in the Workhouse, should be entered as in the County where the Workhouse is situate; and those who are not in the Workhouse, as in the County in which they reside.*

SCHEDULE (E.)

County of
Union [*or* Parish] of
District of

QUARTERLY LIST of LUNATIC PAUPERS within the District of the Union of [*or* the Parish of] in the County *or* Borough of not in any Asylum, registered Hospital, or licensed House.

NAME.	Sex.	Age.	Form of mental Disorder.	Duration of present Attack of Insanity, and, if idiotic, whether or not from Birth.	Where and with whom resident.	Date of Visit.	In what Condition, and if ever restrained, why, by what Means, and how often.

I declare that I have personally examined the several Persons whose Names are specified in this List, on the Days set opposite to their Names, and that they are all [*or* all except *A.B.*, *C.D.*, and *E.F.*] properly

properly taken care of, and may properly remain out of an Asylum, and that these are the only Pauper Lunatics, to the best of my Knowledge, in the District of the Union [*or* in the Parish] of who are not in an Asylum, registered Hospital, or duly licensed House.

(Signed) *A.B.*
Medical Officer of the District of
the Union [*or* Parish] of

Dated the Day of One thousand eight hundred and

SCHEDULE (F.) No. 1.

ORDER for the RECEPTION of a PAUPER PATIENT.

I, *C.D.* [*in the Case of a single Justice of the Peace, or in the Case of Two Justices, or of a Clergyman and Relieving Officer, &c.*, We, *C.D.* and *E.F.*], the undersigned, having called to my [*or* our] Assistance a Physician, [*or* Surgeon, *or* Apothecary, *as the Case may be,*] and having personally examined *A.B.*, a Pauper, [*omit the Words* "a Pauper" *when the Lunatic is not a Pauper,*] and being satisfied that the said *A.B.* is a Lunatic [*or* an Idiot, *or* a Person of unsound Mind,] [*add, where the Lunatic is sent as being wandering at large, the Words* "wandering at large," *and in the Case of a Lunatic sent by virtue of the Authority given to Two Justices, add* "not under proper Care and Control," *or* "and is cruelly treated [*or* neglected] by the Person having the Care or Charge of him," *as may appear to the Justices to be the Case*], and a proper Person to be taken charge of and detained under Care and Treatment, hereby direct you to receive the said *A.B.* as a Patient into your Asylum [*or* Hospital, *or* House]. Subjoined is a Statement respecting the said *A.B.*

(Signed) *C.D.*
* A Justice of the Peace for the City *or* Borough of [*or* an *or* the Officiating Clergyman of the Parish of].
(Signed) *E.F.*
The Relieving Officer of the Union *or* Parish of [*or* an Overseer of the Parish of].

* To be signed by Two Justices, where required by the foregoing Act.

Dated the Day of One thousand eight hundred

To Superintendent of the Asylum for the
County of *or* the Lunatic Hospital of
or Proprietor of the licensed
House of [*describing the Asylum, Hospital, or House*].

NOTE.—*Where the Order directs the Lunatic to be received into any Asylum other than an Asylum of the County or Borough in which the Parish or Place from which the Lunatic is sent is situate, or into a registered Hospital or licensed House, it should state that the Justice or Justices or other Persons making the Order is or are satisfied that there is no Asylum of such County or Borough, or that the Asylum or Asylums thereof is or are full; or (as the Case may require) the special Circumstances by reason whereof the Lunatic cannot conveniently be taken to an Asylum for such first-mentioned County or Borough.*

STATEMENT.

[*If any Particulars in this Statement be not known, the Fact to be so stated.*]

Name of Patient, and Christian Name, at Length.
Sex and Age.
Married, single or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether first Attack.
Age (if known) on first Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Parish or Union to which the Lunatic is chargeable (if a Pauper or destitute Lunatic).
Name and Christian Name and Place of Abode of the nearest known Relative of the Patient, and Degree of Relationship (if known).

I certify that to the best of my Knowledge the above Particulars are correctly stated.

(Signed)
[*In the Case of a Pauper, to be signed by the Relieving Officer or Overseer.*]

SCHE-

SCHEDULE (F.) No. 2.

ORDER for the RECEPTION of a PRIVATE PATIENT.

I, the undersigned, hereby request you to receive *A.B.*, a Lunatic, [*or* an Idiot, *or* a Person of unsound Mind,] as a Patient into your Asylum. Subjoined is a Statement respecting the said *A.B.*

(Signed) Name.
Occupation (if any).
Place of Abode.
Degree of Relationship (if any), or other Circumstance of Connexion with the Patient.

Dated this Day of One thousand eight hundred and

To Superintendent of the Asylum for the County [*or* Borough] of [*describing the Asylum*].

STATEMENT.

[*If any of the Particulars in this Statement be not known, the Fact to be so stated.*]

Name of Patient, with Christian Name, at Length.
Sex and Age.
Married, single, or widowed.
Condition of Life, and previous Occupation (if any).
The Religious Persuasion, as far as known.
Previous Place of Abode.
Whether first Attack.
Age (if known) on first Attack.
When and where previously under Care and Treatment.
Duration of existing Attack.
Supposed Cause.
Whether subject to Epilepsy.
Whether suicidal.
Whether dangerous to others.
Whether found lunatic by Inquisition, and Date of Commission or Order for Inquisition.
Special Circumstances (if any) preventing the Patient being examined, before Admission, separately by Two Medical Practitioners.

(Signed) Name.

Where the Person signing the Statement is not the Person who signs the Order, the following Particulars concerning the Person signing the Statement are to be added; viz.

Occupation (if any).
Place of Abode.
Degree of Relationship (if any), or other Circumstances of Connexion with the Patient.

SCHEDULE (F.) No. 3.

FORM of MEDICAL CERTIFICATE.

I, the undersigned, [*here set forth the Qualification entitling the Person certifying to practise as a Physician, Surgeon, or Apothecary, ex. gra.*, "being a Fellow of the Royal College of Physicians in London,"] and being in actual Practice as a [Physician, Surgeon, *or* Apothecary; *as the Case may be,*] hereby certify, That I, on the Day of at [*here insert the Street and Number of the House (if any) or other like Particulars,*] in the County of , [*in any Case where more than One Medical Certificate is required by this Act, here insert* separately from any other Medical Practitioner,] personally examined *A.B.* of [*insert Residence and Profession or Occupation, if any,*] and that the said *A.B.* is a [Lunatic, *or* an Idiot, *or* a Person of unsound Mind,] and a proper Person to be taken charge of and detained under Care and Treatment, and that I have formed this Opinion upon the following Grounds; viz.

1. Facts indicating Insanity observed by myself [*here state the Facts*].
2. Other Facts (*if any*) indicating Insanity communicated to me by others [*here state the Information, and from whom*].

(Signed)
Place of Abode.

Dated this Day of One thousand eight hundred and

SCHE-

SCHEDULE (F.) No. 4.

NOTICE of ADMISSION.

I HEREBY give you Notice, That *A.B.* was admitted into this Asylum as a private [*or* Pauper] Patient on the Day of and I hereby transmit a Copy of the Order and Statement and Medical Certificates [*or* Certificate] on which he was received.

[*If a private Patient be received upon One Certificate only, the special Circumstances which have prevented the Patient from being examined by Two Medical Practitioners to be here stated, as in the Statement accompanying the Order for Admission.*]

Subjoined is a Statement with respect to the mental and bodily Condition of the above-named Patient.

(Signed)
Clerk of Asylum.

Dated the Day of One thousand eight hundred and

STATEMENT.

I have this Day [*some Day not less than Two clear Days after the Admission of the Patient*] seen and examined the Patient mentioned in the above Notice, and hereby certify that with respect to mental State he [*or* she] , and that with respect to bodily Health and Condition he [*or* she]

(Signed)
Medical Officer of Asylum.

Dated the Day of One thousand eight hundred and

SCHEDULE (F.) No. 5.

FORM of NOTICE of DISCHARGE, REMOVAL, or DEATH.

I HEREBY give you Notice, That Pauper [*or* a private] Patient admitted into this Asylum on the Day of was discharged therefrom recovered [*or* relieved, *or* not improved,] *or* was removed to [*mentioning the Asylum, &c.*] relieved [*or* not improved], by the Authority of , *or* died therein in the Presence of ,] on the Day of

(Signed)
Clerk of the Asylum.

Dated the Day of One thousand eight hundred and

In case of Death, add, "I certify that the apparent Cause of Death of the said [as ascertained by post mortem Examination (*if so*),] was"

(Signed)
Medical Officer of the Asylum.

SCHEDULE (G.) No. 1.

REGISTRY OF ADMISSIONS.

REGISTER OF PATIENTS.*

No. in Order of Admission.	Date of last previous Admission, if any.	Date of Admission.	Christian and Surname at Length.	Sex. M.	Sex. F.	Age.	Condition as to Marriage. Married.	Condition as to Marriage. Single.	Condition as to Marriage. Widowed.	Condition of Life, and previous Occupation.	Previous Place of Abode.	County, Union, or Parish to which chargeable.	By whose Authority sent.	Dates of Medical Certificates, and by whom signed.	Form of mental Disorder.	Supposed Cause of Insanity.	Bodily Condition, and Name of Disease, if any.	Epileptics.	Congenital Idiots.	Duration of existing Attacks. Years.	Duration of existing Attacks. Months.	Duration of existing Attacks. Weeks.	Number of previous Attacks.	Age on first Attack.	Date of Discharge, Removal, or Death.	Discharged or removed. Recovered.	Discharged or removed. Relieved.	Discharged or removed. Not improved.	Died.	Observations.
1		1846: Jan. 3	William Johnson	1	–	23	–	1	–	Carpenter	"	"	"	"	Melancholia	"	"	–	–	–	4	–	2	17	1846: Sept. 1	1				
2										"	"	"	"	"	"	"	"	"	"	"	"	"	"	"						
3										"	"	"	"	"	"	"	"	"	"	7	–	–	3	–	1848: Dec. 2	1				
4		1848: June 9	William Johnson	1	–	25	–	1	–	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"						
5										"	"	"	"	"	"	"	"	"	"	"	"	"	"	"						
6										"	"	"	"	"	"	"	"	"	"	"	"	"	"	"						
7		1852: May 6	William Johnson	1	–	29	1	–	–	"	"	"	"	"	"	"	"	"	"	3	–	–	4	–	1853: June 8	1				
8										"	"	"	"	"	"	"	"	"	"	"	"	"	"	"						

* In the Case of an Asylum receiving both private and Pauper Patients, a separate Register in the above Form to be kept for each Class.

SCHE-

SCHEDULE (G.) No. 2.

REGISTER of DISCHARGES, REMOVALS, and DEATHS.*

Date of Death, Discharge, or Removal.	Date of last Admission.	No. in Register of Patients.	Christian and Surname at Length.	Sex.		Discharged.						Removal, and to what Asylum, registered Hospital, or licensed House.				Died.		Assigned Cause of Death.	Age at Death.		Observations.
						Recovered.		Relieved.		Not improved.		Relieved.		Not improved.							
				M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		M.	F.	
1846: Sept. 1	1846: Jan. 3	1	William Johnson	1	—	1															
1848: Dec. 2	1848: June 9	4	William Johnson	1	—	1															
1853: June 8	1852: May 6	7	William Johnson	1	—	—	—	—	—	—	—	—	—	—	—	1	—	Phthisis	27		

* In the Case of an Asylum receiving both private and Pauper Patients, a separate Register in the above Form to be kept for each Class.

SCHEDULE (G.) No. 3.

FORM OF MEDICAL JOURNAL.*

Date.	Number of Patients.		Patients who are, or since the last Entry have been, under Restraint or in Seclusion, when and for what Period, and Reasons, and, in case of Restraint, by what Means.		Patients under Medical Treatment, and for what, if any, bodily Disorder.		Deaths, Injuries, and Violence to Patients since the last Entry.
	M.	F.	Males.	Females.	Males.	Females.	

* In the Case of an Asylum receiving both Pauper and private Patients, a separate Journal to be kept in the above Form for each Class.

CAP. XCVIII.

An Act for the further Relief of the Suitors of the High Court of Chancery. [20th *August* 1853.]

'WHEREAS it is expedient to make further Provision for the Relief of the Suitors of the High 'Court of Chancery:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Funds, the Dividends of which have not been received for Fifteen Years, may be transferred to Suitors Fee Fund Account.

I. It shall be lawful for the Lord Chancellor, at such Time within Nine Calendar Months after the passing of this Act as shall appear to him to be most convenient, to cause an Investigation to be made into the several Accounts standing in the Name of the said Accountant General to the Credit of any Cause or Matter the Dividends of which shall not have been dealt with for Fifteen Years or upwards prior to such Time, and if and when he shall be of opinion that it is not probable that any Claim will be made for the same, to make Orders for the Appropriation of the future Dividends to accrue due on such Stock, or such Part of such Dividends as he shall be of opinion may safely and properly be so appropriated, as the same shall accrue, for the Benefit of the Suitors of the said Court, and for the carrying the same over to the Credit of an Account to be entitled "The Suitors Unclaimed Dividend Account," and for the carrying from Time to Time such Part of the Cash standing to the last-mentioned Account as he may think fit over to the Credit of the Account in the Books of the said Accountant General called "The Suitors Fee Fund Account," and such Dividends when so carried over shall thereupon become Part of the Fund standing to such Account.

Rights of Suitors to Stock or Dividends transferred not to be affected, but to be satisfied out of the Suitors Fee Fund.

II. The Right of any Suitor of the said Court to the Stock the Dividends of which shall be appropriated by any such Order or Orders as aforesaid, or to the Dividends so directed to be appropriated, shall not be in anywise prejudiced or affected by such Order or Orders, or by such Appropriation in pursuance thereof as aforesaid, but the Claims of such Suitor or Suitors shall be made good and satisfied out of the Fund standing to the Credit of the Accounts called "The Suitors Fee Fund Account," and "The Suitors Unclaimed Dividend Account," or either of them, by virtue of any Order or Orders to be from Time to Time made by the said Court for that Purpose; and if and when it shall become necessary for the Purposes aforesaid, it shall be lawful for the Lord Chancellor, by any Order or Orders to be from Time to Time made for that Purpose, to impose such Fees in relation to Proceedings in the said Court of Chancery as to him shall seem meet, and to direct that such Fees shall be collected by means of Stamps,

to

to be provided and used in the Manner now adopted with reference to Fees collected by means of Stamps in the said Court, and to alter, diminish, or abolish such new or additional Fees, as Circumstances may from Time to Time warrant him in so doing.

Periodical Investigations and Transfers to be made of Accounts the Dividends of which have not been received for Fifteen Years.

III. At the Expiration of every Five Years from such First Investigation as aforesaid it shall be lawful for the Lord Chancellor to cause a similar Investigation to be made into the several Accounts standing in the Name of the said Accountant General to the Credit of any Cause or Matter the Dividends of which shall not have been received for Fifteen Years or upwards prior to such Time, and thereupon the same Course shall be pursued in every respect with respect to such Accounts as is herein-before directed with respect to the Investigation so to be made within Nine Calendar Months after the passing of this Act; and the Provisions herein-before contained saving the Rights of the Suitor to any Dividends which may have been appropriated upon or in consequence of such Investigation, and giving Power to the Lord Chancellor to impose, alter, diminish, or abolish Fees in consequence thereof, shall extend and be applicable to every successive Investigation so to be made as aforesaid.

Dividends, &c. issued from Monies placed out to provide for Chancery Officers to be transferred to Suitors Fee Fund.

IV. 'And whereas there is now standing in the Name of the Accountant General of the said Court, 'to the Credit of the Account intituled "Account of Monies placed out to provide for the Officers of the 'High Court of Chancery," the Sum of Two hundred and one thousand and twenty-eight Pounds Two 'Shillings and Threepence Bank Three Pounds *per Cent.* Annuities, and the Amount of Cash which has 'arisen from Dividends thereon: And whereas under the Act passed in the Session of Parliament 'holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety-four, Section 'Thirty-six, the Dividends arising from the Fund standing to the Credit of the said last-mentioned 'Account are directed or authorized to be invested in the Purchase of Parliamentary or Government 'Securities in the Name of the said Accountant General, to be by him placed to the Credit of the said 'last-mentioned Account: And whereas it is unnecessary to continue the Accumulation of the Dividends 'on the Funds so as aforesaid standing to the Credit of the said last-mentioned Account, and it is 'expedient that such Dividends should from Time to Time be applied in aid of the Fund called the 'Suitors Fee Fund:' Be it therefore enacted, That the Dividends and annual Produce which have arisen and which shall arise from the Monies placed out on the Account intituled "Account of Monies placed out to provide for the Officers of the High Court of Chancery" shall be carried over by the said Accountant General, and be placed to the said Account intituled "The Suitors Fee Fund Account," and shall thereupon become Part of the Fund standing to such Account, and be dealt with accordingly.

Reduced Stamp Duties to be payable hereafter on Powers of Attorney, &c.

V. 'And whereas it is expedient to reduce the Stamp Duties payable on Letters or Powers of Attorney 'to be used in the Office of the said Accountant General upon the Receipt of Cheques, Notes, or Drafts 'for small Sums of Money:' Be it therefore enacted, That from and after the passing of this Act the Stamp Duties which if this Act had not been passed would have been payable on Letters or Powers of Attorney to be used in the Office of the said Accountant General for the Receipt of Cheques, Notes, or Drafts for gross Sums of Money not exceeding the Sum of Twenty Pounds, or periodical Payments not exceeding the annual Sum of Five Pounds, shall cease to be payable, and shall be and the same are hereby repealed, and in lieu and instead thereof there shall be granted, raised, levied, and collected in respect of every such Letter or Power of Attorney, or for or in respect of the Vellum, Parchment, or Paper upon which the same shall be written, the Sum of Five Shillings.

Stamp Duties to be under the Management of Commissioners of Inland Revenue.

VI. The said Duties hereby directed or authorized to be raised, levied, and collected shall be denominated and deemed to be Stamp Duties, and shall be under the Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by the several Acts relating to any Stamp Duties now payable in *Great Britain* and *Ireland* respectively shall respectively be in full Force and Effect with respect to the Duties by this Act directed or authorized to be raised, levied, or collected, and to the Vellum, Parchment, and Paper, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, and collecting of the said Duties, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted.

Accountant General may be empowered to act on Powers of Attorney in Receipt of future Monies.

VII. It shall be lawful for the Lord Chancellor, whenever it shall seem expedient to him so to do, to empower and direct the Accountant General of the said Court to receive and act upon Letters or Powers of Attorney granted by any Person to whom any Sum or Sums of Money shall by any Order in any Cause or Matter be directed to be paid, authorizing the Attorney of such Person to receive, not only a Cheque, Note, or Draft for the Sum or Sums of Money so ordered to be paid, but all Cheques, Notes, or Drafts for any further or other Sum or Sums of Money which by any Order or Orders to be thereafter made in the same Cause or Matter, or any Cause or Matter connected therewith, shall be ordered to be paid to such Person or Persons by or out of any Fund then or thereafter to be standing to the Credit of such Cause or Matter; and the Lord Chancellor shall by Order make such Provision as he may deem necessary for satisfying the Accountant General of the Identity of the Person named in Two or more Orders.

Compensation Allowances may be applied to making good Monies improperly withheld

VIII. 'And whereas under various Acts of Parliament now in force, or under Orders made in 'pursuance of such Acts, Compensation Allowances have been granted and are payable to various 'Officers of the said Court, which have been made to cease upon such Officers obtaining other Offices or 'Employments, during the Continuance of such Officers in the same: And whereas it has happened that 'Officers of the said Court entitled to Compensation Allowances have obtained other Offices or Employ-

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or abstracted by Parties entitled to such Allowances.

'ments in the said Court or the Offices thereof, and by reason of Malversation in such Offices or 'Employments have been dismissed therefrom or have resigned the same, and it is expedient that any 'Monies improperly withheld by any such Officer should be made good to the Fund to which the same 'ought to have been applied:' It shall be lawful for the Lord Chancellor, by any Order or Orders to be by him from Time to Time made for that Purpose, to direct that the whole or any Part of the Compensation Allowance payable to any Person who shall have held any Office or Employment in the said Court by virtue of any Act or Acts of Parliament heretofore passed or hereafter to be passed, or any Order or Orders in pursuance thereof, shall be applied in Payment to the Fund from which such Monies as aforesaid shall have been abstracted, for the Purpose of making good the same, with such Interest thereon from the Time the same may have been received as the Lord Chancellor may think proper, and with the Costs of making and acting upon the said Orders; and any Order or Orders so to be made shall overreach any Assignment or Assignments which after the Tenth Day of *February* One thousand eight hundred and fifty-three shall have been made of any such Compensation Allowance, whether made voluntarily or for a good and valuable Consideration.

Orders may be annulled or altered.

IX. Any Order or Orders for the Time being made under this Act may from Time to Time be annulled, altered, or varied by the like Authority by which any such Order or Orders shall have been made, and new Orders from Time to Time be made for any of the Purposes of this Act by the Authority by which Orders are hereby authorized to be made.

As to the Term "Lord Chancellor."

X. In the Construction of this Act, unless such Meaning be repugnant to or inconsistent with the Context, the Expression Lord Chancellor shall mean and include the Lord High Chancellor of *Great Britain* and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

Officers of the Court of Chancery, who were formerly Officers of the Court of Exchequer, enabled to compute the Period during which they were such Officers for the Purposes of retiring Pensions.

XI. 'And whereas by an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her present 'Majesty, Chapter Eighty-seven, Section Forty-six, Provision was made for granting Superannuation 'Allowances to any Person holding any Office or Appointment in the Court of Chancery who should be 'afflicted with some permanent Infirmity disabling him from the due Execution of his Office, or should 'have continued in any Office or Offices for Twenty Years, and should be desirous of resigning the 'same: And whereas by the Act of the Fifth Year of the Reign of Her present Majesty, Chapter Five, 'certain of the Sworn Clerks and Side Clerks of the Court of Exchequer were appointed Registrars and 'Clerks to Registrars of the Court of Chancery, and it is expedient that the Time during which they 'had held the Offices of Sworn Clerks and Side Clerks of the said Court of Exchequer should for the 'Purposes herein-after mentioned be added to the Time during which they have been Registrars and 'Clerks to Registrars of the Court of Chancery:' Be it therefore enacted, That the Commissioners of Her Majesty's Treasury, in ascertaining and awarding the Amount of any Superannuation Allowance under the Authority of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Eighty-seven, to any Registrars and Clerks to Registrars of the Court of Chancery who shall have been Sworn Clerks and Side Clerks in the Court of Exchequer, shall take into consideration the whole Period during which they shall have been such Sworn Clerks and Side Clerks, and the same shall be added to the Time during which they shall have held the Offices of Registrars and Clerks to the Registrars of the Court of Chancery.

CAP. XCIX.

An Act to substitute, in certain Cases, other Punishment in lieu of Transportation.

[20th *August* 1853.]

'WHEREAS by reason of the Difficulty of transporting Offenders beyond the Seas it has become expedient to substitute, in certain Cases, other Punishment in lieu of Transportation:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Person to be transported, except for Life or for 14 Years or upwards.

I. After the Commencement of this Act no Person shall be sentenced to Transportation who if this Act had not been passed would not have been liable to be transported for Life, or for a Term of Fourteen Years or upwards; and no Person shall be sentenced to Transportation for any Term less than Fourteen Years.

Sentence of Penal Servitude.

II. Any Person who if this Act had not been passed might have been sentenced to Transportation for a Term of less than Fourteen Years shall be liable, at the Discretion of the Court, to be kept in Penal Servitude for such Term as herein-after mentioned.

Persons liable to Transportation for 14 Years, &c. may still be sentenced to Transportation, &c.

III. Any Person who if this Act had not been passed might have been sentenced to Transportation for a Term of Fourteen Years or upwards or for Life shall, after the Commencement of this Act, be liable, at the Discretion of the Court, to be sentenced either to such Transportation for Fourteen Years or upwards or for Life, or to be kept in Penal Servitude for such Term as under this Act may be awarded instead of such Transportation.

Terms of Penal Servitude which are to be awarded instead of the present

IV. The Terms of Penal Servitude to be awarded instead of the Transportation to which any Offender would have been liable if this Act had not been passed shall be as follows; (that is to say,)

Instead of Transportation for Seven Years or for a Term not exceeding Seven Years, Penal Servitude for the Term of Four Years:

Instead

Instead of any Term of Transportation exceeding Seven Years and not exceeding Ten Years, Penal Servitude for any Term not less than Four and not exceeding Six Years : Terms of Transportation.

Instead of any Term of Transportation exceeding Ten Years, and not exceeding Fifteen Years, Penal Servitude for any Term not less than Six and not exceeding Eight Years :

Instead of any Term of Transportation exceeding Fifteen Years, Penal Servitude for any Term not less than Six and not exceeding Ten Years :

Instead of Transportation for the Term of Life, Penal Servitude for the Term of Life :

And in every Case where, at the Discretion of the Court, One of any Two or more of the Terms of Transportation herein-before mentioned might have been awarded, the Court shall have the like Discretion to award One of the Two or more Terms of Penal Servitude herein-before mentioned in relation to such Terms of Transportation.

V. Whenever Her Majesty, or the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, shall be pleased to extend Mercy to any Offender convicted of any Offence for which he may be liable to the Punishment of Death, upon Condition of his being kept to Penal Servitude for any Term of Years or for Life, such Intention of Mercy shall have the same Effect and may be signified in the same Manner, and all Courts, Justices, and others shall give Effect thereto and to the Condition of the Pardon in like Manner, as in the Cases where Her Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time, is or are now pleased to extend Mercy upon Condition of Transportation beyond Seas, the Order for the Execution of such Punishment as Her Majesty, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, may have made the Condition of Her, his, or their Mercy being substituted for the Order for Transportation. Conditional Pardons to be allowed with reference to the substituted Punishment, as in Cases of Pardons on Condition of Transportation.

VI. Every Person who under this Act shall be sentenced or ordered to be kept in Penal Servitude may, during the Term of the Sentence or Order, be confined in any such Prison or Place of Confinement in any Part of the United Kingdom, or in any River, Port, or Harbour of the United Kingdom, in which Persons under Sentence or Order of Transportation may now by Law be confined, or in any other Prison in the United Kingdom, or in any Part of Her Majesty's Dominions beyond the Seas, or in any Port or Harbour thereof, as One of Her Majesty's Principal Secretaries of State may from Time to Time direct; and such Person may during such Term be kept to Hard Labour and otherwise dealt with in all respects as Persons sentenced to Transportation may now by Law be dealt with while so confined. Persons under Sentence or Order of Penal Servitude how to be dealt with.

VII. All Acts and Provisions of Acts now applicable with respect to Persons under Sentence or Order of Transportation shall, so far as may be consistent with the express Provisions of this Act, be construed to extend and be applicable to Persons under any Sentence or Order of Penal Servitude under this Act; and all the Powers and Provisions contained in the Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-four, authorizing the Appointment by Her Majesty from Time to Time of Places of Confinement as therein mentioned for Male Offenders under Sentence or Order of Transportation, and authorizing Her Majesty to order Male Offenders convicted in *Great Britain* and under Sentence or Order of Transportation to be kept to Hard Labour in any Part of Her Majesty's Dominions out of *England*, shall extend and be applicable to and for the Appointment by Her Majesty of like Places of Confinement in any Part of the United Kingdom for Offenders (whether Male or Female) sentenced under this Act in any Part of the United Kingdom, and to and for the ordering of such Offenders to be kept to Hard Labour in any Part of Her Majesty's Dominions out of *England*; and all the Provisions of the said Act concerning the Removal to or from and Confinement in the Places of Confinement in or out of *England*, appointed under the said Act, of the Offenders therein mentioned, and all Acts and Provisions of Acts now in force concerning or relating to the Regulation and Government of such Places of Confinement, and the Custody, Treatment, Management, and Control of or otherwise in relation to the Offenders confined therein, shall, so far as the same may be consistent with the express Provisions of the Act, extend and be applicable to and for the Removal to and from and Confinement in the Places of Confinement appointed under this Act of the Offenders sentenced in any Part of the United Kingdom, and otherwise be applicable to and in respect of such Places of Confinement and the Offenders to be confined therein. All Acts, &c. concerning Convicts sentenced to Transportation, made applicable for the Purposes of this Act.

VIII. Provided always, That all the Powers vested under this Act, expressly or by reference to any other Act, in One of Her Majesty's Principal Secretaries of State, shall in relation to Places of Confinement in *Ireland*, or where such Powers are otherwise to be exercised in *Ireland*, be exercised by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and where the Signature of One of Her Majesty's Principal Secretaries of State would be necessary in relation to the Exercise of such Powers, the Signature of such Lord Lieutenant or Chief Governor or Governors, or his or their Chief Secretary, shall be sufficient in the Case of the Exercise of such Powers by such Lord Lieutenant or Chief Governor or Governors. Powers of Secretary of State to be exercised in Ireland by Lord Lieutenant.

IX. It shall be lawful for Her Majesty, by an Order in Writing under the Hand and Seal of One of Her Majesty's Principal Secretaries of State, to grant to any Convict now under Sentence of Transportation, or who may hereafter be sentenced to Transportation, or to any Punishment substituted for Transportation by this Act, a Licence to be at large in the United Kingdom and the Channel Islands, or in such Part thereof respectively as in such Licence shall be expressed, during such Portion of his or her Term of Transportation or Imprisonment, and upon such Conditions in all respects as to Her Majesty shall seem fit; and it shall be lawful for Her Majesty to revoke or alter such Licence by a like Order at Her Majesty's Pleasure. Her Majesty may grant Licences to be at large to Convicts under Sentence of Transportation.

X. So

Holder of Licence not to be imprisoned, &c.

X. So long as such Licence shall continue in force and unrevoked, such Convict shall not be liable to be imprisoned or transported by reason of his or her Sentence, but shall be allowed to go and remain at large according to the Term of such Licence.

If Licence revoked, the Convict may be apprehended, and committed to Prison.

XI. Provided always, That if it shall please Her Majesty to revoke any such Licence as aforesaid it shall be lawful for One of Her Majesty's Principal Secretaries of State, by Warrant under his Hand and Seal, to signify to any One of the Police Magistrates of the Metropolis that such Licence has been revoked, and to require such Magistrate to issue his Warrant under his Hand and Seal for the Apprehension of the Convict to whom such Licence was granted, and such Magistrate shall issue his Warrant accordingly, and such Warrant shall and may be executed by the Constable to whom the same shall be delivered for that Purpose in any Part of the United Kingdom, or in the Isles of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, and shall have the same Force and Effect in all the said Places as if the same had been originally issued or subsequently endorsed by a Justice of the Peace or Magistrate, or other lawful Authority having Jurisdiction in the Place where the same shall be executed; and such Convict when apprehended under such Warrant shall be brought, as soon as he conveniently may be, before the Magistrate by whom the said Warrant shall have been issued, or some other Magistrate of the same Court, and such Magistrate shall thereupon make out his Warrant under his Hand and Seal for the Recommitment of such Convict to the Prison or Place of Confinement from which he was released by virtue of the said Licence, and such Convict shall be so recommitted accordingly, and shall thereupon be remitted to his or her original Sentence, and shall undergo the Residue thereof as if no such Licence had been granted.

On Conviction for Larceny after previous Conviction for Felony.

XII. No Person shall, after the Commencement of this Act, be liable to be transported by reason only of a Conviction for Larceny after a previous Conviction for Felony, but every such Person so convicted may be punished by Penal Servitude for any Term not less than Four Years and not more than Ten Years.

Queen's Prerogative.

XIII. Provided always, That nothing in this Act contained shall in any Manner affect Her Majesty's Royal Prerogative of Mercy, or any Prerogative of Mercy vested in the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

Discretion of Courts as to alternative Punishments not to be affected.

XIV. Provided also, That nothing herein contained shall interfere with or affect the Authority or Discretion of any Court in respect of any Punishment which such Court may now award or pass on any Offender other than Transportation, but where such other Punishment may be awarded at the Discretion of the Court, instead of Transportation, or in addition thereto, the same may be awarded instead of or (as the Case may be) in addition to the Punishment substituted for Transportation under this Act.

"Transportation."

XV. For the Purposes of this Act, the Term "Transportation" shall include Banishment beyond the Seas.

Commencement of Act.

XVI. This Act shall commence from and after the First Day of *September* One thousand eight hundred and fifty-three.

CAP. C.

An Act further to extend and make compulsory the Practice of Vaccination.

[20th *August* 1853.]

3 & 4 Vict. c. 29. 4 & 5 Vict. c. 32.

'WHEREAS an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled '*An Act to extend the Practice of Vaccination:* And whereas an Act was passed in the Fifth 'Year of the same Reign, intituled *An Act to amend an Act to extend the Practice of Vaccination:* And 'whereas it is expedient that the Practice of Vaccination should be still further extended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Parishes or Unions to be divided into Districts for the Purpose of Vaccination, and Places appointed for the Performance of Vaccination.

I. Within Six Weeks after the passing of this Act the Guardians of every Parish or Union, and the Overseers of every Parish in which Relief to the Poor shall not be administered by Guardians, in *England* and *Wales*, shall, subject to the Approval of the Poor Law Board, divide such Parish or Union, if need be, into convenient Districts for the Purpose of affording increased Facilities for the Vaccination of the Poor, and shall appoint a convenient Place in each such District for the Performance of such Vaccination, and shall take the most effectual Means for giving from Time to Time to all Persons resident within such District due Notice of the Days and Hours at which the Medical Officer or Practitioner contracted with for such Purpose will attend at such Place to vaccinate all Persons not already successfully vaccinated who may then appear there, and also of the Days and Hours at which such Medical Officer or Practitioner will attend at such Place to inspect the Progress of such Vaccination in the Persons so vaccinated.

Parents and Guardians of Children born after 1st August 1853 to have such Children vaccinated within Three or Four Months after Birth.

II. The Father or Mother of every Child born in *England* or *Wales* after the First Day of *August* in the Year of our Lord One thousand eight hundred and fifty-three shall within Three Calendar Months after the Birth of the said Child, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child shall within Four Calendar Months after the Birth of such Child, take or cause to be taken the said Child to the Medical Officer or Practitioner appointed in the Union or Parish in which the said Child is resident according to the Provisions of the first-recited Act for the Purpose of being vaccinated, unless he shall have been previously vaccinated by some duly qualified Medical Practitioner, and the Vaccination duly certified,

certified, and the said Medical Officer or Practitioner so appointed shall and he is hereby required thereupon, or as soon after as it may conveniently and properly be done, to vaccinate the said Child.

Children to be taken for Inspection by Medical Officer on Eighth Day after Operation.

III. Upon the Eighth Day following the Day on which any Child has been vaccinated as aforesaid the Father or Mother, or other Person having the Care, Nurture, or Custody of the said Child, shall again take or cause to be taken the said Child to the Medical Officer or Practitioner by whom the Operation was performed, in order that such Medical Officer or Practitioner may ascertain by Inspection the Result of such Operation.

Certificate of successful Vaccination to be delivered.

IV. Upon and immediately after the successful Vaccination of any Child the Medical Officer or Practitioner who shall have performed the Operation shall deliver to the Father or Mother of the said Child, or to the Person who shall have the Care, Nurture, or Custody of the said Child, a Certificate under his Hand, according to the Form of Schedule herein-after inserted, marked (A.), that the said Child has been successfully vaccinated, and shall also transmit a Duplicate of the said Certificate to the Registrar of Births and Deaths of the Sub-district in which the Operation was performed; and such Certificate shall, without further Proof, be admissible as Evidence of the successful Vaccination of such Child in any Information or Complaint which shall be brought against the Father or Mother of the said Child, or against the Person who shall have had the Care, Nurture, or Custody of such Child as aforesaid, for Noncompliance with the Provisions of this Act.

If the Child be not in a fit State for Vaccination, Medical Officer to deliver a Certificate to that Effect, to be in force for Two Months.

V. If any Medical Officer or Practitioner shall be of opinion that any Child is not in a fit and proper State to be successfully vaccinated, he shall thereupon and immediately deliver, without Fee or Reward, to the Father or Mother of such Child, or the Person having the Care, Nurture, or Custody of the said Child, a Certificate under his Hand according to the Form of Schedule herein-after inserted, marked (B.), that the Child is in an unfit State for successful Vaccination, and such Certificate shall remain in force for Two Calendar Months from its Delivery as aforesaid; and the Father or Mother of the said Child, or the Person having the Care, Nurture, or Custody of the said Child, shall, unless they shall within each succeeding Period of Two Months have obtained from a Medical Officer or Practitioner a Renewal of such Certificate, within Two Months next after the Delivery of the said Certificate as aforesaid, and if the said Child be not vaccinated at or by the Termination of such Period of Two Months then during each succeeding Period of Two Calendar Months until such Child has been successfully vaccinated, take or cause to be taken to the said Medical Officer or Practitioner such Child to be vaccinated by him; and if the said Medical Officer or Practitioner deem the said Child to be then in a fit and proper State for successful Vaccination, he shall forthwith vaccinate it accordingly, and shall deliver to the Father or Mother of such Child, or Person having the Care, Nurture, or Custody of such Child, a Certificate under his Hand according to the Form of Schedule herein-after inserted, marked (A.), that such Child has been successfully vaccinated; but if the said Medical Officer or Practitioner be of opinion that the Child is still in an unfit State for successful Vaccination, then he shall again deliver to the Father or Mother of such Child, or Person having the Care, Nurture, or Custody of the said Child, a Certificate under his Hand, according to the said Form of Schedule (B.), that the Child is still in an unfit State for successful Vaccination; and the said Medical Officer or Practitioner, so long as such Child remains in an unfit State for Vaccination, and unvaccinated, shall at the Expiration of every succeeding Period of Two Calendar Months deliver, if required, to the said Father or Mother of such Child, or Person having the Care, Nurture, or Custody of such Child, a fresh Certificate under his Hand, according to the said Form of Schedule; and the Production of such Certificate shall be a sufficient Defence against any Complaint which shall be brought against the said Father or Mother, or Person having the Care, Nurture, or Custody of such Child, for Noncompliance with the Provisions of this Act.

Rates of Payment for Vaccination in Contracts by Guardians or Overseers.

VI. In all Contracts to be hereafter made under the Provisions of the first-recited Act by any Guardians or Overseers of the Poor with any Medical Officers or Practitioners for the Vaccination of the Persons resident in their respective Unions or Parishes the Sums contracted to be paid shall not be less than the following Rates; that is to say, for every Person successfully vaccinated at the Residence of such Medical Officer or Practitioner, or within Two Miles therefrom by the nearest public Road, a Sum not less than One Shilling and Sixpence, and for every Person successfully vaccinated at any Place more than Two Miles distant from such Residence any Sum not less than Two Shillings and Sixpence.

Child's Incapacity to receive the Vaccine Disease to be certified.

VII. In the event of any Medical Practitioner acting under the Provisions of this Act being of opinion that any Child that has been vaccinated by him is insusceptible of the Vaccine Disease, he shall deliver to the Father or Mother, or Person having the Care, Nurture, or Custody of such Child, a Certificate under his Hand according to the Form of Schedule herein-after inserted, marked (D.); and the Production of such Certificate shall be a sufficient Defence against any Complaint which may be brought against the said Father, Mother, or Person having the Care, Nurture, or Custody of such Child for Noncompliance with the Provisions of this Act.

Registrars of Births, &c. to keep Register of Cases of Vaccination, and allow Searches, &c.

VIII. The Registrar of Births and Deaths in every Sub-district in which the Operation has been performed shall keep a Register of the Persons of whose successful Vaccination a Certificate shall have been transmitted to him as above provided by the said Medical Officer or Practitioner, and shall at all reasonable Times allow Searches to be made of any such Register Book in his Keeping, and shall give a Copy, certified under his Hand, of any Entry or Entries in the same, on Payment of the Fee of One Shilling for each Search, and Sixpence for each Certificate.

Notice to be given of the Requirement of Vaccination.

IX. The Registrar of Births and Deaths in every Sub-district shall, on or within Seven Days after the Registration of the Birth of any Child not already vaccinated within the said Sub-district, give Notice in Writing in manner herein-after directed, and according to the Form of Schedule herein-after inserted,

and on Failure of Parent or Guardian to comply therewith, Penalty.

inserted, marked (C.), to the Father or Mother of such Child, or in the event of the Death, Illness, Absence, or Inability from Sickness or otherwise of the Father and Mother, then to the Person upon whom the Care, Nurture, or Custody of such Child shall have devolved, that it is the Duty of such Father or Mother, or Person having the Care, Nurture, or Custody of such Child as aforesaid, to take care that the said Child shall be vaccinated in the Manner directed by this Act, and shall together therewith deliver to such Person a Notice of the Days, Hours, and Places within the District of such Registrar at which the Medical Officer or Practitioner as herein-before provided will attend for the Purpose of Vaccination; and if after such Notice the Father or Mother of the said Child, or the Person so having as aforesaid the Care, Nurture, or Custody of the said Child, shall not cause such Child to be vaccinated, or shall not on the Eighth Day after the Vaccination has been performed take or cause to be taken such Child for Inspection according to the Provisions in this Act respectively contained, then such Father or Mother, or Person having the Care, Nurture, or Custody of such Child as aforesaid, so offending, shall forfeit a Sum not exceeding Twenty Shillings.

Fee to Registrar.

X. A Fee of Threepence shall be paid to such Registrar for each Child vaccinated in respect of which he shall have performed the Duties required in this Act; and he shall keep a Book, to be provided as herein-after directed, containing a Minute of his having duly given such Notice as herein-before directed; and the said Fee shall be payable in the same Manner as the Fee now payable to such Registrar for registering the Birth of such Child as aforesaid is paid.

Registrar General to provide Books and Forms for carrying out the Provisions of this Act.

XI. The Registrar General for *England* and *Wales* shall and he is empowered and directed, within Two Months after the passing of this Act, to frame and provide such Books, Forms, and Regulations as he may deem requisite for carrying into full Effect the Provisions of this Act, and shall transmit the same to the Superintendent Registrars of each District in *England* and *Wales*, who shall deliver to the Medical Officers so appointed as aforesaid, and other duly qualified Medical Practitioners in the said District, such of the said Books, Forms, and Regulations as they may require for the Performance of the Duties imposed upon them by this Act; and the Expenses to be incurred by the Registrar General under the Provisions of this Act shall be defrayed in the same Manner as the Expenses under the Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-five.

Recovery of Penalties.

XII. All Penalties by this Act imposed shall be recoverable before any Two Justices of the Peace for the County, City, Borough, or Place where the Offence may have been committed; and the Provisions of the Act of the Twelfth Year of Her present Majesty, Chapter Forty-three, shall be applicable to the Recovery of such Penalties.

Application of Penalties.

XIII. All Penalties recovered under this Act shall be applied in aid of the Funds applicable to the Relief of the Poor in the Parish or Place maintaining its own Poor wherein the Offence may have been committed.

SCHEDULES referred to by this Act.

SCHEDULE (A.)

I, the undersigned, hereby certify, that the Child of aged of the Parish of in the County of has been successfully vaccinated by me.

Dated this Day of 185 .

(Signed) *A.B.*
Surgeon of the Union *or* Parish (*or other Medical Practitioner, as the Case may be*).

SCHEDULE (B.)

I, the undersigned, hereby certify, that I am of opinion that the Child of of the Parish of in the County of aged is not now in a fit and proper State to be successfully vaccinated, and I do hereby postpone the Vaccination until the Day of .

Dated this Day of 185 .

(Signed) *A.B.*
Surgeon of the Union *or* Parish (*or other Medical Practitioner, as the Case may be*).

SCHEDULE (C.)

I, the undersigned, hereby give you Notice, and require you to have *C.D.* vaccinated within Three (*or* Four, *as the Case may be, according to the Second Section of this Act,*) Months after the Birth, pursuant to the Provisions and Directions of the Act of the 16 Victoria, Cap. . As witness my Hand this Day of 185 .

J.B.
Registrar of Births and Deaths for the Sub-district (*as the Case may be*).

SCHE-

SCHEDULE (D.)

I, the undersigned, hereby certify, that I am of opinion that the Child of of the Parish of in the County of is insusceptible of the Vaccine Disease.
Dated this Day of 18 .

Signed, *A.B.*, Surgeon of the Union *or* Parish of (*or other Medical Practitioner, as the Case may be*).

CAP. CI.

An Act to extend the Public Libraries Act, 1850, to *Ireland* and *Scotland*. [20th *August* 1853.]

'WHEREAS by the Public Libaries Act, 1850, Town Councils of Municipal Boroughs in *England* the Population of which exceeds Ten thousand Persons are enabled to adopt certain Proceedings for establishing Public Libraries and Museums: And whereas it is expedient that Town Councils of the same Class of Boroughs in *Ireland* and *Scotland* should have the same Powers as are by that Act conferred on Town Councils in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That 13 & 14 Vict. c. 65.

Provisions of 13 & 14 Vict. c. 65. extended to Ireland and Scotland.

I. The "Public Libraries Act, 1850," shall extend to the Municipal Boroughs in *Ireland*, and the Royal and Parliamentary Burghs in *Scotland*, the Population of which, according to the last preceding Census taken by Authority of Parliament, exceeds or shall exceed Ten thousand Persons.

Provost in Scotland to act instead of Mayor.

II. In *Scotland* the Chief Magistrate shall exercise the Powers and perform the Functions appointed by the said recited Act to be exercised and performed by the Mayor; and the Parties entitled to vote shall be the registered Electors entitled to vote for the Election of Members of Parliament within the Parliamentary Boundaries of or attached to such Burghs.

CAP. CII.

An Act to prevent the defacing of the current Coin of the Realm. [20th *August* 1853.]

'WHEREAS a Practice has arisen of defacing the Coin of the Realm by stamping the same for advertising Purposes, and bending the same, and it is expedient to make Provision for preventing the Coin from being so defaced and bent:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Penalty for defacing the Coin by stamping Words thereon or bending the same.

I. If any Person shall deface any of the Queen's current Gold, Silver, or Copper Coin, by stamping thereon any Names or Words, whether such Coin shall or shall not be thereby diminished or lightened, or shall use any Machine or Instrument for the Purpose of bending the same, every such Offender shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime or Offence, and being convicted thereof shall be liable to Fine or Imprisonment, or Fine and Imprisonment, at the Discretion of the Court.

Tender of Coin so defaced not to be a legal Tender, and Penalty for uttering same.

II. No Tender of Payment in Money made in any Gold, Silver, or Copper Coin so defaced or stamped as aforesaid shall be allowed to be a legal Tender; and if any Person shall tender, utter, or put off any Coin so defaced, stamped, or bent as aforesaid, he shall, on summary Conviction thereof before Two Justices, be liable to forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that it shall not be lawful for any Person to proceed for any such Penalty as last aforesaid without the Consent (in *England* or *Ireland*) of Her Majesty's Attorney General for *England* or *Ireland* respectively, or (in *Scotland*) of the Lord Advocate.

CAP. CIII.

An Act to amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland*. [20th *August* 1853.]

'WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to continue and amend certain Regulations for the Linen and Hempen Manufactures in* Ireland: And whereas an Act was passed in the Session of Parliament held in the Third and Fourth Years of Her present Majesty, intituled *An Act for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in* Ireland, *and for the better Payment of their Wages, for One Year, and from thence to the End of the then next Session of Parliament:* And whereas an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend, and continue to the Twenty-seventh Day of* July *One thousand eight hundred and forty-three, and to the End of the next Session of Parliament, an Act of the Third and Fourth Years of Her present Majesty, for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in* Ireland, 5 & 6 W. 4. c. 27. 3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68.

'Ireland, *and for the better Payment of their Wages:* And whereas an Act was passed in the Session of 'Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled
7 & 8 Vict. c. 47. '*An Act to amend, and continue for Five Years, and to the End of the next Session of Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in* Ireland: And whereas an Act was
13 & 14 Vict. c. 48. 'passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her present 'Majesty's Reign, Chapter Forty-eight, whereby the said herein-before recited Acts were continued as
15 & 16 Vict. c. 13. 'therein mentioned: And whereas an Act was passed in the Session of Parliament holden in the Fif- 'teenth and Sixteenth Years of Her present Majesty's Reign, Chapter Thirteen, whereby the said 'herein-before recited Acts were further continued as therein mentioned: And whereas it is expedient 'that the first herein-before recited Act, and the secondly and thirdly and fourthly herein-before recited 'Acts, should be further continued, subject to the respective Amendments thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of

Continuation of Acts for One Year.

the same, That the said first herein-before recited Act, except as to such Parts thereof as have been repealed by the said secondly herein-before recited Act, and subject to the Amendments thereof in the said subsequent recited Acts contained, and the said secondly and thirdly and fourthly herein-before recited Acts, subject to the respective Amendments thereof, shall be further continued and shall be and remain in force from the passing of this Act for One Year.

CAP. CIV.

An Act further to regulate the Employment of Children in Factories. [20th *August* 1853.]

3 & 4 W. 4. c. 103. 'WHEREAS by an Act passed in the Fourth Year of King *William* the Fourth, intituled *An Act* 'to regulate the Labour of Children and young Persons in Mills and Factories of the United
7 & 8 Vict. c. 15. 'Kingdom, and an Act passed in the Seventh Year of Her Majesty, intituled *An Act to amend the Laws* 'relating to Labour in Factories, and an Act passed in the Tenth Year of Her present Majesty, intituled
10 & 11 Vict. c. 29. '*An Act to limit the Hours of Labour of young Persons and Females in Factories*, and an Act passed in
13 & 14 Vict. c. 54. 'the Thirteenth and Fourteenth Years of Her Majesty, intituled *An Act to amend the Acts relating to* 'Labour in Factories, the Labour of Children, young Persons, and Females in Factories has been regu- 'lated, and by the said last-recited Act no young Person, and no Female above the Age of Eighteen 'Years, can be employed in any Factory before Six of the Clock of the Morning or after Six of the 'Clock of the Evening, save as therein otherwise provided: And whereas it is expedient that Children 'should not be employed in Factories at Times during which young Persons and Women may not now 'by Law be employed therein:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Child to be employed before Six in the Morning nor after Six in the Evening.

I. After the Commencement of this Act no Child shall be employed in any Factory before Six of the Clock in the Morning or after Six of the Clock in the Evening of any Day (save to recover lost Time, as herein-after provided), and no Child shall be employed in any Factory either to recover lost Time or for any other Purpose on any *Saturday* after Two of the Clock in the Afternoon.

Power to employ Children in the Hours between Seven in the Morning and Seven in the Evening from 30th Sept. to 1st April, under certain Regulations.

II. Provided always, That during all or Part of the Period between the Thirtieth Day of *September* of any Year and the First Day of *April* of the following Year Children may be employed in any Factory, except on *Saturday*, after Six until Seven of the Clock of the Evening, under the following Regulations and Conditions; (that is to say,) Notice signed by the Occupier of any Factory or his Agent of the Intention to employ Children under this Provision, specifying the Period, not being less than One Month, during which they are to be so employed in such Factory, shall be given to One of the Inspectors of Factories; and a Notice to the like Effect, in such Form as shall be approved by such Inspector, and signed by such Occupier or his Agent and by such Inspector, shall be hung or fixed up, according to the Directions for other Notices in the said secondly-recited Act, in such Factory, and during the Period specified in such Notice Children may be employed in such Factory after Six of the Clock and not later than Seven of the Clock of any Day except *Saturday*, and during the Period specified in such Notice (save to recover lost Time, as herein provided,) no Child shall be employed in such Factory before Seven of the Clock in the Morning of any Day except *Saturday*.

Children not to be employed, under 7 & 8 Vict. c. 15. s. 36., in recovering lost Time, after Seven in the Evening.

III. 'And whereas by the said Act of the Seventh and Eighth Years of Her Majesty it was enacted, 'that in any Factory in which any Part of the Machinery was moved by the Power of Water the Time 'which should have been lost by Stoppages from Want of Water or from too much Water might be reco- 'vered within Six Months next after the Stoppage between the Hours specified in the said firstly-recited 'Act as those within which Time lost by Drought or Excess of Water might be recovered, and that in 'order to recover Time so lost any Child or young Person might be employed One Hour in each Day 'more than the Time to which the ordinary daily Labour of Children and young Persons respectively 'was restricted by Law, except on *Saturday*:' Be it therefore enacted, That no Child shall, in order to recover Time so lost as aforesaid, be employed after Seven of the Clock in the Evening of any Day; and the Times before Six of the Clock in the Morning and after Six of the Clock in the Evening during which any such Child is so employed in any Day shall not together exceed One Hour.

Hours of Employment of Children not to be extended.

IV. Nothing in this Act shall be construed to authorize the Employment of any Children in any Factory for any longer Time in any Day than is now authorized under the said recited Acts, or to interfere

interfere with or affect the Provisions of the said Acts as to Meal Times or Holidays, or any other Provisions whatsoever of the said Acts, save so far as the same authorize the Employment of Children between any other Hours of the Day than are limited by this Act.

Acts to be construed as One Act.

V. The herein-before recited Acts, as amended by this Act, and this Act, shall be construed together as One Act.

Commencement of Act.

VI. This Act shall commence and take effect on the First Day of *September* One thousand eight hundred and fifty-three.

CAP. CV.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. [20th *August* 1853.]

[3 & 4 *Vict. c.* 89. *continued until the* 1st *October* 1854, *and to the End of the then next Session.*]

CAP. CVI.

An Act for consolidating Customs Duties Acts. [20th *August* 1853.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Instead of all other Duties, &c. of Customs there shall be paid and allowed Duties, &c. in Tables annexed.

I. In lieu and instead of all other Duties and Drawbacks of Customs there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon Goods imported into or exported from any Part of the United Kingdom, the several Duties of Customs, and there shall be allowed the several Drawbacks, as the same are respectively inserted, described, and set forth in Table (A.) to this Act annexed.

Manufactures of Gibraltar, &c. from Foreign Materials deemed Foreign.

II. All Manufactures of *Gibraltar*, *Malta*, and *Heligoland* made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, upon which no such Duty has been paid, or upon which Drawback of such Duty has been allowed in the United Kingdom, shall, for the Purposes of Duty, be deemed and taken to be the Produce of and imported from a Foreign Country.

Commissioners of Customs to provide Samples of White-clayed and Brown-clayed Sugar.

III. For facilitating the due Assessment of Duties on White-clayed Sugar, or Sugar rendered by any Process equal to White-clayed, with reference to Colour, Grain, and Saccharine Matter, and on Brown-clayed Sugar or Sugar rendered by any Process equal in Quality to Brown-clayed Sugar, the Commissioners of Customs shall provide and renew from Time to Time Samples of White-clayed and Brown-clayed Sugar respectively, which shall be deemed to be standard Samples, for the Purpose of comparing therewith Sugars entered for Home Consumption; and no Sugar shall, as regards the Payment of Duty, be deemed to be White-clayed Sugar, or Sugar rendered by any Process equal to White-clayed Sugar, unless equal to the standard Sample of White-clayed Sugar, or be deemed to be Brown-clayed Sugar, or Sugar rendered by any Process equal to Brown-clayed Sugar, unless equal to the standard Sample of Brown-clayed Sugar.

Duties in Table to be levied on Goods imported into Isle of Man.

IV. In lieu of all Duties of Customs now payable by Law upon the Importation of Goods into the *Isle of Man*, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the several Duties of Customs as the same are respectively set forth in Figures in Table (B.) to this Act annexed.

Power to the Treasury to remit and re-impose the Duties levied on unenumerated Articles.

V. The Commissioners of the Treasury may from Time to Time, by any Order or Orders under their Hands, declare that all or any Articles legally importable into the *Isle of Man*, and not enumerated in the said Table, and upon which the said Duty of Fifteen Pounds for every Hundred Pounds Value is hereby imposed, shall and may, from and after any Day or Days named in such Order or Orders, be imported from the Places and in the Manner therein mentioned into the *Isle of Man* Duty-free during such Time or Times as shall be therein named, or until such Order or Orders respectively, or any of them, shall be rescinded, and such Articles shall be imported Duty-free accordingly so long as any such Order or Orders, or any of them, shall continue unrescinded; and the said Commissioners may at any Time, by any Order under their Hands, revoke the whole or any Part of any previous Order or Orders, or any of them, for such Time and in such Manner as they may see fit; and all Orders of the Commissioners of the Treasury made in pursuance of this Enactment shall be duly published in the *London* and *Dublin* Gazettes twice at least within Fourteen Days from the Date of such Orders respectively, and a Copy of every such Order shall be laid before both Houses of Parliament within Six Weeks after the Date of such Order if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders to be published in the Gazette, and laid before Parliament.

Free Goods.

VI. And all Goods described as Free in the said Table (A.) shall be exempt from Duty on the Importation thereof into the United Kingdom, and those described as Free in the said Table (B.) shall be exempt from Duty on the Importation thereof into the *Isle of Man*.

Metage Dues on Fruit.

VII. The Metage Dues now payable upon Fruit imported into the Port of *London* shall not be increased in consequence of the Duties upon such Fruit being levied by the Bushel.

Commencement of Act.

VIII. This Act shall commence from the Time of the passing thereof; and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Customs Tariff Act, 1853."

TABLE

TABLE (A.)

DUTIES APPLICABLE to the UNITED KINGDOM.

		£	s.	d.
1.	Agates or Cornelians, set	for every 100*l.* Value	10	0	0
	not set, cut, or manufactured			Free.	
	not cut or manufactured			Free.	
2.	Albumen			Free.	
3.	Ale. See Beer.				
4.	Alganobilla Seed			Free.	
5.	Alkali, not being Barilla			Free.	
6.	Alkanet Root			Free.	
7.	Almonds, not Jordan, nor Bitter	the Cwt.	0	10	0
	Jordan	the Cwt.	0	10	0
	Bitter			Free.	
	Paste of	the lb.	0	0	2
8.	Aloes			Free.	
9.	Alum, Roch			Free.	
	not Roch			Free.	
10.	Amber, rough			Free.	
	Manufactures of, not enumerated (except Beads)			Free.	
11.	Ambergris			Free.	
12.	Amboyna Wood			Free.	
13.	Anchovies. See Fish.				
14.	Angelica			Free.	
15.	Animals (living), viz.:—				
	Asses			Free.	
	Goats			Free.	
	Kids			Free.	
	Oxen and Bulls			Free.	
	Cows			Free.	
	Calves			Free.	
	Horses, Mares, Geldings, Colts, Foals			Free.	
	Mules			Free.	
	Sheep			Free.	
	Lambs			Free.	
	Swine and Hogs			Free.	
	Pigs (sucking)			Free.	
16.	Annatto Roll and Flag			Free.	
17.	Antimony, viz.:—				
	Ore of			Free.	
	Crude			Free.	
	Regulus			Free.	
18.	Apples, raw	the Bushel	0	0	3
	of and from British Possessions	the Bushel	0	0	2
	dried	the Bushel	0	1	0
19.	Aquafortis			Free.	
20.	Argol			Free.	
21.	Aristolochia			Free.	
22.	Arrowroot	the Cwt.	0	0	4½
23.	Arsenic			Free.	
24.	Ashes, viz.:—				
	Pearl and Pot			Free.	
	Soap			Free.	
	Weed			Free.	
	Wood			Free.	
	not enumerated			Free.	
25.	Asphaltum or Bitumen Judaicum			Free.	
26.	Bacon			Free.	
27.	Balsams, viz.:—				
	Canada			Free.	
	Capivi			Free.	
	Peru			Free.	
	Riga			Free.	
	Tolu			Free.	
	Balm of Gilead, and unenumerated Balsam			Free.	

		£	s.	d.
28.	Bandstring Twist		Free.	
29.	Barilla		Free.	
30.	Bark for Tanner's or Dyer's Use		Free.	
	Cascarilla		Free.	
	Peruvian		Free.	
	of other Sorts		Free.	
	Extract of. See Extract.			
31.	Barley, pearled — the Cwt.	0	0	4½
32.	Barwood		Free.	
33.	Barytes, Sulphate of, ground		Free.	
34.	Basket Rods, peeled		Free.	
	unpeeled		Free.	
35.	Baskets corresponding with the Description commonly called Berlin — the Cubic Foot	0	0	7
	All others — the Cubic Foot	0	0	2
36.	Bast Ropes, Twines and Strands		Free.	
37.	Beads, viz.:—			
	Arango — the lb.	0	0	2
	and Bugles of Glass		Free.	
	Coral — the lb.	0	1	6
	Crystal — the lb.	0	0	2
	Jet — the lb.	0	0	2
	not otherwise enumerated or described — the lb.	0	0	2
38.	Beans, Kidney and French. See Seeds.			
39.	Beef, salted		Free.	
	fresh, or slightly salted		Free.	
40.	Beef Wood		Free.	
41.	Beer or Ale — the Barrel	1	0	0
	Mum — the Barrel	1	0	0
	Spruce — the Barrel	1	0	0
	of other Sorts — the Barrel	1	0	0
42.	Berries, viz.:—			
	Bay		Free.	
	Juniper		Free.	
	Yellow		Free.	
	Myrobalane		Free.	
	unenumerated, commonly made use of in Chemical Processes		Free.	
	unenumerated, not commonly made use of in Chemical Processes		Free.	
43.	Birds, viz., Singing Birds		Free.	
44.	Biscuit and Bread — the Cwt.	0	0	4½
45.	Bitumen Judaicum. See Asphaltum.			
46.	Blacking		Free.	
47.	Black Wood		Free.	
48.	Bladders		Free.	
49.	Bones (except Whale Fins), whether burnt or not, or as Animal Charcoal		Free.	
50.	Books, viz.:—			
	being of Editions printed prior to the Year 1801, bound or unbound		Free.	
	being of Editions printed in or since the Year 1801, bound or unbound, the Cwt.	1	10	0
	admitted under Treaties of International Copyright, or if of and from any British Possession — the Cwt.	0	15	0
51.	Boracic Acid		Free.	
52.	Borax, refined		Free.	
53.	Borax, or Tincal, unrefined		Free.	
54.	Bottles, of Earth and Stone		Free.	
55.	Boxes of all Sorts, excepting those made wholly or partly of Glass, on which the proper Glass Duty will be levied — for every 100*l.* Value	10	0	0
56.	Box Wood		Free.	
57.	Bran		Free.	
58.	Brass, Manufactures of, not otherwise enumerated — the Cwt.	0	10	0
	Powder of		Free.	
	Old, fit only to be re-manufactured		Free.	
	Wire		Free.	
59.	Brazil Wood		Free.	
60.	Braziletto Wood		Free.	
61.	Bricks or Clinkers, Dutch		Free.	
	other Sorts		Free.	

			£ s. d.
62.	Brimstone, unrefined		Free.
	refined, in Rolls		Free.
	in Flour		Free.
63.	Bristles, rough and in the Tufts, and not in any way sorted		Free.
	in any way sorted or arranged in Colours, and not entirely rough and in the Tufts		Free.
64.	Brocade, of Gold or Silver	the lb.	0 5 0
65.	Bronze, all Works of Art		Free.
	Manufactures of, or of Metal bronzed or lacquered	the Cwt.	0 10 0
	Powder		Free.
66.	Brushes, Paint		Free.
67.	Bullion and Foreign Coin, of Gold or Silver		Free.
68.	Bullrushes		Free.
69.	Butter	the Cwt.	0 5 0
	of and from a British Possession	the Cwt.	0 2 6
70.	Buttons of Metal		Free.
	other Sorts		Free.
71.	Cables (not being Iron Cables), tarred or untarred, old and new		Free.
72.	Cameos, not set		Free.
73.	Camomile Flowers		Free.
74.	Camphor, unrefined		Free.
	refined		Free.
75.	Camwood		Free.
76.	Candles, viz., Spermaceti	the Cwt.	0 2 4
	Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case, or after the 5th April 1858, this Duty shall be reduced to the same Rate as Tallow Candles	the Cwt.	0 3 6
	Tallow	the Cwt.	0 2 4
	Wax	the Cwt.	0 2 4
77.	Candlewick		Free.
78.	Canella Alba		Free.
79.	Canes, viz., Bamboo		Free.
	Rattans, not ground		Free.
80.	Reed Canes		Free.
	Walking Canes or Sticks, mounted, painted, or otherwise ornamented,	the 100	0 6 0
	Umbrella and Parasol Sticks	the 100	0 3 0
	or Sticks, unenumerated		Free.
81.	Cantharides		Free.
82.	Caoutchouc		Free.
	Manufactures of	the lb.	0 0 4
83.	Capers, including the Pickle	the lb.	0 0 1½
84.	Cardamoms		Free.
85.	Cards, viz., Playing Cards	the Dozen Packs	0 15 0
86.	Carmine		Free.
87.	Carriages of all Sorts		Free.
88.	Casks, empty		Free.
89.	Cassava Powder	the Cwt.	0 0 4½
90.	Cassia, viz., Buds		Free.
	Fistula		Free.
	Lignea	the lb.	0 0 1
91.	Castor		Free.
92.	Casts of Busts, Statues, or Figures		Free.
93.	Catlings		Free.
94.	Caviare		Free.
95.	Cedar Wood		Free.
96.	Chalk, viz., unmanufactured		Free.
	prepared or manufactured, and not otherwise enumerated		Free.
97.	Cheese	the Cwt.	0 2 6
	of and from British Possessions	the Cwt.	0 1 6
	The Duty on Cheese to be charged on landing Weight.		
98.	Cherries, raw	the Bushel	0 0 2
	dried, until 5th July 1854 inclusive	the lb.	0 0 2
	from and after 5th July 1854	the lb.	0 0 1½
99.	Cherry Wood		Free.

		£	s.	d.
100.	Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz., roasted or ground - - - - - the lb.	0	0	4
	raw or kiln-dried, until 10th October 1854 inclusive - - the Cwt.	0	4	0
	from and after 10th October 1854 - - -		Free.	
101.	China Root - - - - - - - -		Free.	
102.	China or Porcelain Ware, plain, painted, gilt, and ornamented - - the Cwt.	0	10	0
103.	Chip or Willow for platting - - - - - -		Free.	
104.	Cider - - - - - - - -		Free.	
105.	Cinnabaris nativa - - - - - - -		Free.	
106.	Cinnamon - - - - - - - the lb.	0	0	2
107.	Citrate of Lime - - - - - - -		Free.	
108.	Citric Acid - - - - - - -		Free.	
109.	Citron, preserved with Salt - - - - - -		Free.	
110.	Civet - - - - - - - -		Free.	
111.	Clocks, viz., not exceeding the Value of 5*s.* each - - - the Dozen	0	4	0
	exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each, the Dozen	0	8	0
	exceeding the Value of 12*s.* 6*d.* and not exceeding the Value of 3*l.* each - each	0	2	0
	exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each - each	0	4	0
	exceeding the Value of 10*l.* each - - - - each	0	10	0
112.	Cloves - - - - - - - the lb.	0	0	2
113.	Coals, Culm, or Cinders - - - - - -		Free.	
114.	Cobalt - - - - - - - -		Free.	
	Ore of - - - - - - - -		Free.	
	Oxide of - - - - - - - -		Free.	
115.	Cochineal - - - - - - -		Free.	
	Granilla - - - - - - -		Free.	
	Dust - - - - - - - -		Free.	
116.	Cochinella Wood - - - - - - -		Free.	
117.	Cocoa - - - - - - - the lb.	0	0	1
	Husks and Shells - - - - - - the lb.	0	0	0½
	Paste or Chocolate - - - - - the lb.	0	0	2
118.	Coculus Indicus - - - - - - - the Cwt.	0	5	0
119.	Coffee - - - - - - - the lb.	0	0	3
	kiln-dried, roasted, or ground - - - - the lb.	0	0	4
120.	Coir Rope, Twine, and Strands - - - - - -		Free.	
121.	Colocynth - - - - - - -		Free.	
122.	Columbo Root - - - - - - -		Free.	
123.	Comfits, dry, until 5th July 1854 inclusive - - - the lb.	0	0	2
	from and after 5th July 1854 - - - - the lb.	0	0	1½
124.	Confectionery, until 5th July 1854 inclusive - - - the lb.	0	0	2
	from and after 5th July 1854 - - - the lb.	0	0	1½
125.	Copper, Ore of - - - - - - -		Free.	
	Regulus of - - - - - - -		Free.	
	old, fit only to be re-manufactured - - - - -		Free.	
	unwrought, viz., in Bricks or Pigs, Rose Copper, and all cast Copper -		Free.	
	Part wrought, viz., Bars, Rods, or Ingots, hammered or raised - -		Free.	
	in Plates and Copper Coin - - - - -		Free.	
	Wire - - - - - - - -		Free.	
	Manufactures of, not otherwise enumerated or described, and Copper Plates engraved - - - - - - the Cwt.	0	10	0
126.	Copperas, Blue - - - - - - -		Free.	
	Green - - - - - - -		Free.	
	White - - - - - - -		Free.	
127.	Coral, viz., Beads. (See Beads.)			
	in Fragments - - - - - - -		Free.	
	whole, polished - - - - - - -		Free.	
	unpolished - - - - - - -		Free.	
	Negligees - - - - - - the lb.	0	1	0
128.	Cordage, tarred or untarred - - - - - -		Free.	
129.	Cork - - - - - - - -		Free.	
130.	Corks, ready made - - - - - - the lb.	0	0	6
	squared for rounding - - - - - the Cwt.	0	8	0
	Fishermen's - - - - - - -		Free.	
131.	Corn, Grain, Meal, and Flour, viz.:—			
	Wheat - - - - - - the Quarter	0	1	0
	Barley - - - - - - the Quarter	0	1	0

		£	s.	d.
131.	Corn, Grain, Meal, and Flour—*continued.*			
	Oats — the Quarter	0	1	0
	Rye — the Quarter	0	1	0
	Pease — the Quarter	0	1	0
	Beans — the Quarter	0	1	0
	Maize or Indian Corn — the Quarter	0	1	0
	Buck Wheat — the Quarter	0	1	0
	Bear or Bigg — the Quarter	0	1	0
	Wheat Meal and Flour — the Cwt.	0	0	4½
	Barley Meal — the Cwt.	0	0	4½
	Oat Meal and Groats — the Cwt.	0	0	4½
	Rye Meal and Flour — the Cwt.	0	0	4½
	Pea Meal — the Cwt.	0	0	4½
	Bean Meal — the Cwt.	0	0	4½
	Maize or Indian Corn Meal — the Cwt.	0	0	4½
	Buck Wheat Meal — the Cwt.	0	0	4½
132.	Cowries		Free.	
133.	Cotton Manufactures, viz.:—			
	East India Piece Goods, viz.:—			
	Calicoes and Muslins, White		Free.	
	dyed or coloured		Free.	
	Nankeens, not dyed or coloured		Free.	
	dyed or coloured		Free.	
	Handkerchiefs, dyed or coloured		Free.	
	Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty		Free.	
	Wool. See Wool.			
	Yarn		Free.	
	Fringe — the lb.	0	0	2
	Gloves, of Cotton or Thread — the Dozen Pairs	0	0	3
	Stockings, of Cotton or Thread — the Dozen Pairs	0	0	6
	Socks or Half Hose, of Cotton or Thread — the Dozen Pairs	0	0	3
	Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty — for every 100*l.* Value	5	0	0
134.	Cranberries		Free.	
135.	Crayons		Free.	
136.	Cream of Tartar		Free.	
137.	Crystal, viz.:—			
	rough		Free.	
	cut or manufactured, except Beads		Free.	
138.	Cubebs		Free.	
139.	Cubic Nitre. See Nitre.			
140.	Cucumbers, viz., preserved in Salt		Free.	
141.	Currants — the Cwt.	0	15	0
		and 5 per Cent. thereon.		
142.	Cutch		Free.	
143.	Daguerreotype Plates — the lb.	0	0	3
144.	Dates — the Cwt.	0	10	0
145.	Diamonds		Free.	
146.	Dice — the Pair	1	1	0
147.	Divi Divi		Free.	
148.	Down		Free.	
149.	Drugs, not enumerated		Free.	
150.	Earthenware, not otherwise enumerated or described — the Cwt.	0	10	0
151.	Ebony		Free.	
152.	Eggs — the 120	0	0	4
	of and from British Possessions — the 120	0	0	2½
153.	Elder Flower Water		Free.	
154.	Embroidery and Needlework, viz.:—			
	Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof, the lb.	0	10	0
	Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof, the lb.	0	8	0
	Curtains, commonly called Swiss, embroidered on Muslin or Net — the lb.	0	1	0
	All other Embroidery not enumerated — for every 100*l.* Value	10	0	0
	of and from British Possessions — for every 100*l.* Value	5	0	0
155.	Enamel		Free.	

		£	s.	d.
156.	Essence of Spruce - - - - for every 100*l.* Value	10	0	0
157.	Extract of Cardamoms - - - - for every 100*l.* Value	20	0	0
	Coculus Indicus - - - - for every 100*l.* Value	20	0	0
	Guinea Grains of Paradise - - - for every 100*l.* Value	20	0	0
	Licorice - - - - - for every 100*l.* Value	20	0	0
	Nux Vomica - - - - for every 100*l.* Value	20	0	0
	Opium - - - - - for every 100*l.* Value	20	0	0
	Guinea Pepper - - - - - for every 100*l.* Value	20	0	0
	Peruvian or Jesuit's Bark - - - - for every 100*l.* Value	20	0	0
	Quassia - - - - - for every 100*l.* Value	20	0	0
	Radix Rhataniæ - - - - for every 100*l.* Value	20	0	0
	Vitriol - - - - - for every 100*l.* Value	20	0	0
	Chesnut Bark or Wood - - - - - - - -		Free.	
	Quercitron Bark - - - - - - - -		Free.	
	Logwood - - - - - - - - -		Free.	
	Safflower - - - - - - - - -		Free.	
	Bark, or of other Vegetable Substances to be used for tanning or other manufacturing Purposes - - - - -		Free.	
158.	Extract or Preparation of any Article, not particularly enumerated, nor otherwise charged with Duty - - - - - for every 100*l.* Value	20	0	0
	or, and in lieu of the above Duty, at the Option of the Importer - the lb.	0	5	0
159.	Feathers for Beds, in Beds or otherwise - - - - -		Free.	
	Ostrich, dressed - - - - - the lb.	0	3	0
	undressed - - - - - -		Free.	
	Paddy Bird, dressed - - - - - the lb.	0	3	0
	undressed - - - - - - -		Free.	
	not otherwise enumerated or described, viz.:—			
	dressed - - - - - the lb.	0	3	0
	undressed - - - - - -		Free.	
160.	Figs - - - - - - - - the Cwt. and 5 per Cent. thereon.	0	15	0
161.	Fig Cake - - - - - - the Cwt.	0	15	0
162.	Fish, viz.:—			
	Anchovies - - - - - - -		Free.	
	Cod - - - - - - -		Free.	
	Caplin - - - - - - -		Free.	
	Eels, Shiploads - - - - - - -		Free.	
	in small Quantities - - - - -		Free.	
	Herrings - - - - - - -		Free.	
	Lobsters - - - - - - -		Free.	
	Mackerel - - - - - - -		Free.	
	Oysters - - - - - - -		Free.	
	Salmon - - - - - - -		Free.	
	Soles - - - - - - -		Free.	
	Sounds and Tongues - - - - - -		Free.	
	Turbots - - - - - - -		Free.	
	Turtle - - - - - - -		Free.	
	fresh, not otherwise enumerated - - - -		Free.	
	cured, not otherwise enumerated - - - -		Free.	
163.	Flax, dressed - - - - - - -		Free.	
	rough or undressed - - - - -		Free.	
	Tow and Codilla of - - - - - -		Free.	
164.	Flock for Paper Stainers - - - - - - -		Free.	
165.	Flocks - - - - - - -		Free.	
166.	Flower Roots - - - - - - -		Free.	
167.	Flowers, Artificial, whether of Silk or of other Materials, per Cubic Foot as packed; no Allowance for vacant Spaces - - - - the Cubic Foot	0	12	0
168.	Frames for Pictures, Prints, Drawings, or Mirrors - - - -		Free.	
169.	Fruit, viz., raw, not otherwise enumerated - - - the Bushel	0	0	2
170.	Furniture Woods, not particularly enumerated, except Ash, Beech, Birch, Elm, Oak, Wainscot - - - - - - - -		Free.	
171.	Fustic - - - - - - - -		Free.	
172.	Gallic Powder - - - - - - -		Free.	
173.	Galls - - - - - - - -		Free.	
174.	Gamboge - - - - - - - -		Free.	
175.	Garancine - - - - - - - -		Free.	

		£	s.	d.
176.	Garnets, cut, not set		Free.	
	uncut		Free.	
177.	Gauze of Thread		Free.	
178.	Gelatine		Free.	
179.	Gentian		Free.	
180.	Ginger — the Cwt.	0	10	0
	of and from British Possessions — the Cwt.	0	5	0
	preserved, until 5th July 1854 inclusive — the lb.	0	0	2
	from and after 5th July 1854 — the lb.	0	0	1½
181.	Ginseng		Free.	
182.	Glass, viz. :—			
	Any Kind of Window Glass, White, or stained of One Colour only, (except Plate or rolled Glass,) and Shades and Cylinders, until the 5th April 1855 inclusive — the Cwt.	0	2	6
	from and after 5th April 1855, until 5th April 1857 inclusive — the Cwt.	0	1	6
	from and after 5th April 1857		Free.	
	Flint Cut Glass, Flint Coloured Glass, and Fancy Ornamental Glass, of whatever Kind — the Cwt.	0	10	0
	Plate Glass, cast or rolled, of whatever Thickness, whether silvered, polished, or rough		Free.	
	Painted		Free.	
	White Flint Glass Bottles, not cut, engraved, or otherwise ornamented		Free.	
	Beads and Bugles. See Beads.			
	Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented		Free.	
	Bottles of Glass covered with Wicker (not being Cut Glass) or of Green or Common Glass		Free.	
	Articles of Green or Common Glass		Free.	
	Manufactures, not otherwise enumerated or described, and old broken Glass fit only to be re-manufactured		Free.	
183.	Glue		Free.	
	Clippings or Waste of any Kind, fit only for Glue		Free.	
184.	Gold, Leaves of		Free.	
	Ore of, and Ore of which the greater Part in Value is Gold		Free.	
185.	Grains, Guinea, and of Paradise — the Cwt.	0	15	0
186.	Grapes — the Bushel	0	0	2
187.	Grease		Free.	
188.	Greaves, for Dogs		Free.	
	Tallow		Free.	
189.	Guano		Free.	
190.	Gum, viz. :—			
	Animi		Free.	
	Copal		Free.	
	Arabic		Free.	
	Senegal		Free.	
	Lac Dye		Free.	
	Seed Lac		Free.	
	Shellac		Free.	
	Sticklac		Free.	
	Ammoniacum		Free.	
	Asafœtida		Free.	
	Euphorbium		Free.	
	Guiacum		Free	
	Kino		Free.	
	Mastic		Free.	
	Tragacanth		Free.	
	Unenumerated		Free.	
191.	Gunpowder		Free.	
192.	Gun Stocks in the rough, of Wood		Free.	
193.	Gutta Percha		Free.	
	Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing — the Cwt.	0	5	0
	Articles moulded — the lb.	0	0	2
194.	Gypsum		Free.	
195.	Hair, viz. :—			
	Camel's Hair or Wool		Free.	
	Cow, Ox, Bull, or Elk Hair		Free.	

		£	s.	d.
195.	Hair—*continued.*			
	Goat's Hair or Wool. See Wool.			
	Horse Hair		Free	
	Human		Free.	
	Unenumerated		Free.	
	Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, not particularly enumerated or otherwise charged with Duty		Free.	
	Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty — for every 100*l.* Value	5	0	0
196.	Hams, of all Kinds		Free.	
197.	Harp-strings, or Lute-strings silvered		Free.	
198.	Hats or Bonnets, viz. :—			
	Of Chip — the lb.	0	2	6
	Of Bast, Cane, or Horse Hair — the lb.	0	2	6
	Of Straw — the lb.	0	2	6
	Of Felt, Hair, Wool, or Beaver — each	0	1	0
199.	Hats of Silk or Silk Shag, laid upon Felt, Linen, or other Material — each	0	1	0
200.	Hay		Free.	
201.	Heath for Brushes		Free.	
202.	Hellebore		Free.	
203.	Hemp, viz. :—			
	dressed		Free.	
	rough or undressed		Free.	
	Tow and Codilla of Hemp		Free.	
	Jute		Free.	
	other Vegetable Substances of the Nature and Quality of undressed Hemp, and applicable to the same Purposes		Free.	
204.	Hides, not tanned, tawed, curried, or in any way dressed,			
	dry		Free.	
	wet		Free.	
	tawed, curried, or in any way dressed, not being varnished, japanned, or enammelled		Free.	
	if varnished, japanned, or enammelled		Free.	
	Losh Hides		Free.	
	Muscovy or Russia Hides, or Pieces thereof, tanned, coloured, shaved, or otherwise dressed		Free.	
	Hides or Pieces thereof, raw or undressed, unenumerated		Free.	
	in any way dressed, not otherwise enumerated		Free.	
	Tails, Buffalo, Bull, Cow, or Ox		Free.	
	tanned, not otherwise dressed		Free.	
205.	Hones		Free.	
206.	Honey		Free.	
207.	Hoofs of Cattle		Free.	
208.	Hoops of Wood. See Wood.			
209.	Hops — the Cwt.	2	5	0
210.	Horns, Horn Tips, and Pieces of Horn		Free.	
211.	Ice		Free.	
212.	Indigo		Free.	
213.	Ink, for Printers		Free.	
	Indian		Free.	
214.	Inkle, unwrought		Free.	
	wrought		Free.	
215.	Iron, Ore of		Free.	
	Pig		Free.	
	Bars, unwrought		Free.	
	Wire		Free.	
	Rough Castings		Free.	
	Bloom		Free.	
	Chromate of		Free.	
	Slit or hammered into Rods		Free.	
	Cast		Free.	
	Hoops		Free.	
	Old broken, and old Cast Iron		Free.	
216.	Iron and Steel, wrought or manufactured, viz. :—			
	Machinery, Wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel, not enumerated — the Cwt.	0	2	6
	Fancy Ornamental Articles of Iron or Steel — the Cwt.	0	15	0

		£	s.	d.
217.	Isinglass		Free.	
218.	Jalap		Free.	
219.	Japanned or Lacquered Ware — for every 100*l.* Value	10	0	0
220.	Jet		Free.	
221.	Jewels, Emeralds, and all other precious Stones, set — for every 100*l.* Value	10	0	0
	unset		Free.	
222.	Juice of Lemons, Limes, or Oranges		Free.	
223.	Kernels. See Nuts.			
224.	Kingwood		Free.	
225.	Lace, and Articles thereof, viz. :—			
	Mohair or Worsted — the lb.	0	1	0
	Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width — the lb.	1	0	0
	exceeding One Inch in Width — the lb.	2	0	0
	Silk Pillow Lace (not being Saxon Wire Ground Lace) and Application, the lb.	1	10	0
	Silk Saxon Wire Ground Lace, and all Lace known as Maltese — the lb.	0	8	0
	Brussels Point and other Lace, made by the Hand, not otherwise charged with Duty — for every 100*l.* Value	10	0	0
226.	Lacquered Ware. See Japanned Ware.			
227.	Lamp Black		Free.	
228.	Lapis Calaminaris		Free.	
229.	Lard		Free.	
230.	Latten		Free.	
	Shaven		Free.	
	Wire		Free.	
231.	Lavender Flowers		Free.	
232.	Lead, Ore of		Free.	
	Black		Free.	
	Pig and Sheet		Free.	
	Red		Free.	
	White		Free.	
	Chromate of		Free.	
	Manufactures of, not otherwise enumerated — the Cwt.	0	2	0
233.	Leather Manufactures, viz. :—			
	Boots, Shoes, and Calashes, viz.			
	Women's Boots and Calashes — the Dozen Pairs	0	6	0
	If lined or trimmed with Fur or other Trimmings — the Dozen Pairs	0	7	6
	Shoes with Cork or double Soles, quilted Shoes and Clogs, the Dozen Pairs	0	5	0
	If trimmed or lined with Fur or any other Trimming — the Dozen Pairs	0	6	0
	Women's Shoes of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather — the Dozen Pairs	0	4	6
	If trimmed or lined with Fur or any other Trimming — the Dozen Pairs	0	5	0
	Girls Boots, Shoes, and Calashes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
	Men's Boots and Shoes :—			
	If the Quarter do not exceed Two and Three Quarter Inches, or the Vamp Four Inches in Height from the Sole Inside — the Dozen Pairs	0	7	0
	If either the Quarter or Vamp exceed the above Dimensions, but do not exceed Six Inches in Height from the Sole Inside — the Dozen Pairs	0	10	6
	If either the Quarter or Vamp do exceed Six Inches in Height from the Sole Inside — the Dozen Pairs	0	14	0
	Boys Boots, not exceeding Seven Inches in Length — the Dozen Pairs	0	9	4
	Shoes, not exceeding Seven Inches in Length — the Dozen Pairs	0	4	8
	Boot Fronts, not exceeding Nine Inches in Height — the Dozen Pairs	0	1	9
	exceeding Nine Inches in Height — the Dozen Pairs	0	2	9
	Boot Backs — the Dozen Pairs	0	1	6
	Cut into Shapes — the Cwt.	0	10	0
	Gloves of Leather, the following Duties, with 5 per Cent. thereon, viz. :—			
	Habit Mitts — the Dozen Pairs	0	2	4
	Gloves — the Dozen Pairs	0	3	6
	Men's Gloves — the Dozen Pairs	0	3	6
	Women's Gloves or Mitts — the Dozen Pairs	0	4	6
	Any Articles made of Leather or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100*l.* Value	10	0	0
234.	Leaves of Gold. See Gold.			

		£	s.	d.
235.	Leaves of Roses		Free.	
236.	Leeches		Free.	
237.	Lentils. See Seeds.			
238.	Lignum vitæ		Free.	
239.	Linen or Linen and Cotton Manufactures, viz.:—			
	Cambric Handkerchiefs, hemmed or hem-stiched, not trimmed . - the Dozen	0	2	6
	Stays - the Dozen Pairs	0	4	0
	Articles, Manufactures of Linen, or of Linen mixed with Cotton or Wool, wholly or in part made up, not particularly enumerated, or otherwise charged with Duty - for every 100*l.* Value	5	0	0
	Cambrics and Lawns, commonly called French Lawns, plain		Free.	
	Bordered Handkerchiefs		Free.	
	Lawns of any Sort, not French		Free.	
	Damasks		Free.	
	Damask Diaper		Free.	
	Sails of all Sorts		Free.	
	Plain Linens and Diaper, whether chequered or striped with dyed Yarn or not		Free.	
	Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty, not being Articles wholly or in part made up		Free.	
240.	Liquorice Paste - the Cwt.	1	0	0
	of and from British Possessions - the Cwt.	0	10	0
	Powder - the Cwt.	1	0	0
	of and from British Possessions - the Cwt.	0	15	0
	Root, until 5th April 1857 inclusive - the Cwt.	0	5	0
	from and after 5th April 1857		Free.	
	Juice - the Cwt.	1	0	0
241.	Litharge		Free.	
242.	Live Creatures illustrative of Natural History		Free.	
243.	Logwood		Free.	
244.	Lucifers, of Wood, in Boxes containing not more than 100 Matches, the Gross of Boxes	0	0	2
	in Boxes containing more than 100 Matches - the Gross of Boxes	0	0	3
	Vesta, of Wax, in Boxes not exceeding 1,000 Matches, the Doz. Boxes	0	0	6
	in Boxes exceeding 1,000 Matches - the 1,000 Matches	0	0	0½
245.	Maccaroni. See Vermicelli.			
246.	Mace - the lb.	0	1	0
247.	Madder		Free.	
	Root		Free.	
248.	Magna Græcia Ware		Free.	
249.	Mahogany		Free.	
250.	Mandioca Flour - the Cwt.	0	0	4½
251.	Manganese, Ore of		Free.	
252.	Manna		Free.	
253.	Manna Croup - the Cwt.	0	0	4½
254.	Manures not enumerated		Free.	
255.	Manuscripts		Free.	
256.	Maps or Charts, or Parts thereof, plain or coloured		Free.	
257.	Maple Wood		Free.	
258.	Marmalade, until 5th July 1854 inclusive - the lb.	0	0	2
	from and after 5th July 1854 - the lb.	0	0	1½
259.	Mats and Matting		Free.	
260.	Mattresses		Free.	
261.	Mead or Metheglin		Free.	
262.	Meat, salted or fresh, not otherwise described		Free.	
	preserved in any other Way than salted		Free.	
263.	Medals of Gold or Silver		Free.	
	of any other Sort		Free.	
264.	Medlars - the Bushel	0	0	2
265.	Mercury, prepared		Free.	
266.	Metal, Bell		Free.	
	Leaf, not Gold		Free.	
267.	Mill-boards - the lb.	0	0	2½
268.	Minerals and Fossils, unenumerated		Free.	
269.	Models of Cork or Wood		Free.	
270.	Morphia and its Salts - the lb.	0	5	0

		£	s.	d.
271.	Moss, viz.:—			
	Lichen Islandicus		Free.	
	Rock, for Dyers Use		Free.	
	other than Rock or Iceland Moss		Free.	
272.	Mother-o'-Pearl Shells		Free.	
273.	Musical Instruments, viz.:—			
	Musical Boxes, small, not exceeding Four Inches in Length - the Air	0	0	3
	large - the Air	0	0	8
	Overtures, or extra Accompaniments - the Air	0	2	6
	Pianofortes, horizontal grand - each	3	0	0
	upright or square - each	2	0	0
	Harmoniums or Seraphines, not exceeding Three Stops - each	0	12	0
	Four Stops and not exceeding Seven Stops - each	1	4	0
	Eight Stops and not exceeding Eleven Stops - each	1	10	0
	exceeding Eleven Stops - each	2	0	0
	Accordions, commonly called Chinese - the 100 Notes	0	1	0
	other Sorts, including Flutinas and common German Concertinas, the 100 Notes	0	5	0
	Concertinas of octagon Form, not common German - each	0	4	0
	Brass Instruments, all Sorts - the lb.	0	0	9
	Musical Instruments, not otherwise enumerated or described, for every 100*l.* Value	10	0	0
274.	Musk		Free.	
275.	Mustard, Flour - the Cwt.	0	1	6
	mixed or manufactured, except Flour - the Cwt.	0	5	0
276.	Myrobolanes. See Berries.			
277.	Myrrh		Free.	
278.	Naphtha		Free.	
279.	New Zealand Wood		Free.	
280.	Nicaragua Wood		Free.	
281.	Nickel, Ore of		Free.	
	metallic, and Oxide of, refined		Free.	
	Arseniate of, in Lumps or Powder, being in an unrefined State		Free.	
282.	Nitre, viz., Cubic Nitre		Free.	
283.	Nutmegs, except those commonly called Wild - the lb.	0	1	0
	Wild, in the Shell - the lb.	0	0	3
	not in the Shell - the lb.	0	0	5
284.	Nuts, viz.:—			
	Chesnuts		Free.	
	Coco Nuts		Free.	
	Pistachio Nuts		Free.	
	Small Nuts - the Bushel	0	1	0
	Walnuts - the Bushel	0	1	0
	Nuts and Kernels of Walnuts, of Peach Stones, and all Nuts and Kernels unenumerated, commonly used for expressing Oil therefrom		Free.	
	Nuts and Kernels unenumerated		Free.	
285.	Nux Vomica - the Cwt.	0	2	0
286.	Oakum		Free.	
287.	Ochre		Free.	
288.	Oil of Almonds - the lb.	0	0	1
	Animal		Free.	
	Bays - the lb.	0	0	1
	Castor		Free.	
	Chemical, Essential, or Perfumed, viz.:—			
	Bergamot - the lb.	0	1	0
	Carraway - the lb.	0	1	0
	Cassia - the lb.	0	1	0
	Cloves - the lb.	0	1	0
	Lavender - the lb.	0	1	0
	Lemon - the lb.	0	1	0
	Mint and Spearmint - the lb.	0	1	0
	Oil or Otto of Roses - the lb.	0	1	0
	Peppermint - the lb.	0	1	0
	Spike - the lb.	0	1	0
	Thyme - the lb.	0	1	0
	unenumerated - the lb.	0	1	0

			£ s. d.
288.	Oil—*continued.*		
	Cocoa Nut		Free.
	Hempseed		Free.
	Lard		Free.
	Linseed		Free.
	Olive		Free.
	Palm		Free.
	Paran		Free.
	Rapeseed		Free.
	Rock		Free.
	Rosin		Free.
	Seed, unenumerated		Free.
	Train Oil or Blubber		Free.
	Spermaceti, or Head Matter		Free.
	Walnut		Free.
	Or Spirit of Turpentine		Free.
	not particularly enumerated or described, nor otherwise charged with Duty		Free.
289.	Oilseed Cake		Free.
290.	Oilcloth, for Table Covers	the Square Yard	0 0 1
291.	Olibanum		Free.
292.	Olives		Free.
293.	Olive Wood		Free.
294.	Onions	the Bushel	0 0 1
295.	Opium	the lb.	0 1 0
296.	Orange Flower Water		Free.
297.	Oranges and Lemons	the Bushel	0 0 8
	Peel of, viz. :—		
	Orange Peel		Free.
	Lemon Peel		Free.
298.	Orchal		Free.
299.	Ore, unenumerated		Free.
300.	Orpiment		Free.
301.	Orris Root		Free.
302.	Orsedew		Free.
303.	Painter's Colours, unenumerated, viz. :—		
	unmanufactured		Free.
	manufactured		Free.
304.	Palmetto Thatch		Free.
	Manufactures of		Free.
305.	Paper, viz. :—		
	Brown Paper, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith	the lb.	0 0 2½
	printed, painted, or stained Paper Hangings, or Flock Paper,	the Square Yard	0 0 1
	Waste Paper, or Paper of any other Sort, not particularly enumerated or described, not otherwise charged with Duty	the lb.	0 0 2½
	gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings	the lb.	0 0 2½
306.	Parchment		Free.
307.	Partridge Wood		Free.
308.	Pasteboard	the lb.	0 0 2½
309.	Pearls		Free.
310.	Pears, raw	the Bushel	0 0 3
	dried	the Bushel	0 1 0
311.	Pencils, of Slate		Free.
	not of Slate		Free.
312.	Pens		Free.
313.	Pepper of all Sorts	the lb.	0 0 6
			And 5 per Cent. thereon.
314.	Percussion Caps	the 1,000	0 0 1
315.	Perfumery, not otherwise enumerated	the lb.	0 0 2
316.	Perry		Free.
317.	Pewter, Manufactures of, not otherwise enumerated	the Cwt.	0 2 0
318.	Phosphorus		Free.
319.	Pickles, preserved in Vinegar	the Gallon	0 0 1
	and Vegetables, preserved in Salt		Free.
320.	Pictures		Free.

		£	s.	d.
321. Pimento	the Cwt.	0	5	0
322. Pink Root		Free.		
323. Pipes of Clay. See Tobacco Pipes.				
324. Pitch		Free.		
Burgundy		Free.		
325. Plantains		Free.		
326. Plants, Shrubs, and Trees, alive		Free.		
327. Plaster of Paris		Free.		
328. Plate, of Gold	the oz. Troy	1	1	0
of Silver, gilt or ungilt	the oz. Troy	0	1	8
battered		Free.		
329. Platina, and Ore of		Free.		
330. Platting, or other Manufactures of Straw, Chip, or other Materials to be used in, or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty	the lb.	0	2	0
Cordonet, Single, and Twist of Straw, or of other Materials	the lb.	0	0	6
Willow Squares	the Dozen	0	0	1
331. Plums, commonly called French Plums, and Prunellos	the Cwt.	0	15	0
dried or preserved (except in Sugar), not otherwise described	the Cwt.	0	15	0
preserved in Sugar, until 5th July 1854 inclusive	the lb.	0	0	2
from and after 5th July 1854	the lb.	0	0	1½
332. Pollard		Free.		
333. Pomatum	the lb.	0	0	2
334. Pomegranates		Free.		
Peel of		Free.		
335. Pork, salted (not Hams)		Free.		
fresh		Free.		
336. Potatoes		Free.		
337. Potato Flour	the Cwt.	0	0	4½
338. Pots, viz.:—				
Melting Pots for Goldsmiths		Free.		
of Stone		Free.		
339. Poultry and Game, alive or dead, including Rabbits		Free.		
340. Powder, viz.:—				
Hair Powder	the lb.	0	0	2
perfumed	the lb.	0	0	2
not otherwise enumerated or described, that will serve the same Purpose as Starch	the Cwt.	0	0	4½
341. Prints and Drawings, viz.:—				
plain or coloured	the lb.	0	0	3
admitted under Treaties of International Copyright	the lb.	0	0	1½
342. Prunes	the Cwt.	0	7	0
343. Prussiate of Potash		Free.		
344. Puddings. See Sausages.				
345. Purple Wood		Free.		
346. Quassia	the Cwt.	0	1	0
347. Quicksilver		Free.		
348. Quills, viz., Goose		Free.		
Swan		Free.		
349. Quinces	the Bushel	0	0	3
350. Quinine, Sulphate of	the oz.	0	0	6
351. Radix Contrayervæ		Free.		
Enulæ Campanæ		Free.		
Eringii		Free.		
Ipecacuanhæ		Free.		
Rhataniæ		Free.		
Senekæ		Free.		
Serpentariæ, or Snake Root		Free.		
352. Rags, viz.:—				
Rags, old Ropes, or Junk, old Fishing Nets, fit only for making Paper or Pasteboard		Free.		
Woollen Rags		Free.		
Pulp of Rags		Free.		
353. Raisins	the Cwt.	0	10	0
354. Rape of Grapes		Free.		
355. Red Wood or Guinea Wood		Free.		

			£ s. d.
356.	Rhubarb		Free.
357.	Rice, viz. :—		
	not rough or in the Husk	the Cwt.	0 0 4½
	rough and in the Husk	the Qr.	0 0 9
	Dust for feeding Cattle		Free.
	Upon Exportation from the United Kingdom of any Foreign Rice or Paddy cleaned therein, which shall have paid the Duties payable on the Importation thereof, and having been deposited in some Bonded Warehouse within One Calendar Month from the Date of such Payment, shall have there remained secured until the Time of Exportation, the Exporter making Declaration that such Rice was cleaned from rough Rice or Paddy upon which the Duties had been paid, there shall be allowed and paid for every Hundredweight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the rough Rice or Paddy from which the same shall have been cleaned.		
358.	Rose Water		Free.
359.	Rose Wood		Free.
360.	Rosin		Free.
	Oil of. See Oil.		
361.	Saccharum Saturni		Free.
362.	Safflower		Free.
363.	Saffron		Free.
364.	Sago	the Cwt.	0 0 4½
365.	Sal, viz. :—		
	Ammoniac		Free.
	Limonum		Free.
	Prunellæ		Free.
366.	Salep, or Salop		Free.
367.	Salicine	the oz.	0 0 3
368.	Salt		Free.
369.	Saltpetre		Free.
370.	Sanguis Draconis		Free.
371.	Santa Maria Wood		Free.
372.	Sapan Wood		Free.
373.	Sarsaparilla		Free.
374.	Sassafras		Free.
375.	Satin Wood		Free.
376.	Sauces, not otherwise enumerated	the lb.	0 0 1
377.	Saunders; viz. :—		
	Red		Free.
	White or Yellow		Free.
378.	Sausages or Puddings		Free.
379.	Scaleboards	the Cwt.	0 1 0
380.	Scammony		Free.
381.	Seeds, viz. :—		
	Acorns		Free.
	Aniseed		Free.
	Beans, Kidney or French		Free.
	Burnet		Free.
	Canary		Free.
	Caraway	the Cwt.	0 5 0
	of and from British Possessions	the Cwt.	0 2 6
	Carrot		Free.
	Clover		Free.
	Colchicum		Free.
	Cole		Free.
	Coriander		Free.
	Croton		Free.
	Cummin		Free.
	Dari		Free.
	Fenugreek		Free.
	Flax		Free.
	Forest		Free.
	Garden, unenumerated		Free.
	Grass Seeds of all Sorts		Free.
	Hemp		Free.
	Leek		Free.

		£	s.	d.
381.	Seeds—*continued.*			
	Lentils		Free.	
	Lettuce		Free.	
	Linseed		Free.	
	Lucerne		Free.	
	Lupine		Free.	
	Maw		Free.	
	Millet		Free.	
	Mustard		Free.	
	Onion		Free.	
	Parsley		Free.	
	Poppy		Free.	
	Quince		Free.	
	Rape		Free.	
	Sesamum		Free.	
	Shrub or Tree		Free.	
	Tares		Free.	
	Trefoil		Free.	
	Worm		Free.	
	All Seeds unenumerated commonly used for expressing Oil therefrom		Free.	
	All other Seeds not particularly enumerated or described, nor otherwise charged with Duty		Free.	
382.	Semolina the Cwt.	0	0	4½
383.	Senna		Free.	
384.	Ships, with their Tackle, Apparel, and Furniture (except Sails), broken up or to be broken up :—			
	Foreign for every 100*l.* Value	5	0	0
	British Ships, or Vessels entitled to be registered as such, not having been built in the United Kingdom		Free.	
385.	Shumach		Free.	
386.	Silk, viz. :—			
	Knubs or Husks of Silk and Waste Silk		Free.	
	Raw Silk		Free.	
	Thrown Silk, not dyed, Singles		Free.	
	Tram		Free.	
	Organzine or Crape		Free.	
	dyed, Single or Tram		Free.	
	Organzine or Crape		Free.	
	Millinery of Silk, or of which the greater Part of the Material is of Silk, viz :—			
	Turbans or Caps each	0	3	6
	Hats or Bonnets each	0	7	0
	Dresses each	1	10	0
	Corahs, Choppas, Bandannas, and Tussore Clothes, viz. :—			
	in Pieces not exceeding 5¼ Yards in Length the Piece	0	0	4
	exceeding 5¼ and not exceeding 6¼ Yards the Piece	0	0	6
	exceeding 6¼ and not exceeding 7¼ Yards the Piece	0	0	8
	exceeding 7¼ and not exceeding 8¼ Yards the Piece	0	0	9
	exceeding 8¼ and not exceeding 9¼ Yards the Piece	0	0	10
	and for every additional Yard in Length the Yard	0	0	1½
	China Crape Shawls, Scarfs, and Handkerchiefs, viz. :—			
	plain and Damask the lb.	0	3	0
	embroidered the lb.	0	5	0
	Damask the running Yard	0	0	8
	Pongees, viz. :—			
	in Pieces not exceeding 15 Yards in Length the Piece	0	2	0
	exceeding 15 Yards and not exceeding 21 Yards in Length the Piece	0	3	0
	exceeding 21 Yards and not exceeding 31 Yards in Length the Piece	0	5	0
	Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length the Piece	0	1	6
	exceeding 9 Yards and not exceeding 18 Yards in Length the Piece	0	3	0
	Manufactures of Silk, or of Silk and any other Material, not being Articles wholly or in part made up, not particularly enumerated or otherwise charged with Duty for every 100*l.* Value	15	0	0
	of and from a British Possession for every 100*l.* Value	5	0	0
	Articles, Manufactures of Silk, or of Silk and any other Material, not particularly enumerated or otherwise charged with Duty for every 100*l.* Value	15	0	0
	of and from a British Possession for every 100*l.* Value	5	0	0

		£	s.	d.
386.	Silk—*continued.*			
	Manufactures of Silk, or of Silk mixed with Metal, or any other Material, the Produce of Europe, viz.:—			
	Silk or Satin, plain, striped, figured, or brocaded, viz.:—			
	Broad Stuffs - - - - - - - the lb.	0	5	0
	Articles thereof, not otherwise enumerated - - the lb.	0	6	0
	or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
	Gauze, or Crape, plain, striped, figured, or brocaded, viz.:—			
	Broad Stuffs - - - - - the lb.	0	9	0
	Articles thereof, not otherwise enumerated - - - the lb.	0	10	0
	or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
	Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric, viz.:—			
	Broad Stuffs - - - - - the lb.	0	9	0
	Articles thereof, not otherwise enumerated - - - the lb.	0	10	0
	or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
	Velvet, plain, or figured, viz.:—			
	Broad Stuffs - - - - - - the lb.	0	9	0
	Articles thereof, not otherwise enumerated - - - the lb.	0	10	0
	or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
	Broad Stuffs, the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - - the lb.	0	3	0
	Ribbons, plain Silk, of One Colour only - - - - the lb.	0	6	0
	Plain Satin, of One Colour only - - - - the lb.	0	8	0
	Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than One Colour - - - - - the lb.	0	10	0
	Gauze or Crape, plain, striped, figured, or brocaded - - the lb.	0	14	0
	Gauze mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric - - the lb.	0	12	0
	Velvet, or Silk embossed with Velvet - - - - the lb.	0	10	0
	the Foundation of which is wholly composed of Cotton, or other Materials than Silk - - - - - the lb.	0	3	6
	Fancy Silk, Net, or Tricot - - - - - the lb.	0	8	0
	Plain Silk Lace or Net called Tulle - - - - the lb.	0	8	0
	Manufactures of Silk, or of Silk mixed with any other Materials, called Plush - - - - - - the lb.	0	3	0
	Black Plush, commonly used for making Hats - - - the lb.	0	1	0
	Parasols and Umbrellas - - - - - each	0	1	0
	Damask of Silk and Wool, or of Silk and other Materials, for Furniture, the lb.	0	0	10
	Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or charged with Duty - - for every 100*l.* Value	15	0	0
387.	Silkworm Gut - - - - - - - -	Free.		
388.	Silver Ore, or Ore of which the greater Part in Value is Silver - - -	Free.		
389.	Skins, Furs, Pelts, and Tails, viz.:—			
	Badger, undressed - - - - - - - -	Free.		
	Bear „ - - - - - - - -	Free.		
	Beaver „ - - - - - - - -	Free.		
	Cat „ - - - - - - - -	Free.		
	Chinchilla „ - - - - - - -	Free.		
	Coney „ - - - - - - - -	Free.		
	Deer „ - - - - - - - -	Free.		
	Indian, half dressed - - - - - -	Free.		
	Indian, tanned, tawed, or in any way dressed - - -	Free.		
	Dog, in the Hair, not tanned, tawed, or in any way dressed - - -	Free.		
	Dog Fish, undressed - - - - - -	Free.		
	Elk „ - - - - - - - -	Free.		
	Ermine „ - - - - - - - -	Free.		
	dressed - - - - - - - -	Free.		
	Fisher, undressed - - - - - -	Free.		
	Fitch „ - - - - - - - -	Free.		
	Fox „ - - - - - - - -	Free.		
	Tails „ - - - - - - - -	Free.		
	Goat, raw or undressed - - - - - -	Free.		
	tanned, tawed, or in any way dressed - - - -	Free.		
	Goose, undressed - - - - - -	Free.		
	Hare „ - - - - - - - -	Free.		

		£	s.	d.
389.	Skins—*continued.*			
	Husse, undressed			Free.
	Kangaroo „			Free.
	Kid, in the Hair, undressed			Free.
	dressed			Free.
	and dyed or coloured			Free.
	Kolinski, undressed			Free.
	Lamb, undressed in the Wool			Free.
	tanned or tawed			Free.
	and dyed or coloured			Free.
	dressed in oil			Free.
	Leopard, undressed			Free.
	Lion „			Free.
	Lynx „			Free.
	Marten „			Free.
	Marten Tails „			Free.
	Minx „			Free.
	dressed			Free.
	Mole, undressed			Free.
	Musquash „			Free.
	Nutria „			Free.
	Otter „			Free.
	Ounce „			Free.
	Panther „			Free.
	Pelts „			Free.
	tanned, tawed, or in any way dressed			Free.
	Racoon, undressed			Free.
	Sable „			Free.
	Tails or Tips, undressed			Free.
	Seal, in the Hair, not tanned, tawed, or in any way dressed			Free.
	Sheep, undressed in the Wool			Free.
	tanned or tawed			Free.
	dressed in Oil			Free.
	Squirrel or Calabar, undressed			Free.
	tawed			Free.
	Tails, undressed			Free.
	Swan, undressed			Free.
	Tiger			Free.
	Weasel			Free.
	Wolf			Free.
	tawed			Free.
	Wolverings, undressed			Free.
	Skins and Furs, or Pieces of Skins and Furs unenumerated, viz.:—			
	raw or undressed			Free.
	tanned, tawed, curried, or in any way dressed			Free.
	Articles manufactured of Skins and Furs			Free.
390.	Smalts			Free.
391.	Soap, viz.:—			
	hard — the Cwt.	0	0	8
	soft — the Cwt.	0	0	8
	Naples — the Cwt.	0	0	8
	scented or fancy Soap — the lb.	0	0	2
392.	Soy — the Gallon	0	0	6
393.	Spa Ware — the Cubic Foot	0	0	6
394.	Specimens of Minerals or Fossils			Free.
	illustrative of Natural History			Free.
395.	Speckled Wood			Free.
396.	Spectacles			Free.
397.	Spelter or Zinc, crude in Cakes			Free.
	rolled, but not otherwise manufactured			Free.
	Oxide and White of			Free.
	Rods for Bolts			Free.
	Manufactures of, not otherwise enumerated — the Cwt.	0	2	0
398.	Spermaceti			Free.
399.	Spirits or Strong Waters, of all Sorts, viz.:—			
	For every Gallon of such Spirits or Strong Waters of any Strength, not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any			

		£	s.	d.
399.	Spirits—*continued.*			
	greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, viz.:—			
	Spirits, not being Spirits or Strong Waters, the Produce of any British Possessions in America, or the Island of Mauritius, or any British Possessions within the Limits of the East India Company's Charter, and not being sweetened Spirits, or Spirits mixed with any Articles, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer, viz.:—			
	Brandy - - - - - - the Gallon	0	15	0
	Geneva - - - - - - the Gallon	0	15	0
	Other than Brandy or Geneva - - - the Gallon	0	15	0
	Spirits or Strong Waters, the Produce of any British Possession in America, or the Island of Mauritius, not being sweetened Spirits, or Spirits so mixed as aforesaid, viz.:—			
	Rum—			
	If imported into England - - - the Gallon	0	8	2
	If imported into Scotland - - - - the Gallon	0	5	0
	If imported into Ireland - - - the Gallon	0	3	8
	Spirits, other than Rum—			
	If imported into England - - - the Gallon	0	8	2
	If imported into Scotland - - - - the Gallon	0	5	0
	If imported into Ireland - - - the Gallon	0	3	8
	Rum, the Produce of any British Possessions within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. Cap. 8. have or shall have been fulfilled, not being sweetened Spirits, or Spirits so mixed as aforesaid:—			
	If imported into England - - - the Gallon	0	8	2
	If imported into Scotland - - - - the Gallon	0	5	0
	If imported into Ireland - - - the Gallon	0	3	8
	Rum Shrub, however sweetened, the Produce of and imported from such Possessions, qualified as aforesaid, or of and from any British Possession in America, or the Island of Mauritius:—			
	If imported into England - - - the Gallon	0	8	2
	If imported into Scotland - - - - the Gallon	0	5	0
	If imported into Ireland - - - - the Gallon	0	3	8
	Spirits or Strong Waters (except Rum), the Produce of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, not being sweetened Spirits, or Spirits so mixed as aforesaid - the Gallon	0	15	0
	Spirits, Cordials, or Strong Waters, not being the Produce of any British Possession in America, or the Island of Mauritius, nor of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, being sweetened or mixed as aforesaid; and perfumed Spirits, to be used as Perfumery only - - - - - - the Gallon	1	0	0
	Strong Waters, except Rum Shrub, being the Produce of any British Possessions in America, or the Island of Mauritius, or of any British Possessions, qualified as aforesaid, sweetened or mixed with any Article as aforesaid - the Gallon	1	0	0
	Cordials and Liqueurs, except Rum Shrub, being the Produce of any British Possession in America, or the Island of Mauritius, or of any British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, being sweetened or mixed as aforesaid - - the Gallon	0	9	0
	Spirits or Strong Waters imported into the United Kingdom mixed with any Ingredient, and although thereby coming under some other Denomination, except Varnish, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.			
400.	Sponge - - - - - - - - - -		Free.	
401.	Squills, dried - - - - - - - - -		Free.	
	not dried - - - - - - - - -		Free.	
402.	Starch - - - - - - - the Cwt.	0	0	$4\frac{1}{2}$
	Gum of, torrified or calcined - - - - - the Cwt.	0	0	$4\frac{1}{2}$
403.	Stavesacre - - - - - - - - -		Free.	
404.	Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be sooner repealed, in which Case the Duty shall cease - - - the Cwt.	0	3	6
	after the 5th April 1858 - - - - - -		Free.	
405.	Steel, unwrought - - - - - - -		Free.	
	manufactured or wrought. (See Iron.)			
	Scrap - - - - - - -		Free.	

		£	s.	d.
406.	Stones, viz. :—			
	Stone, in Lumps, not in any Manner hewn			Free.
	Slate, in rough Blocks or Slabs			Free.
	hewn			Free.
	Marble, in rough Blocks or Slabs			Free.
	sawn into Slabs or otherwise manufactured			Free.
	Limestone			Free.
	Asphalt Rock			Free.
	Flint			Free.
	Felspar and Stones, for Potters Use			Free.
	Pebble			Free.
	For Lithography			Free.
	In Blocks, shaped or rough scalped			Free.
	Mill Stones, rough			Free.
	shaped or hewn			Free.
	Burr Stones, rough			Free.
	shaped or hewn			Free.
	Quern Stones, rough			Free.
	shaped or hewn			Free.
	Dog Stones, rough			Free.
	shaped or hewn			Free.
407.	Straw or Grass for plaiting			Free.
408.	Succades, including all Fruits and Vegetables, preserved in Sugar, not otherwise charged with Duty, until the 5th July 1854 inclusive — the lb.	0	0	2
	from and after 5th July 1854 — the lb.	0	0	1½
409.	Sugar, viz. :—			
	Sugar or Molasses the Growth and Produce of any British Possession into which the Importation of Foreign Sugar is prohibited, being imported from such British Possession, viz. :—			
	Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto — the Cwt.	0	13	4
	White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined — the Cwt.	0	11	8
	Muscovado, or any other Sugar not being equal in Quality to White Clayed — the Cwt.	0	10	0
	Molasses — the Cwt.	0	3	9
	Sugar or Molasses the Growth and Produce of any other British Possession, being imported from such British Possession, viz. :—			
	Candy, Brown or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the 5th July 1854 inclusive, the Cwt.	0	15	4
	from and after the 5th July 1854 — the Cwt.	0	13	4
	White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined, until the 5th July 1854 inclusive — the Cwt.	0	12	10
	from and after the 5th July 1854 — the Cwt.	0	11	8
	Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, and not equal to White Clayed, until the 5th July 1854 inclusive — the Cwt.	0	11	10
	from and after the 5th July 1854 — the Cwt.	0	10	0
	Muscovado, or any other Sugar not being equal in Quality to Brown Clayed Sugar, until the 5th July 1854 inclusive — the Cwt.	0	11	0
	from and after the 5th July 1854 — the Cwt.	0	10	0
	Molasses, until the 5th July 1854 inclusive — the Cwt.	0	4	2
	from and after the 5th July 1854 — the Cwt.	0	3	9
	Sugar or Molasses the Growth and Produce of any Foreign Country, and all Sugar or Molasses not otherwise charged with Duty, viz. :—			
	Candy, Brown, or White, refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the 5th July 1854 inclusive, the Cwt.	0	17	4
	from and after the 5th July 1854 — the Cwt.	0	13	4
	White Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, not being refined or equal to refined, until the 5th July 1854 inclusive — the Cwt.	0	14	0
	from and after the 5th July 1854 — the Cwt.	0	11	8

		£	s.	d.
409.	Sugar—*continued.*			
	Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality thereto, and not equal to White Clayed, until the 5th July 1854 inclusive - - - - - the Cwt.	0	13	0
	from and after the 5th July 1854 - - - the Cwt.	0	10	0
	Muscovado, or any other Sugar, not being equal in Quality to Brown Clayed Sugar, until the 5th July 1854 inclusive - the Cwt.	0	12	0
	from and after the 5th July 1854 - - - the Cwt.	0	10	0
	Molasses, until the 5th July 1854 inclusive - - the Cwt.	0	4	6
	from and after the 5th July 1854 - - - the Cwt.	0	3	9
	The following Duties shall be drawn back upon Removal to the Isle of Man on such Conditions as the Commissioners of Her Majesty's Treasury may direct, or upon Exportation to Foreign Parts, of the several Descriptions of refined Sugar herein-after mentioned, made in the United Kingdom from Sugar on which the Duties of Importation shall have been paid :—			
	Upon refined Sugar, in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, or Sugar Candy - - for every Cwt.	0	12	6
	Upon Bastard or refined Sugar broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded, crushed, or broken for every Cwt.	0	10	0
410.	Sulphur Impressions - - - - - - - -		Free.	
411.	Sweet Wood - - - - - - - - -		Free.	
412.	Talc - - - - - - - - -		Free.	
413.	Tallow - - - - - - the Cwt.	0	1	6
	of and from British Possessions - - - - the Cwt.	0	0	1
	Vegetable - - - - - - -		Free.	
414.	Tamarinds - - - - - - -		Free.	
415.	Tapioca - - - - - - the Cwt.	0	0	4½
416.	Tar - - - - - - - - -		Free.	
	Barbadoes - - - - - - - - -		Free.	
417.	Tares. See Seeds.			
418.	Tarras - - - - - - - - -		Free.	
419.	Tartaric Acid - - - - - -		Free.	
420.	Tea,—until 5th April 1854 inclusive - - - - the lb.	0	1	10
	from and after 5th April 1854 until 5th April 1855 inclusive - the lb.	0	1	6
	from and after 5th April 1855 until 5th April 1856 inclusive - the lb.	0	1	3
	from and after 5th April 1856 - - - the lb.	0	1	0
	Without any Allowance for Draft.			
421.	Teasles - - - - - - - -		Free.	
422.	Teeth, viz., Elephants - - - - - - -		Free.	
	Sea Cow, Sea Horse, or Sea Morse - - - -		Free.	
423.	Telescopes - - - - - - -		Free.	
424.	Terra, viz., Japonica - - - - - -		Free.	
	Sienna - - - - - -		Free.	
	Verde - - - - - -		Free.	
	Umbra - - - - - -		Free.	
425.	Thread, not otherwise enumerated or described - - - -		Free.	
426.	Tiles - - - - - - - -		Free.	
427.	Tin, Ore, and Regulus of - - - - -		Free.	
	in Blocks, Ingots, Bars, or Slabs - - -		Free.	
	Foil - - - - - the Cwt.	0	10	0
	Manufactures of, not otherwise enumerated - - - the Cwt.	0	10	0
428.	Tincal, unrefined. See Borax.			
429.	Tobacco, the following Duties, with 5 per Cent. thereon, viz. :—			
	unmanufactured, stemmed or stripped - - - the lb.	0	3	0
	unstemmed - - - - the lb.	0	3	0
	manufactured, or Segars - - - - - the lb.	0	9	0
	Snuff - - - - - the lb.	0	6	0
	Stalks, and Flour of - - - - -		prohibited.	
	manufactured in the United Kingdom, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases containing not less than One hundred Pounds net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores - - - - - the lb.	0	2	7½

		£	s.	d.
430.	Tobacco Pipes of Clay		Free.	
431.	Tongues		Free.	
432.	Tornsal		Free.	
433.	Tortoise or Turtle Shell, unmanufactured		Free.	
434.	Toys, viz.:—			
	Marbles — the Cwt.	0	1	0
	All other Toys — the Cubic Foot	0	0	4
435.	Truffles		Free.	
436.	Tulip Wood		Free.	
437.	Turmeric		Free.	
438.	Turnery, not otherwise described — the Cubic Foot	0	0	4
439.	Turpentine		Free.	
	of Venice, Scio, or Cyprus		Free.	
	Oil or Spirit of. See Oil.			
440.	Twine		Free.	
441.	Ultra Marine		Free.	
442.	Valonia		Free.	
443.	Vanelloes		Free.	
444.	Varnish, containing any Quantity of Alcohol or Spirit — the Gallon	0	12	0
	not otherwise described		Free.	
445.	Vases, viz., ancient, not of Stone or Marble		Free.	
446.	Vegetables, all, not otherwise enumerated or described		Free.	
	preserved in Salt		Free.	
447.	Vellum		Free.	
448.	Veneers — the Cwt.	0	1	0
449.	Verdigris		Free.	
450.	Verjuice		Free.	
451.	Vermicelli and Maccaroni — the Cwt.	0	1	0
452.	Vermilion		Free.	
453.	Vinegar — the Gallon	0	0	3
454.	Wafers		Free.	
455.	Walnut Wood		Free.	
456.	Washing Balls — the lb.	0	0	2
457.	Watches, of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each — each	1	0	0
	Other Watches, viz.:—			
	Gold, open Faces — each	0	5	0
	Hunters — each	0	7	6
	Repeaters — each	0	15	0
	Silver, or any other Metal not Gold:—			
	Open Faces — each	0	2	6
	Hunters — each	0	3	6
	Repeaters — each	0	8	0
458.	Water, Cologne, the Flask (Thirty of such Flasks containing not more than One Gallon) — each	0	0	8
	When not in Flasks (as perfumed Spirit) — the Gallon	1	0	0
	Mineral		Free.	
459.	Wax, viz.:—Bleached		Free.	
	Unbleached		Free.	
	Myrtle		Free.	
	Sealing		Free.	
	Vegetable		Free.	
460.	Weld		Free.	
461.	Whale Fins		Free.	
462.	Whipcord		Free.	
463.	Wine, of and from Foreign Countries, and 5 per Cent. thereon, viz.:—			
	Red — the Gallon	0	5	6
	White — the Gallon	0	5	6
	Lees of such Wine — the Gallon	0	5	6
	The Growth and Produce of any British Possession, and imported direct from thence, and 5 per Cent. thereon:—			
	Red — the Gallon	0	2	9
	White — the Gallon	0	2	9
	Lees of such Wine — the Gallon	0	2	9
	The full Duties on Wine may be drawn back upon Re-exportation or Shipment as Stores, but no Drawback allowed on Lees of Wine.			

	£	s.	d.
464. Wire, viz.:—Gilt or plated	Free.		
Silver	Free.		
Copper or Brass. See Copper and Brass respectively.			
465. Woad	Free.		
466. Wood and Timber, the following Duties, with 5 per Cent. thereon, on all Wood and Timber the Produce of British Possessions, viz.:—			
Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood, sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty, the Load of 50 Cubic Feet	0	7	6
Of and from British Possessions - - the Load of 50 Cubic Feet	0	1	0
Deals, Battens, Boards, or other Timber or Wood, sawn or split, and not otherwise charged with Duty - - - the Load of 50 Cubic Feet	0	10	0
Of and from British Possessions - - the Load of 50 Cubic Feet	0	2	0

Or, in lieu of ascertaining the cubical Contents in Pile, the Importer may have the Option, at the Time of passing the First Entry, in respect of Planks, Deals, Deal Ends, Battens, and Batten Ends, not the Produce of the British Possessions, of entering the same by Tale upon a Computation of their Cubic Content, calculated according to the under-mentioned Scale, specifying in such Entry the Number and Dimensions of the several Pieces included therein; and the Duties imposed thereon by this Act shall be ascertained, computed, and charged upon the Planks, Deals, Deal Ends, Battens, and Batten Ends, included in such Entry on the cubical Contents thereof, computed in conformity with the said Scale.

	Planks.	Deals.	Battens.		
	3 × 11 Inch and not above 3¼ × 11½ Inch.	3 × 9 Inch and not above 3¼ × 9½ Inch.	3 × 7 Inch and not above 3¼ × 7¼ Inch.	2⅞ × 7 Inch and not above 2⅞ × 7¼ Inch.	2⅞ × 6½ Inch and not above 2⅞ × 6⅝ Inch.
	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.
Not above 4 Feet in Length, the 120	115	95	73	61	57
Above 4 Feet and not above 5 Feet in Length, the 120	144	118	91	77	71
Above 5 Feet and not above 6 Feet in Length, the 120	173	142	110	92	86
Above 6 Feet and not above 7 Feet in Length, the 120	202	165	128	107	100
Above 7 Feet and not above 8 Feet in Length, the 120	231	189	146	123	114
Above 8 Feet and not above 9 Feet in Length, the 120	260	213	165	138	128
Above 9 Feet and not above 10 Feet in Length, the 120	288	236	183	153	143
Above 10 Feet and not above 11 Feet in Length, the 120	317	260	201	169	157
Above 11 Feet and not above 12 Feet in Length, the 120	346	284	220	184	171
Above 12 Feet and not above 13 Feet in Length, the 120	375	307	238	200	185
Above 13 Feet and not above 14 Feet in Length, the 120	404	331	256	215	200
Above 14 Feet and not above 15 Feet in Length, the 120	433	354	274	230	214
Above 15 Feet and not above 16 Feet in Length, the 120	462	378	293	246	228
Above 16 Feet and not above 17 Feet in Length, the 120	490	402	311	261	242
Above 17 Feet and not above 18 Feet in Length, the 120	519	425	329	276	257
Above 18 Feet and not above 19 Feet in Length, the 120	548	449	348	292	271
Above 19 Feet and not above 20 Feet in Length, the 120	577	473	366	307	285
Above 20 Feet and not above 21 Feet in Length, the 120	606	496	384	322	300

		£	s.	d.
466.	Wood and Timber—*continued.*			
	Staves, exceeding 72 Inches in Length, 7 Inches in Breadth, or 3¼ Inches in Thickness - - - the Load of 50 Cubic Feet	0	9	0
	Of and from British Possessions - the Load of 50 Cubic Feet	0	2	0
	Staves, not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor 3¼ in Thickness - - - - - - - - -		Free.	
	Birch and Fir, hewn, not exceeding 3 Feet in Length, nor exceeding 8 Inches Square, imported for the sole Purpose of making Herring Barrels for the Use of the Fisheries - - - - - - - - -		Free.	
	Firewood - - - the Fathom of 216 Cubic Feet	0	6	0
	Of and from British Possessions - the Fathom of 216 Cubic Feet		Free.	
	Handspikes, not exceeding 7 Feet in Length - - - the 120	0	6	0
	Of and from British Possessions - - - the 120	0	0	6
	Exceeding 7 Feet in Length - - - the 120	0	12	0
	Of and from British Possessions - - - the 120	0	1	0
	Hoops - - - - - - - - -		Free.	
	Knees, under 5 Inches Square - - - - the 120	0	3	0
	Of and from British Possessions - - - the 120	0	0	3
	5 and under 8 Inches Square - - - the 120	0	12	0
	Of and from British Possessions - - - the 120	0	1	0
	Lathwood - - - - the Fathom of 216 Cubic Feet	0	12	0
	Of and from British Possessions - the Fathom of 216 Cubic Feet	0	1	0
	Oars - - - - - - - the 120	2	5	0
	Of and from British Possessions - - - the 120	0	3	9
	Spars or Poles, under 22 Feet in Length and under 4 Inches in Diameter, the 120	0	6	0
	Of and from British Possessions - - - the 120	0	0	6
	22 Feet in Length and upwards, and under 4 Inches in Diameter - the 120	0	12	0
	Of and from British Possessions - - - the 120	0	1	0
	Of all Lengths, 4 and under 6 Inches in Diameter - the 120	1	4	0
	Of and from British Possessions - - - the 120	0	2	0
	Spokes for Wheels, not exceeding 2 Feet in Length - the 1,000	1	4	0
	Of and from British Possessions - - - the 1,000	0	1	0
	Exceeding 2 Feet in Length - - - the 1,000	2	8	0
	Of and from British Possessions - - - the 1,000	0	2	0
	Teak - - - - - - - -		Free.	
	Waste Wood, viz., Billet Wood, or Brush Wood used for the Purpose of Stowage		Free.	
	For Shipbuilding, viz. :—			
	Stringy Bark, Red and Blue Gum, Green Hart, Mora and Locust Woods, and Woods formerly admitted at the same Duty as Teak - - -		Free.	
	Treenails of Stringy Bark, Red and Blue Gum, and Locust Woods, and all Treenails of and from British Possessions - - - -		Free.	
	Shovel Hilts - - - - - - -		Free.	
	Planed or otherwise dressed or prepared for Use, and not particularly enumerated or otherwise charged with Duty - - per Cubic Foot	0	0	2
	And further - - - for every 100*l.* Value	10	0	0
	Of and from British Possessions - - for every 100*l.* Value	5	0	0
467.	Wool, viz., Alpaca and the Llama Tribe - - - - -		Free.	
	Beaver - - - - - - - - -		Free.	
	Cut and combed - - - - - - -		Free.	
	Coney Wool - - - - - - - -		Free.	
	Cotton Wool and Waste of Cotton Wool - - - -		Free.	
	Goats Wool or Hair - - - - - - -		Free.	
	Hares Wool - - - - - - - -		Free.	
	Sheep or Lambs Wool - - - - - -		Free.	
468.	Woollens, viz. :—Manufactures of Wool (not being Goats Wool), or of Wool mixed with Cotton, not particularly enumerated, and not otherwise charged with Duty -		Free.	
	Articles or Manufactures of Wool (not being Goats Wool), or of Wool mixed with Cotton, viz. :—			
	Carpets and Rugs - - - - the Square Yard	0	0	6
	Shawls, Scarfs, and Handkerchiefs, plain - - the lb.	0	0	4
	printed - - - the lb.	0	0	8
	Gloves - - - - - the Dozen Pairs	0	0	3
	Wholly or in part made up, not otherwise charged with Duty, for every 100*l.* Value	5	0	0
469.	Yarn, Cable Yarn - - - - - - - -		Free.	
	Camel or Mohair - - - - - - - -		Free.	
	Raw Linen - - - - - - - -		Free.	
	of Silk and Worsted, spun together and not dyed - - -		Free.	

		£	s.	d.
469. Yarn—*continued.*				
	Worsted Yarn, fit and proper for Embroidery - - the lb.	0	0	6
	Raw, not dyed, or only partially dyed, and not being fit or proper for embroidering or other fancy Purposes - -		Free.	
470. Yeast, dried - - - - - - - -			Free.	
471. Zaffre - - - - - - - -			Free.	
472. Zebra Wood - - - - - - - -			Free.	
473. Goods, being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - - for every 100*l.* Value		10	0	0
474. Goods, not being either in part or wholly manufactured, not enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - - - - -			Free.	

TABLE (B.)

Duties applicable to the Isle of Man.

1. Coffee, the Import Duties in Great Britain or Ireland not having been there paid thereon,	the lb.	0	0	2
2. Corn, viz., Wheat, Barley, Bear or Bigg, Oats, Rye, Peas, Beans, Buckwheat, Maize, or Indian Corn - - - - -	the Quarter	0	1	0
Wheat Meal and Flour, Barley Meal, Oat Meal, Rye Meal, and Flour Pea Meal, Bean Meal, Buckwheat Meal, and Maize or Indian Corn Meal -	the Cwt.	0	0	4½
3. Hemp - - - - - - - -			Free.	
4. Hops, from Great Britain or Ireland - - - - - -			Free.	
5. Iron - - - - - - - -			Free.	
6. Spirits, viz.:—				
Brandy, Geneva, and all Foreign Spirits, not being Liqueurs, Cordials, or perfumed Spirits - - - -	the Gallon	0	6	0
Rum and Rum Shrub, of the British Possessions - -	the Gallon	0	3	8
British or Irish Spirits exported from a Duty-free Warehouse under Bond in the United Kingdom - - - -	the Gallon	0	3	0
Such Spirits not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon.				
7. Eau de Cologne - - - per Flask (30 not containing more than 1 Gallon)		0	0	4
	or the Gallon	0	10	0
8. Liqueurs, Cordials, and perfumed Spirits - - -	the Gallon	0	10	0
9. Sugar, viz.:—				
Muscovado - - - - - -	the Cwt.	0	1	0
Sugar Candy, White or Brown, refined Sugar, or Sugar rendered by any Process equal to refined, Foreign or British - - -	the Cwt.	0	8	0
From and after the 5th of July 1854 - - -	the Cwt.	0	3	0
10. Tea - - - - - - -	the lb.	0	1	0
From and after the 5th of July 1854 - - -	the lb.	0	0	6
11. Tobacco, viz.:—				
Unmanufactured - - - - -	the lb.	0	1	6
Manufactured - - - - - -	the lb.	0	4	9
Cigars - - - - - -	the lb.	0	4	9
12. Wine - - - - -	the Tun of 252 Gallons	12	0	0
13. Wood, all Sorts - - - - - - - -			Free.	
14. Goods, Wares, and Merchandise brought from Great Britain or Ireland and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not herein-before enumerated or charged with Duty - - - -			Free.	
15. Goods, Wares, and Merchandise, the Growth, Produce, or Manufacture of and brought from Great Britain or Ireland and not herein-before charged with Duty -			Free.	
16. Goods, Wares, and Merchandise, not the Growth, Produce, or Manufacture of Great Britain or Ireland but brought from thence, and having there been entered for Consumption, and the Import Duties having been there paid thereon - -			Free.	
17. Goods, Wares, and Merchandise imported or brought from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not herein before charged with Duty, or declared to be free of Duty, for every 100*l.* of the Value thereof - - - - - - - -		15	0	0

CAP. CVII.

An Act to amend and consolidate the Laws relating to the Customs of the United Kingdom and of the *Isle of Man*, and certain Laws relating to Trade and Navigation and the *British* Possessions. [20th *August* 1853.]

'WHEREAS it is expedient that the several Acts now in force for the Management and Regulation of Customs, the Prevention of Smuggling, the Encouragement of *British* Shipping and Navigation, the Warehousing of Goods, the granting of Drawbacks and Allowances of Customs, the Regulation of the Trade of the *British* Possessions abroad and of the *Isle of Man*, should be consolidated into One Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. *Appointment of Officers, Ports, &c.*

As to the Appointment of Officers of Customs, Ports, &c.:

Appointment of Officers, &c.

Appointment of Officers.

Salaries and Securities.

Salaries, &c. not subject to Duties.

Superannuation Allowances not assignable.

I. It shall be lawful for the Commissioners of the Treasury, or, under their Authority, the Commissioners of Customs, to appoint proper Persons for the Management and Collection of the Customs, and the Performance of all Duties connected therewith, under the Control and Direction of the Commissioners of Customs, and to grant to such Persons such Salaries or Allowances, or to permit them to receive such Emoluments for executing the Duties of their respective Offices, as may be proper, and to require of such Persons such Securities for their good Conduct as the said Commissioners of the Customs shall deem necessary; and such Persons shall hold their Offices during the Pleasure of the Commissioners of the Treasury or of the Commissioners of Customs; and all Salaries or Allowances granted to any Officer or other Person in the Service of the Customs shall be paid without any Deduction on account of any Duties imposed by any Act of Parliament, unless expressly charged thereon; and when any Sum of Money shall have been or shall be granted annually or otherwise to any Person who has been or shall have been employed in the Service of the Customs as a Superannuation Allowance upon the Retirement of such Person from such Service, or as a Compensation for past Services, it shall not be lawful for the Grantee of such Allowance or Compensation to assign or dispose of the same to any Person or Persons whomsoever, and any such Assignment or Disposition shall be void to all Intents and Purposes, and shall not be enforced in any Court of Law or Equity.

Persons employed on Service of the Customs to be deemed Officers for such Service.

II. Every Person employed on any Duty or Service relating to the Customs, Trade, or Navigation, either in the United Kingdom, the Channel Islands, or any of Her Majesty's Possessions abroad, by the Orders or with the Concurrence of the Commissioners of Customs (whether previously or subsequently expressed), shall be deemed to be the Officer for that Duty or Service; and every Act required by Law to be done by or with any particular Officer nominated for such Purpose, if done by or with any Person appointed by the Commissioners of Customs to act for such particular Officer, shall be deemed to be done by or with such particular Officer; and every Act required by Law to be done at any particular Place within any Port, if done at any Place within such Port appointed by the Commissioners of Customs for such Purpose, shall be deemed to be done at the particular Place so required by Law; and all Commissions, Deputations, and Appointments granted to any Officers of the Customs in force at the Commencement of this Act shall continue in force as if the same had been granted under the Authority of this Act, and all Bonds or other Securities which shall have been given by or for any such Officers and their respective Sureties for good Conduct or otherwise shall remain in full Force.

Existing Appointments and Securities for good Conduct to remain in force.

Officers taking Fee or Reward not authorized by Law, to be dismissed.

III. If any Officer, Clerk, or other Person acting in any Office or Employment in or belonging to the Customs shall accept any Fee, Perquisite, or Reward, whether pecuniary or otherwise, directly or indirectly, from any Person (not being a Person appointed to some Office in the Customs) on account of anything done or omitted to be done by him in or in any way relating to his said Office or Employment, except such as he shall receive under Permission of the Commissioners of the Treasury, such Officer, Clerk, or other Person so offending shall, on Proof thereof to the Satisfaction of the Commissioners of Customs, be dismissed from his Office.

Declaration on Admission to Office.

IV. Every Person who shall be appointed to any Office or Employment in the Customs, under the Control and Direction of the Commissioners of Customs, shall on his Admission thereto make the following Declaration:

'I *A.B.* do declare, That I will be true and faithful in the Execution, to the best of my Knowledge and Power, of the Trust committed to my Charge and Inspection in the Service of Her Majesty's Customs; and that I will not require, take, or receive any Fee, Perquisite, Gratuity, or Reward, whether pecuniary or of any Sort or Description whatever, either directly or indirectly, for any Service, Act, Duty, Matter, or Thing done or performed or to be done or performed in the Execution or Discharge of any of the Duties of my Office or Employment, on any Account whatever, other than my Salary and what is or shall be allowed me by Law, or by any special Order of the Commissioners of Her Majesty's Treasury or the Commissioners of Her Majesty's Customs for the Time being.'

Hours of Attendance; Division of Duties.

V. The Commissioners of the Treasury may, by their Warrant, from Time to Time appoint the Hours of general Attendance of the Commissioners and Officers of Customs, and of other Persons in the Customs Service, at their proper Offices and Places of Employment; and the Commissioners of Customs may appoint the Times during such Hours at which any particular Parts of the Duties of any such Officers and other Persons shall be performed.

VI. No

Appointment of Officers, Ports, &c.

VI. No Day shall be kept as a public Holiday by the Customs except every *Christmas Day* and *Good Friday*, and such other Days as may be appointed to be kept as such by Her Majesty's Proclamation, and, so far as regards *Scotland*, such Days as shall be appointed to be so kept by Authority of the General Assembly, and also such Days as shall have been or may be appointed for the Celebration of the Birthdays of Her Majesty and of Her Successors, and such Days shall be kept as public Holidays by the Officers and Servants of the Dock Companies in the United Kingdom.

Holidays.

Officers of Customs not to serve in public Offices.

VII. No Commissioner, Officer, Clerk, or other Person acting in the Management or Collection of the Customs shall be compelled to serve in the Militia, or on any Jury or Inquest, or to assume the Office of a Mayor or Sheriff, or to act in any corporate, parochial, or other public Office.

What shall be deemed Orders, &c. of Commissioners of Customs.

VIII. Every Order, Document, or Instrument required by Law to be under the Hands of the Commissioners of Customs, but not required to be signed by Two or more of them, being attested by the Signature of any One of such Commissioners, and every Order, Document, or Instrument required by any Law to be under the Hands or under the Hands and Seals of the Commissioners of Customs, being attested by the Hands or the Hands and Seals of Two or more of such Commissioners, shall be deemed to be an Order, Document, or Instrument under the Hands, or under the Hands and Seals, as the Case may be, of the Commissioners of Customs; and all Orders and Regulations made by the Commissioners of Customs under any Act or Acts relating to the Customs, now repealed, shall remain in force until altered, revoked, or rescinded, or others made by them in lieu thereof, and all Acts done in pursuance of any such Orders and Regulations shall be and are hereby declared to be valid.

Appointment of Ports.

As to the Appointment of Ports, Quays, Warehouses, Sufferance Wharfs, Landing and Boarding Stations:

Treasury may appoint Ports and Quays, and alter or annul the same.

Existing Ports, &c. to continue.

IX. The Commissioners of the Treasury may, by their Warrant, appoint any Port or Sub-Port in the United Kingdom, or in the Channel Islands, and declare the Limits thereof, and appoint proper Places within the same to be Legal Quays for the lading and unlading of Goods, and declare the Bounds and Extent of any such Quays, or annul the Limits of any Port, Sub-Port, Haven, Creek, or Legal Quay, already appointed or to be hereafter set out and appointed, and declare the same to be no longer a Port, Sub-Port, Haven, Creek, or Legal Quay, or alter or vary the Names, Bounds, and Limits thereof; and all Ports, Havens, and Creeks, and the respective Limits thereof, and all Legal Quays, appointed, set out, and existing as such at the Time of the passing of this Act, shall continue to be such Ports, Havens, Creeks, and Quays until annulled, varied, or altered; and any Port, Haven, Creek, or Quay, or the Limits thereof, now annulled or altered, shall continue so annulled or altered until otherwise varied or altered as aforesaid.

Treasury may appoint Warehousing Ports.

Commissioners may appoint Warehouses, &c.,

and Premises for refining Sugar for Exportation, and approve Security.

X. The Commissioners of the Treasury may, by their Warrant, from Time to Time appoint the Ports in the United Kingdom which shall be Warehousing Ports for the Purposes of this Act, and, subject to their Directions, the Commissioners of Customs may by their Order from Time to Time approve and appoint Warehouses or Places of Security in such Ports, and direct in what different Parts or Divisions of such Warehouses or Places, and in what Manner, any Goods, and what Sort of Goods, may and may only be warehoused, kept, and secured without Payment of Duty upon the First Entry thereof, or for Exportation only, in Cases where the same may be prohibited to be imported for Home Use, and may approve of any Premises as Bonded Sugar Houses for the refining of Sugar for Removal to the *Isle of Man* or for Exportation, and may direct in what Cases, and with what Sureties, and to what Amount, Security by Bond shall be required in respect of any Warehouse so approved or appointed as aforesaid, or in respect of any Goods deposited therein, or for the Security of the Duties due thereon, or in respect of any Bonded Sugar House so approved as aforesaid, or in respect of any Sugar removed thereto, or the due Refinement and Return thereof to the Warehouse, the Removal to the *Isle of Man*, or the Exportation thereof, within such Period as the Commissioners of Customs shall direct, or for Security of the Duties due on such Sugar; and the Commissioners of Customs may, out of the Monies arising from Duties of Customs, provide Warehouses for the warehousing of Tobacco at the Ports into which Tobacco may be legally imported, and may, for every Package of Tobacco so warehoused, charge the Importer or Proprietor of such Tobacco any such Sum or Sums for Warehouse Rent as they may see fit, not exceeding what is now payable; and the Commissioners of Customs may also fix the Amount of Rent which shall be payable in respect of any Goods deposited or secured in any of the Queen's Warehouses; and all such Sums shall be paid, received, and appropriated as Duties of Customs.

Commissioners of Customs to provide Warehouses for Tobacco, and to charge Rent.

Warehouse Keeper to give general Security.

XI. The Proprietor or Occupier of every Warehouse (except existing Warehouses of special Security, in respect of which Security by Bond has heretofore been dispensed with), or some One on his Behalf, shall give or procure to be given Security by Bond, with Two sufficient Sureties, or by Two Bonds each with One sufficient Surety, or such other Security as the Commissioners of the Treasury or of Customs may approve, for the Payment of the full Duties of Importation on or for the due Exportation of all such Goods as shall at any Time be warehoused therein; and no Goods shall be warehoused in any such Warehouse after the passing of this Act until such Security shall have been given.

Existing Appointments, Approvals, and Bonds to continue in force.

Importer's Bonds dispensed with.

XII. All existing Appointments and Approvals of Warehouses for the Warehousing of Goods and of Bonded Sugar Houses, in respect of which Security shall have been given by the Proprietor or Occupier thereof as aforesaid, shall continue in force as if the same had been made under the Authority of this Act, unless and until the same shall be revoked as herein-after provided; and no Bond shall, after the passing of this Act, be required to be given by the Importer of any Goods on the warehousing thereof, but all existing Bonds given in respect of any Goods warehoused or entered to be warehoused in any Warehouse prior to the passing of this Act shall continue in force as if given under this Act.

XIII. The

Appointment of Officers, Ports, &c.

Commissioners may appoint Stations and Sufferance Wharves, &c.

XIII. The Commissioners of Customs may from Time to Time, by Order under their Hands, appoint Stations or Places for Ships arriving at or departing from any Port or Place to bring to for the boarding or landing of Officers of the Customs, and may also appoint Places to be Sufferance Wharves for the lading and unlading of Goods by Sufferance, in such Cases, under such Restrictions, and in such Manner as they shall see fit, and may also direct at what particular Part or Parts of any Harbour, Dock, Quay, or other Place in any Port, Ships laden with Tobacco or any particular Cargo shall moor and discharge such Cargo; and the Commissioners of Customs, or the Collector or Comptroller of any Port under their Directions, may station Officers on board any Ship while within the Limits of any Port in the United Kingdom.

Power to revoke or alter former Warrants or Orders.

XIV. The Commissioners of the Treasury by their Warrant, and the Commissioners of Customs by their Order, may from Time to Time revoke any former Warrant or any former Order, or make any Alteration in or Addition to any former Warrant or any former Order made as aforesaid by them respectively.

Licensing Agents.

As to the licensing of Agents for the Transaction of Business relating to the Entry and Clearance of Ships, Goods, and Baggage, and of Lightermen for the Carriage of Goods to and from importing and exporting Ships:

Treasury to appoint in what Ports Agents shall be licensed.

XV. The Commissioners of the Treasury may by their Warrant appoint and declare in what Ports or Places in the United Kingdom Persons acting as Agents in the Entry or Clearance of any Ships, or of any Goods or Baggage, or any Business relating thereto, shall be required to be duly licensed for that Purpose, and may from Time to Time revoke such Warrants or Appointments, and make others in lieu thereof, when and as they may see fit; and such Warrants, if they relate to Ports or Places in *Great Britain*, shall be published in the *London Gazette*, if to Ports or Places in *Ireland* in the *Dublin Gazette*, and if to Ports and Places in *Great Britain* and *Ireland* in both those Gazettes: Provided always, that the Appointments already made as to *London*, *Dublin*, *Dover*, *Folkestone*, *Southampton*, and *Shoreham* shall continue as if such Appointments had been made under this Act, until the same shall be revoked.

Existing Appointments not to be altered.

Commissioners to grant Licences to Agents.

XVI. The Commissioners of Customs may and they are hereby authorized to grant Licences, in such Form and Manner and to such Persons as they shall think fit, to act as Agents for transacting Business which shall relate to the Entry or Clearance of any Ship, or of any Goods or of any Baggage, in any of the Ports or Places in respect of which such Appointments as aforesaid now are or hereafter shall be made, so long as such Appointments shall remain in force, and, by Order under their Hands, may cancel or revoke any Licence so granted to any such Person for Fraud or Misconduct; a Copy of such Order stating the Cause of Dismissal shall de delivered to such Person, or to his Clerk, or left at his usual Place of Abode or Business, but such Person shall be at liberty to appeal to the Commissioners of Customs in manner provided by Sections Thirty-three and Thirty-four of this Act for an Investigation and Reconsideration of the Case; and if no such Appeal be made within Three Days after the Delivery of a Copy of such Order, or if such Order shall be confirmed, such Licence shall be void; and the Commissioners of Customs on granting any such Licence are hereby empowered to require Bond to be given by every Person to whom such Licence shall be granted (not being One of the Sworn Brokers of the City of *London*, and acting as such Agent in the Port of *London*), with One sufficient Surety, in the Sum of One thousand Pounds, for the faithful and incorrupt Conduct of such Person and of his Clerks, acting for him, both as regards the Customs and his Employers; and all Licences heretofore granted by the Commissioners of Customs to any Persons to act as Agents shall be valid until revoked, and all Bonds taken for the faithful and incorrupt Conduct of such Persons shall remain in full Force: Provided always, that any Person, or any Persons in Copartnership, may, with the Approval of the Commissioners of Customs, appoint a Clerk or Servant to transact such Business on his or their Behalf, and the Name, Residence, and Date of Appointment of such Clerk or Servant shall thereupon be endorsed on the Licence of such Person or Persons, and shall be signed by him or them in the Presence of and attested by the Collector or Comptroller of Customs at the Port for which such Licence is granted, and all such Appointments shall be recorded in a Register to be kept at the Custom House for that Purpose; and no Person shall act as such Clerk or Servant unless so appointed, endorsed, and recorded, nor act for or on behalf of any other than the Person or Persons so appointing him; and every such Appointment may be revoked by the Commissioners of Customs at any Time, by Order under their Hands.

Bond to be given for faithful Conduct.

Agents may appoint Clerks to act for them under certain Conditions.

Commissioners may order in what Ports Goods may be carried or water borne by authorized Persons; and may grant Licences and require Bonds.

Existing Licences to continue in force.

XVII. The Commissioners of Customs may order and direct in what Ports or Places in the United Kingdom Goods cleared for Drawback or from the Warehouse shall be carried or water-borne to be put on board any Ship for Exportation, or Goods carried or water-borne from any importing Ship to, or to be landed at any Wharf, Quay, or other Place, shall be so carried or water-borne only by Persons authorized for that Purpose by Licence under the Hands of the Commissioners of Customs, and may revoke any such Orders or Directions, or make others in lieu thereof, when and as they may deem expedient; and the Commissioners of Customs may grant such Licences in such Form and Manner and to such Persons as they may deem proper, and may revoke the same when and as they shall think fit; and before granting any such Licence the Commissioners may require such Security by Bond for the faithful and incorrupt Conduct of such Person as they shall deem necessary; and all such Licences in force at the Time of the Commencement of this Act shall continue in force as if the same had been granted under the Authority of this Act.

Collection of Duties, &c.

As to the Collection and Management of Duties of Customs, Drawbacks, and Allowances:

Duties, Drawbacks, &c. to

XVIII. All Duties of Customs, or other Duties under the Management, Collection, or Control of the Commissioners of Customs, Drawbacks and Allowances, now imposed and allowed, or which may hereafter be imposed or allowed by Law, shall be under the Management of the Commissioners of Customs for

for the Time being, and shall be ascertained, raised, levied, collected, paid, recovered, allowed, and applied or appropriated, under the Provisions of the Laws for the Time being in force relating thereto; and all Duties and Drawbacks imposed and allowed according to any specified Quantity or any specified Value shall be deemed to apply in the same Proportion to any greater or less Quantity or Value, and shall be paid and received in every Part of the United Kingdom in *British* Currency, and according to Imperial Weights and Measures.

be under the Management of Commissioners of Customs.

XIX. In all Cases where any new Duties of Customs, or other Duties under the Management, Collection, or Control of the Commissioners of Customs, are or may be imposed by any Act or Acts, in lieu of any former Duties payable at the Time of the passing of such Act or Acts, such former Duties shall be and continue payable until such new Duties imposed in lieu thereof shall become chargeable, save and except in Cases where the Act or Acts imposing such new Duties shall otherwise provide; and all Monies arising from any Duties of Customs, or any Arrears thereof, on account of any Goods whatever imported into or exported from the United Kingdom under any former Act, although computed under such former Act, and whether secured by Bond or otherwise, shall be levied and appropriated in the same Manner as if the same had been made payable by this Act, or any other Act in force for the Time being; and all Drawbacks or Allowances payable under any former Act shall be paid or allowed under this or such other Act as may be in force for the Time being.

Former Duties to continue until new Duties become chargeable, except in certain Cases.

Duties due before the passing of this Act to be levied, &c. as if payable by this Act.

XX. All Goods whatsoever which now are or may be deposited in any Warehouse or Place of Security under any Act of Parliament passed or to be passed for the Warehousing of Goods without Payment of Duty upon the First Importation thereof, or which may be imported and on board any Ship, shall, upon being entered for Home Consumption, be subject to such and the like Duties as may at the Time of passing such Entry be due and payable on the like Sort of Goods under any Act or Acts passed for imposing any Duty or Duties of Customs which shall or may be in force at the Time of passing such Entry, save and except in Cases where special Provision shall be made in any such Act or Acts to the contrary.

Goods in Warehouse, when entered for Home Consumption, to be chargeable with existing Duties on like Sort of Goods.

As to the Receipt and Payment of Monies arising from the Duties of Customs, and the keeping of the Account thereof:

Receipts and Payments.

XXI. All Monies, Bills, Notes and Drafts received by or coming to the Hands of the Receiver General of the Customs in *England* on account of the Revenue of Customs in *Great Britain* shall be paid by him into the Hands of the Governor and Company of the Bank of *England*, and all other Monies arising by the Duties of Customs in *Great Britain* (the necessary Charges of raising and accounting for the same excepted) shall from Time to Time be paid into the Hands of the Governor and Company of the Bank of *England*, and shall be placed to an Account to be raised in the Books of the said Company, intituled "The Account of the Public Monies of the Receiver General of Customs," inserting the Name of such Receiver General for the Time being, and all Monies arising from the Duties of Customs in *Ireland* (the necessary Charges of raising and accounting for the same and all other Deductions allowed by Law or by the Orders and Regulations of the Treasury for the Time being excepted) shall be paid into the Receipt of Her Majesty's Exchequer.

All Monies, &c. received by Receiver General of Customs to be paid into Bank of England.

All Monies arising in Ireland to be paid into the Exchequer.

XXII. The Commissioners of the Treasury may from Time to Time establish such Rules and Regulations as they may think necessary for keeping the Accounts of the Receiver General of the Customs with the Governor and Company of the Bank of *England*, and of the Governor and Company of the Bank of *England* in relation thereto, and also for Payment and Appropriation of the Monies arising from the Duties of Customs, and so brought to Account for Her Majesty's Service, and from Time to Time to alter or revoke such Rules and Regulations, and make others in lieu thereof, and the Rules and Regulations now in force shall remain and continue to be acted upon until the same shall be so altered or revoked or others established by the said Commissioners of the Treasury in lieu thereof, and the said Receiver General, observing the Rules and Regulations so prescribed, shall not be answerable for any Money, Bills, Notes, or Drafts which he shall have so paid or caused to be paid into the Bank of *England*; and the Governor and Company of the Bank of *England* shall be answerable for all the Monies, Bills, Notes and Drafts which shall be actually received by them from and on account of such Receiver General as aforesaid: Provided always, that nothing in this Act contained shall be held in any way to alter or affect the Provisions of an Act passed in the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Fifteen.

The Treasury may make Rules for keeping the Accounts of the Revenue of the Customs, and for Appropriation thereof.

Responsibility for Monies, &c.

XXIII. The Governor and Company of the Bank of *England*, or some Person duly authorized in that Behalf, shall daily, upon receiving any Money, Bills, Notes or Drafts from such Receiver General of the Customs, make an Entry of the Money, Bills, Notes and Drafts so received in a Book to be provided by the Governor and Company of the Bank of *England*, which Book shall be forthwith re-delivered to the Persons making the Payments for the Customs, for which Monies, Bills, Notes and Drafts the Entry in the Book herein-after mentioned shall be a sufficient Discharge; and such Book shall be inspected daily after its Return by the Comptroller General of the Customs or his Clerk (such Clerk being first duly authorized by him, and for whose Conduct he shall be answerable), who shall compare the same with the Account of Monies, Bills, Notes and Drafts received by the said Receiver General, for the Purpose of ascertaining that the Receiver General constantly pays into the Bank all the Money, Bills, Notes and Drafts, as required under the Provisions of this Act; and any Default which such Comptroller General or his Clerk may discover in that Behalf shall be immediately reported by him to the said Commissioners of Customs, who shall report the same, unless it shall appear to them to have arisen from Mistake or Inadvertence, to the said Commissioners of the Treasury.

Bank to keep an Account, to be returned to the Customs, for Inspection by the Comptroller General.

Any Default to be reported to the Treasury.

Appointment of Officers, Ports, &c.

Bank of England not to dispose of Monies, &c. except for a specified Purpose.

XXIV. The Governor and Company of the Bank of *England* shall not pay, or transfer, apply or dispose of any Part of the Money, Notes, Bills of Exchange or Drafts which may be paid in and placed to the Account of such Receiver General from such Account, except in accordance with the Rules and Regulations for the Time being of the Commissioners of the Treasury, unless any such Notes, Bills of Exchange or Drafts shall be required by the Solicitor of Customs for the Purpose of taking out an Extent for the Security of the Money for which the same shall have been given, in which Case such Notes, Bills of Exchange or Drafts, or any of them, shall be delivered to such Solicitor or his Clerk, on the Order of the Commissioners of Customs for that Purpose, and such Delivery shall be entered in the Book herein directed to be provided.

In London, Debentures and Orders to be paid by Receiver General;

at any other Port by the Collector.

Time for Return of Duties overpaid extended to Six Years.

XXV. Every Sum of Money which shall be due in the Port of *London* upon any Debenture, Certificate, or other Instrument for the Payment of any Money out of the Duties of Customs shall be paid by the Receiver General of the Customs out of any Money so paid into the Bank of *England* on account of the Receiver General of Customs, in accordance with the Rules and Regulations for the Time being in respect thereof, and every such Payment shall be allowed by the Commissioners for the better examining and auditing the Public Accounts of this Kingdom in the settling or auditing of the Accounts of the Receiver General of the Customs; and when any such Payment shall become due at any other Port in the United Kingdom the same may be paid by the Collector at such Port out of any of the Monies in his Hands arising from the Duties of the Customs under the Directions of the Commissioners of Customs; and as it is expedient to extend the Period within which Over-payments of Duty may be returned, the Commissioners of Customs are hereby authorized, at any Time within Six Years after the Over-payment of any Duties, on its being proved to their Satisfaction that the same were over-paid in error, to return such Duties; but no such Return shall be made, nor any Claim allowed, unless made and established within such Period of Six Years.

Commissioners of Customs may close Accounts of Collectors.

XXVI. The Commissioners of Customs shall and may finally settle and close the Accounts of any Collectors or Receivers of any Part of the Revenue of the Customs, or other Duties, under their Management, notwithstanding an erroneous Appropriation of any Duties of Customs received by such Collectors or Receivers, and the said Commissioners are hereby empowered to correct such Appropriation, in order to prevent the Accounts of any such Collectors or Receivers from being kept open, and all such Corrections shall be allowed by the Commissioners for auditing the Public Accounts in passing the general Accounts of Customs.

On the Death or Removal of Receiver General the Balance to vest in his Successor.

XXVII. Upon the Death, Resignation, or Removal of the present and of every other Receiver General of the Customs hereafter to be appointed, the Balance of Cash for which he shall at that Time have Credit on his Account as such Receiver General with the Governor and Company of the Bank of *England* shall, as soon as a Successor shall be appointed to the said Office, vest in such Successor, and until such Successor shall be appointed, in such Person or Persons as shall for the Time being be duly authorized to execute the Duties of the said Office, in trust for the Service of the Public, and be forthwith transferred, carried over, and placed to the Account of such Successor or other Person or Persons as aforesaid, to be applied to the Service accordingly.

Punishment for Forgery on Receiver General, Transportation for Life.

XXVIII. If any Person or Persons shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in forging or counterfeiting, the Name or Handwriting of any Receiver General of the Customs, or of any Comptroller General of the Customs, or of any Person acting for them respectively as aforesaid, to any Draft, Instrument or Writing whatsoever, for or in order to the receiving or obtaining any of the Money in the Hands or Custody of the Governor and Company of the Bank of *England*, on account of the Receiver General of the Customs, or shall forge or counterfeit, or cause or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting, any Draft, Instrument or Writing in Form of a Draft made by such Receiver General or Person as aforesaid, or shall utter or publish any such knowing the same to be forged and counterfeited, with an Intention to defraud any Person whomsoever, every such Person or Persons so offending, being thereof convicted, shall be declared and adjudged to be guilty of Felony, and shall be transported beyond the Seas for Life.

Disputes between Importer and Officers.

As to Disputes and Controversies between the Importer of Goods and the Officers of Customs as to the Duty due on such Goods:

In case of Dispute, Importer to deposit the Dutydemanded.

On Payment of such and passing Entries for Goods, Importer to have Delivery.

XXIX. If any Dispute shall arise as to the proper Rate of Duty payable in respect of any Goods imported into the United Kingdom, and admissible for Home Consumption, the Importer or Consignee, or his Agent, shall deposit in the Hands of the Collector of the Customs at the Port of Importation the Amount of Duty demanded by such Collector; and such Deposit shall be deemed and taken to be the proper Duty payable in respect of such Goods, unless an Action or Suit shall be brought or commenced by the Importer of such Goods within Three Months from the Time of making such Deposit, in One of Her Majesty's Courts of Law at *Westminster*, *Dublin*, or *Edinburgh*, against such Collector, for the Purpose of ascertaining whether any and what Amount of Duty is due and payable upon such Goods; and, upon Payment of such Deposit, and passing a proper Entry for such Goods, by the Importer, Consignee, or Agent, such Collector shall thereupon cause the said Goods to be delivered in virtue of such Entry.

Deposits to be carried to Consolidated Fund.

XXX. Where such Deposit shall have been made as aforesaid the same shall be paid by the said Collector to the Receiver General of Customs, to be by him carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and in case no Action shall be brought within the Time hereinbefore

before limited for that Purpose, such Deposit shall be retained and applied to the Use of Her Majesty, in the same Manner as if the same had been originally paid and received as the Duty due and payable on such Goods; and in case such Action shall be so brought, and it shall thereupon be determined by due Course of Law that the Duty so demanded and deposited was not the proper Duty due and payable upon such Goods, but that a less Duty was payable thereon, then the Difference between the Sum so deposited and the Duty so found to be due, or the whole Sum so deposited, as the Case may require, shall forthwith be returned to such Importer, with Interest thereon after the Rate of Five Pounds *per Centum per Annum* for the Period during which the Sum so paid or returned shall have been so deposited; and such Payment shall be accepted by such Importer in satisfaction of all Claims in respect of the Importation of such Goods and the Duty payable thereon, and of all or any Damages and Expenses incident thereto, except Costs of Suit, as next herein-after provided; that is to say, Provided always, that the Party to such Action or Suit in whose Favour a Verdict shall be given shall be entitled to his Costs of Suit as between Party and Party against the other Party to such Action or Suit, such Costs to be taxed by the proper Officer of the Court in which such Action shall be brought, in the usual Way; and if such Verdict shall be given against the Plaintiff in such Action or Suit the Costs so taxed as aforesaid shall be recoverable and recovered against the Plaintiff in the same Manner as Damages and Costs in an ordinary Action or Suit in such Court are recoverable by Law; but if such Verdict shall be given against the Collector as Defendant in such Suit, the Costs so taxed as aforesaid shall be paid by the Commissioners of Customs out of any Monies arising from the Duties of Customs.

If no Action brought within the Three Months, Deposit to be retained as Duties.

If Action brought, and determined against the Revenue, Importer to be indemnified.

By whom Costs of Suit payable.

As to Complaints and Disputes between Merchants and others and the Officers of Customs, the public Investigation thereof, and Inquiries touching Matters relating to the Customs, and the Conduct of Officers or others concerned therein:

Complaints, &c.

XXXI. If in the Port of *London* any Dispute shall arise between any Masters or Owners of Ships, Merchants, Importers, Consignees, Shippers, or Exporters of Goods, or their Agents, or Licensed Agents, and any Officer of Customs, with reference to the Seizure or Detention of any Ship or Goods, or to any apparently accidental Omission, Inadvertence, or Noncompliance with the Laws or Regulations relating to the Customs, or touching the Withdrawal of Agents Licences, it shall be lawful for the Commissioners to dispose of or determine such Dispute in such Manner as they may deem just.

Disputes and Inquiries in London.

XXXII. If upon Consideration of the Facts and Circumstances out of which such Dispute shall have arisen the Commissioners of Customs shall be of opinion that any Penalty or Forfeiture has been incurred by any such Master, Owner, Merchant, Importer, Consignee, Shipper, Exporter, or Agent, the said Commissioners may, in case they shall be of opinion that the Penalty ought to be remitted, remit and forego the same accordingly, or, in case they shall be of opinion that a mitigated Penalty should be imposed and enforced, mitigate any such Penalty or Forfeiture to such Amount as they may deem a sufficient Satisfaction for the Breach of Law or Regulation complained of.

Power to remit or mitigate Penalties.

XXXIII. In case any such Master, Owner, Merchant, Importer, Shipper, Exporter, or Agent shall feel himself aggrieved by the Determination of the Commissioners of Customs in any of the Cases aforesaid, or have any Ground of Complaint against any Officer of Customs in respect of anything done or omitted to be done by such Officer in or about the Execution of his Duty, the Party so feeling himself aggrieved shall, upon an Application in Writing to the Commissioners of Customs, which Application shall state the Substance of his Complaint, or the Reasons of his Dissatisfaction with such Determination, be entitled to have the Facts and Circumstances of such Complaint or Determination inquired into by One of the said Commissioners in the Manner following:

Appeal to open Court.

XXXIV. Upon Receipt of such Application as aforesaid the Commissioners of Customs shall depute One of such Commissioners to inquire into the Subject Matter of such Application, for which Purpose a suitable Apartment shall be provided, to which the Parties complaining and the Parties complained against, and their Agents and Witnesses, and all other Persons interested or desirous of attending, shall have free Access; and the Commissioner so deputed shall receive the Statement of the Complainant or his Agent or Attorney, and hear any Reasons which he or they may advance in Support of his Complaint, and the said Commissioner shall take or cause to be taken any Evidence on Oath which the said Complainant may offer and adduce in support of his Complaint, and write down or cause to be written down and report the Substance of such Evidence in a narrative Form, and his Opinion thereon and on the Arguments, if any, adduced on the Hearing of the Case, for the Information of the said Commissioners, and in like Manner the Commissioner so deputed as aforesaid shall take and write down or cause to be taken down and written, and report, for the Information of the said Commissioners of Customs, any Evidence which may be offered in support of such Determination of the Commissioners, or in case of a Complaint against an Officer such exculpatory Evidence as the Officer complained against may offer or adduce; and the Course of Proceeding with respect to the taking of such Evidence and the Conduct of such Inquiry shall be in as close Conformity as the Nature of such Inquiry will admit with the Practice adopted before Justices on Inquiries had before such Justices.

Commissioner to conduct public Inquiry.

XXXV. The Commissioners of Customs, upon the Evidence so reported to them, shall either determine to prosecute, if they deem it a proper Case for Prosecution, or decide the Case upon such Evidence, and make their Order thereon accordingly, which Order shall be communicated by a Commissioner in open Court either on the same Day or a future Day to be appointed at the Hearing for that Purpose; and every Order of the Commissioners of Customs, made upon Consideration of the Facts, Circumstances, and Evidence so reported by the Commissioner by whom such Inquiry shall have been holden, shall, in case any Penalty or mitigated Penalty or Forfeiture shall be adjudged by such Order to be paid or enforced, be of equal Force, Validity, and Effect as any Conviction for Penalties which any Justice or

Commissioners to prosecute or decide.

Award may be enforced.

Appointment of Officers, Ports, &c.

Justices is or are now empowered by Law to make, and upon the Production of any such Order under the Hands of any Two or more of the Commissioners of Customs to any Justice or Justices of the Peace it shall be lawful for such Justice or Justices to enforce such Order, in the same Manner and by the like Authority as such Justice or Justices is or are now empowered to enforce Orders under and by virtue of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, unless the Party against whom such Order shall have been made shall, within One Week after the same shall have been communicated as aforesaid, give Notice in Writing to the Commissioners of Customs or to their Solicitor that he refuses to abide by such Order, in which Case the Commissioners of Customs may direct such Proceedings thereon as they may see fit, or the Party against whom such Order shall have been made shall have the same Remedy by Action in any Court having Jurisdiction, including the "Court of Requests of the City of *London* and the Liberties thereof," as if no such Hearing or Order had been made: Provided always, that if any such Master, Owner, Importer, Shipper, Exporter, or Agent (not wishing to resort to such Appeal as herein-before provided) be desirous of stating his Case personally to One of the Commissioners of Customs, he shall be at liberty to do so on attending at the Custom House during the Sitting of the Board on applying for that Purpose.

Power to keep Order.

XXXVI. The Commissioner of Customs so deputed to inquire as aforesaid shall have and exercise, while engaged in the Conduct of such Inquiry, and to as full an Extent as the same is now exercised by any Justice or Justices in Sessions, all necessary Powers and Authority to enforce Order and Propriety of Conduct.

Disputes and Inquiries at Outports.

XXXVII. If at any of the Outports any Dispute shall arise between any Master or Owner of Ships, Merchants, Importers, Consignees, Shippers, or Exporters of Goods, or their Agent or Agents, and any Officer of Customs, with reference to the Class of Cases herein-before enumerated as arising or occurring in the Port of *London*, the like Inquiry shall be holden, the like Course of Proceeding adopted, the like Mode of taking Evidence pursued, the like Accommodation for the Parties concerned provided, the like Authorities for maintaining Order given, and, as nearly as may be, the like Matters in every respect done, as herein-before provided for Inquiry into and Conduct of similar Proceedings in the Port of *London*, save and except that the Duty herein-before prescribed to be performed by One of the Commissioners of Customs deputed for that Purpose shall be performed at such Outports by the Collector or Comptroller or other Officer of Customs deputed for that Purpose.

Inquiries may be conducted by Commissioners, Surveyors General, and other Officers of Customs.

Oath may be administered.

Persons making a false Oath guilty of Perjury.

XXXVIII. In any of the foregoing Cases, or whenever it shall be necessary for the Commissioners of Customs or their Officers to institute any Inquiry to ascertain the Truth or Facts with respect to any Complaint or Matter relating to any Business under their Management or Control or incident thereto, or the Conduct of Officers or Persons employed therein, such Inquiries shall and may be made or conducted by the Commissioners for the Time being, or any One or more of them, or by any Surveyor General, Inspector General, Collector, or Comptroller, or other Officer of the Customs, or by such Person or Persons as the Commissioners of Customs shall direct and appoint for that Purpose; and when upon any such Inquiry Proof on Oath shall be required by the Person so conducting the same, such Person shall and may administer such Oath to any Person attending before him as aforesaid; and if any Person so examined as a Witness before such Person shall be convicted of giving false Evidence on his Examination on Oath before the Person conducting such Inquiry, every such Person so convicted shall be deemed guilty of Perjury, and shall be liable to the Pains and Penalties thereof.

Power to summon Witnesses.

XXXIX. Upon any such Inquiry or Examination it shall be lawful for the Commissioners of Customs, or any One or more of them, or for any such Surveyor General, Inspector General, Collector, Comptroller, or other Officer of the Customs, or Person so authorized or directed by the Commissioners of Customs to conduct such Inquiry or Examination, to summon any Person required as a Witness to appear before the said Commissioners, Inspector General, Collector, Comptroller, Surveyor General, or other Officer, or Person authorized to conduct such Inquiry or Examination, as the Case may be, to attend on the Hearing thereof at the Time and Place to be specified in such Summons, to give Evidence upon Oath of the Truth of any Facts appertaining to such Inquiry, or any other Matter touching or relating thereto; and every Person so summoned, having his reasonable Expenses for such Attendance, if required, tendered to him at the Time of Service of such Summons, who shall neglect or refuse to appear according to the Exigency thereof, or who, having so appeared, shall refuse to take the Oath, or shall refuse to give Evidence, or to answer according to the best of his Knowledge and Belief any Question when thereunto required, shall for every such Default or Offence forfeit the Sum of Twenty Pounds.

Regulations for Conduct of Inquiries.

XL. The Commissioners of Customs shall from Time to Time make such Rules and Orders for the proper Conduct of such Inquiries as aforesaid as may be expedient, and as in their Judgment shall be necessary or proper; and such Rules and Orders shall be observed on the Conduct of such Inquiries, until annulled or varied by the Authority of the said Commissioners.

II. *Importation and Warehousing.*

As to the Importation, or Prohibition, Entry, Examination, Landing, and Warehousing of Goods:

Importation and Prohibition.

XLI. It shall be lawful to import into the United Kingdom any Goods which are not by this or any Law in force at the Time of Importation thereof prohibited to be so imported, and to warehouse under the Laws in force for the Warehousing of Goods, except as herein-after provided, in Warehouses duly approved for the Warehousing of Goods without Payment of Duty on the First Entry thereof, any Goods subject to Duties of Customs the Importation and Warehousing whereof is not prohibited by any Law in force at the Time of such Importation: Provided always, that the Duties on the following Goods, and on such other Goods as the Commissioners of the Treasury may from Time to Time direct, shall be paid on the First Importation thereof, and such Goods shall not be warehoused either for Home Consumption or Exportation; *viz.*, Corn, Grain, Meal, and Flour, and Wood Goods from *British* Possessions.

XLII. If,

Importation and Warehousing.

Time of Importation of Goods and Time of Arrival of Ships defined.

XLII. If, upon the first levying or repealing of any Duty, or the first permitting or prohibiting of any Importation, or at any other Time, or for any of the Purposes of this or any Act relating to the Customs, it shall become necessary to determine the precise Time at which an Importation of any Goods shall be deemed to have had Effect, such Time shall be deemed to be the Time at which the Ship importing such Goods had actually come within the Limits of the Port at which such Ship shall in due Course be reported and such Goods be discharged; and if any Question shall arise upon the Arrival of any Ship in respect of any Charge or Allowance upon such Ship, exclusive of Cargo, the Time of such Arrival shall be deemed to be the Time at which the Report of such Ship shall have been or ought to have been made.

Importation direct.

XLIII. No Goods shall be deemed to be imported from any particular Place unless they be imported direct from such Place, and shall have been there laden on board the importing Ship, either as the First Shipment of such Goods, or after the same shall have been actually landed at such Place.

Prohibitions and Restrictions.

XLIV. If any Goods enumerated or described in the following Table of Prohibitions and Restrictions as "Goods absolutely prohibited to be imported" shall be imported or brought into the United Kingdom, or if any Goods enumerated or described in such Table as "Goods prohibited to be imported except in "Transit, and subject to such Regulations and Restrictions as the Commissioners of the Treasury may "direct, and duly reported as Goods in Transit accordingly," shall be imported into the United Kingdom, except in Transit, in accordance with such Regulations and Restrictions, and so reported as aforesaid, or if any Goods enumerated or described in such Table as "Goods subject to certain Restrictions on Im-"portation" shall be imported or brought into the United Kingdom contrary to the Prohibitions or Restrictions contained in such Table in respect thereof, then and in every such Case such Goods shall be forfeited, and shall be destroyed or otherwise disposed of as the Commissioners of Customs may direct.

A TABLE OF PROHIBITIONS AND RESTRICTIONS INWARDS.

Goods absolutely prohibited to be imported.

Books wherein the Copyright shall be first subsisting, first composed or written or printed, in the United Kingdom, and printed or reprinted in any other Country, as to which the Proprietor of such Copyright or his Agent shall have given to the Commissioners of Customs a Notice in Writing that such Copyright subsists, such Notice also stating when such Copyright will expire.

Coin, *viz.*—False Money or Counterfeit Sterling.

Coin, Silver, of the Realm, or any Money purporting to be such, not being of the established Standard in Weight or Fineness.

Extracts, Essences, or other Concentrations of Coffee, Chicory, Tea, or Tobacco, or any Admixture of the same.

Malt.

Indecent or obscene Prints, Paintings, Books, Cards, Lithographic or other Engravings, or any other indecent or obscene Articles.

Snuff Work.

Tobacco Stalks stripped from the Leaf, whether manufactured or not.

Tobacco Stalk Flour.

Goods prohibited to be imported except in Transit, and subject to such Regulations and Restrictions as the Commissioners of the Treasury may direct, and duly reported as Goods in Transit accordingly.

Articles of Foreign Manufacture and any Packages of such Articles bearing any Names, Brands, or Marks being or purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom.

Clocks and Watches of any Metal impressed with any Mark or Stamp appearing to be or to represent any legal *British* Assay Mark or Stamp, or purporting by any Mark or Appearance to be of the Manufacture of the United Kingdom.

Parts of Articles; *viz.*, any distinct or separate Part of any Article not accompanied by the other Part or all the other Parts of such Article so as to be complete and perfect, if such Article be subject to Duty according to the Value thereof.

Goods prohibited to be imported, except subject to the Restrictions on Importation herein contained.

Infected Cattle, Sheep, or other Animals, and Hides, Skins, Horns, Hoofs, or any other Part of Cattle or other Animals, which Her Majesty may, by Order in Council, prohibit in order to prevent any contagious Distemper.

Silk, Manufactures of Silk, being the Manufactures of *Europe*, unless into the Ports of *London*, *Liverpool*, *Hull*, *Southampton*, *Leith*, or *Dublin*, or Ports appointed by the Commissioners of Customs, or into the Ports of *Dover* or *Folkestone* direct from *Calais* or *Boulogne*, and unless in Ships of Fifty Tons Burden or upwards.

Spirits (not being perfumed or medicinal Spirits), unless in Ships of Fifty Tons Burden at least, and in Casks or other Vessels capable of containing Liquids, each of such Casks or other Vessels being of the Size or Content of Twenty Gallons at the least, and duly reported, or in Glass Bottles or Stone Bottles not

Importation and Warehousing.

not exceeding the Size of Three-Pint Bottles, and being really Part of the Cargo of the importing Ship, and duly reported.

Tobacco and Snuff from the *East Indies*, and Tobacco from the *Turkish* Dominions, including *Egypt*, unless imported direct from any of those Places in Packages containing not less than One hundred Pounds net Weight each.

Negrohead Tobacco, and also Snuff being the Produce of the United States of *America*, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each, or unless imported direct from the said United States in Packages containing not less than One hundred and fifty Pounds net Weight each.

Tobacco from *Malta*, and Tobacco the Produce of *Porto Rico*, *Mexico*, *South America*, *St. Domingo*, *Cuba*, the *British* Possessions in *America*, and the West Coast of *Africa*, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each, or unless imported direct from those Places or from the United States of *America* in Packages containing not less than Eighty Pounds net Weight each.

Tobacco and Snuff, the Produce of the *Philippine* Islands, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each, or unless such Tobacco or Snuff be imported from *Manilla* direct, in Bales or Packages containing not less than Two hundred Pounds net Weight each.

Tobacco and Snuff of or from any other Country or Place not before enumerated, unless in Hogsheads, Casks, Chests, or Cases containing not less than Two hundred Pounds net Weight each.

Cigars, unless in Packages containing not less than One hundred Pounds net Weight each.

Cigarillos or Cigarettos, unless in Packages containing not less than Seventy-five Pounds net Weight each.

Tobacco, not being Cigars, Cigarillos, or Cigarettos and Snuff, separated or divided in any Manner within any Package in which the same may by the foregoing Table be imported, except Tobacco from the Dominions of the *Turkish* Empire, or from *Egypt*, in outer Packages containing not less than One hundred Pounds net Weight each.

Tobacco, Snuff, Cigars, Cigarillos, or Cigarettos of any Kind, or from any Country or Place whatever, whether herein-before enumerated as especially restricted or not, unless in Ships of not less than One hundred and twenty Tons Burden, and imported into such Ports only as are or may be approved of by the Commissioners of Customs.

Arms, &c. may be prohibited.

XLV. The Importation of Arms, Ammunition, Gunpowder, or any other Goods may be prohibited by Proclamation or Order in Council.

As to printed Lists of prohibited Books.

XLVI. The Commissioners of Customs shall cause to be made, and to be publicly exposed at the several Ports in the United Kingdom and in Her Majesty's Possessions abroad, printed Lists of all Books wherein the Copyright shall be subsisting, and as to which the Proprietor of such Copyright, or his Agent, shall have given Notice in Writing to the said Commissioners that such Copyright exists, stating in such Notice when such Copyright expires.

Vessels Inwards.

Ship to come quickly to Place of unlading, &c.

Accommodation of Officers on board.

Penalty 20*l.*

XLVII. If any Ship coming into the United Kingdom or into the Channel Islands shall not come as quickly up to the proper Place of mooring or unlading as the Nature of the Port will admit, without touching at any other Place, and in proceeding to such proper Place shall not bring to at the Stations appointed by the Commissioners of Customs for the boarding of Ships by the Officers of the Customs, or if after Arrival at such Place such Ship shall remove from such Place, except directly to some other proper Place of mooring or unlading, and with the Knowledge of the proper Officer of the Customs, or if the Master of any Ship on board of which any Officer is stationed neglect or refuse to provide every such Officer sufficient Room under the Deck in some Part of the Forecastle or Steerage for his Bed or Hammock, the Master of such Vessel shall forfeit the Sum of Twenty Pounds.

Officers to board Ships.

To have free Access to all Parts.

May seal or secure Goods and open Locks.

Goods concealed forfeited.

If Seal, &c. broken, Master to forfeit 100*l.*

Officers may put Seals upon Stores Inwards; if they are broken or Stores secretly conveyed away, Master to forfeit 20*l.*

XLVIII. The proper Officers of the Customs may board any Ship arriving at any Port in the United Kingdom or the Channel Islands, and freely stay on board until all the Goods laden therein shall be duly delivered from the same, and shall have free Access to every Part of the Ship, with Power to fasten down Hatchways or Entrances to the Hold, and to mark any Goods before landing, and to lock up, seal, mark, or otherwise secure any Goods on board such Ship; and if any Place or any Box or Chest be locked, and the Keys be withheld, such Officers, if they be of a Degree superior to that of Tidewaiter, may open any such Place, Box, or Chest in the best Manner in their Power, and if they be Tidewaiters, or only of that Degree, they shall send for their Superior Officer, who may open or cause to be opened any such Place, Box, or Chest in the best Manner in his Power; and if any Goods be found concealed on board any such Ship they shall be forfeited; and if the Officers shall place any Lock, Mark, or Seal upon any Goods on board, and such Lock, Mark, or Seal be wilfully opened, altered, or broken before due Delivery of such Goods, or if any of such Goods be secretly conveyed away, or if the Hatchways or Entrances to the Hold, after having been fastened down by the Officer, be opened, the Master of such Ship shall forfeit the Sum of One hundred Pounds; and if the proper Officer of the Customs shall place any Lock, Mark, or Seal upon any Stores on board any Ship or Vessel arriving in the United Kingdom, and such Lock, Mark, or Seal be wilfully opened, altered, or broken, or if any such Stores be secretly conveyed away, either while the Ship remains in the Port at which she shall have so arrived, or before she shall have arrived at any other Port in the United Kingdom to which she may then be about to proceed, the Master of such Ship shall forfeit the Sum of Twenty Pounds.

XLIX. No

Importation and Warehousing.

XLIX. No Goods, except Diamonds, Bullion, Lobsters, and fresh Fish of *British*-taking and imported in *British* Ships, which may be landed without Report or Entry, shall be unshipped from any Ship arriving from Parts beyond the Seas, or be landed or put on shore, on *Sundays* or Holidays, nor shall they be so unshipped, landed, or put on shore on any other Days, except between the Hours of Eight o'Clock in the Morning and Four o'Clock in the Afternoon from the First Day of *March* until the First Day of *November*, and between the Hours of Nine o'Clock in the Morning and Four o'Clock in the Afternoon from the First Day of *November* until the First Day of *March*, or during such other Hours as may be appointed by the Commissioners of Customs; nor shall any Goods be unshipped or landed unless in the Presence or with the Authority of the proper Officer of the Customs, nor shall they be so landed except at some legal Quay, Wharf, or other Place duly appointed for the landing of Goods, nor shall any such Goods after having been unshipped, or put into any Boat or Craft to be landed, be transhipped or removed into any other Boat or Craft previously to their being landed without the Permission of the proper Officer of the Customs; and if any such Goods shall be unshipped, landed, transhipped, or removed contrary hereto the same shall be forfeited, and if any Goods shall be unshipped or removed from any importing Ship for the Purpose of being landed after due Entry thereof, such Goods shall be forthwith removed to and landed at the Wharf, Quay, or other Place at which the same are intended to be landed; and if such Goods are not so removed and landed the same shall be forfeited, together with the Barge, Lighter, Boat, or other Vessel employed in removing the same.

Time and Place of landing Goods Inwards.

Goods unshipped contrary to Regulations forfeited.

Goods not forthwith removed, &c., forfeited.

Report, &c.

As to the Report of the Cargo of Merchant Ships, and of Ships in Commission bringing Merchandise from Parts beyond the Seas:

L. The Master of every Ship, whether laden or in Ballast, shall within Twenty-four Hours after Arrival from Parts beyond the Seas at any Port in the United Kingdom, and before Bulk be broken, make due Report of such Ship in the Form following or to the same Effect, and containing the several Particulars indicated or required thereby; and if the Cargo of such Ship shall have been laden at several Places shall state the Names of those Places in Column 1. in the Order of Time in which the same were laden opposite to the Particulars of the Goods so laden.

Master to report within Twenty-four Hours after Arrival.

Form of Report.

Port of

REPORT.

Ship's Name.	Tonnage.	British or Foreign; if British, Port of Registry; if Foreign, Country to which she belongs.	Number of Crew.		Name of Master, and whether a British or Foreign Subject.	Port or Place from whence arrived.
			British Seamen.	Foreign Seamen.		

Here state the Particulars according to the above Headings.

Particulars relating to Ship

			Total			

Particulars of Cargo (if any).

CARGO.

1. Name or Names of Places where laden in order of Time.	2. Marks.	3. Nos.	4. Packages and Descriptions of Goods, Particulars of Goods stowed loose, and General Denomination of Contents of each Package of Tobacco, Cigars, or Snuff intended to be imported at this Port.	5. Name of Consignee.	6. Particulars of Packages and Goods (if any) for any other Port in the United Kingdom.	7. Goods (if any) to be transhipped or to remain on board for Exportation.

Here state the Particulars according to the above Headings, or if in Ballast, state "in Ballast only."

If "in Ballast" be so stated.

STORES.

Importation and Warehousing.

STORES.

Particulars of Stores, &c.

Surplus Stores remaining on board, viz. {

Number of Alien Passengers (if any) - - - - - _____
Pilots Names - - - - - - - _____
At what Station Ship lying - - - - - - _____
Agent's Name and Address - - - - - - _____

Declaration of Master.

I declare that the Entry above written is a just Report of my Ship and of her Lading, and that the Particulars therein inserted are true to the best of my Knowledge, and that I have not broken Bulk or delivered any Goods out of my said Ship since her Departure from , the last Foreign Place of Loading, (*except, if so, at stating where.*)

(Signed)

Signed and declared this Day of *Master.*

In Presence of

(Countersigned)

Collr. or Contr.

On Failure Master to forfeit 100*l.*

LI. If such Master shall wilfully fail to make such Report according to the Particulars herein-before set forth, so far as the same are applicable to such Ship, Cargo, and Voyage, or if the Particulars or any of them contained in such Report be false, such Master shall forfeit the Sum of One hundred Pounds.

Commissioned Ships, British or Foreign, having Goods on board, Person in charge to deliver an Account, or forfeit 100*l.*

LII. The Captain, Master, Purser, or other Person having the Charge of any Ship (having Commission from Her Majesty, or from any Foreign State) having on board any Goods laden in Parts beyond the Seas shall on Arrival at any Port in the United Kingdom, and before any Part of such Goods be taken out of such Ship, or when called upon so to do by any Officer of the Customs, deliver an Account in Writing under his Hand to the best of his Knowledge of the Quality and Quantity of every Package or Parcel of such Goods, and of the Marks and Numbers thereon, and of the Names of the respective Shippers and Consignees of the same, and shall make and subscribe a Declaration at the Foot of such Account declaring to the Truth thereof, and shall also truly answer to the Collector or Comptroller such Questions concerning such Goods as shall be required of him, and on Failure thereof such Captain, Master, Purser, or other Person shall forfeit the Sum of One hundred Pounds; and all such Ships shall

Such Ships liable to Search.

be liable to such Searches as Merchant Ships are liable to, and the Officers of the Customs may freely enter and go on board all such Ships, and bring from thence on shore into the Queen's Warehouse any Goods found on board any such Ship as aforesaid, subject nevertheless to such Regulations in respect of Ships of War belonging to Her Majesty as shall from Time to Time be directed in that respect by the Commissioners of Her Majesty's Treasury.

Master to deliver Bills of Lading and answer Questions.

LIII. The Master of every Ship arriving from Parts beyond the Seas shall at the Time of making such Report deliver to the Collector or Comptroller, if required, the Bill of Lading, or a Copy thereof, for every Part of the Cargo laden on board, and shall answer all such Questions relating to the Ship, Cargo, Crew, and Voyage as shall be put to him by such Collector or Comptroller; and in case of Failure or Refusal to answer such Questions or answer truly, or to produce any such Bill of Lading or Copy, or if any such Bill of Lading or Copy shall be false, or if any Bill of Lading be uttered or produced by any Master, and the Goods expressed therein shall not have been *bonâ fide* shipped on board such Ship, or if any Bill of Lading uttered or produced by any Master shall not have been signed by him, or any such Copy shall not have been received or made by him, previously to his leaving the Place where the Goods

Bulk not to be broken or Stowage altered.

expressed in such Bill of Lading or Copy were shipped, or if after the Arrival of any Ship within Four Leagues of the Coast of the United Kingdom Bulk shall be broken, or any Alteration made in the Stowage of the Cargo of such Ship so as to facilitate the unlading of any Part of such Cargo, or if any Part be staved, destroyed, or thrown overboard, or any Package be opened, unless accounted for to the Satisfaction of the Commissioners of Customs, in every such Case such Master shall forfeit the Sum of One hundred Pounds.

Penalty 100*l.*

Packages reported "Contents unknown" may be opened. Prohibited Goods forfeited.

LIV. If the Contents of any Package intended for Exportation in the same Ship shall be reported by the Master as being unknown to him, the Officers of the Customs may open and examine such Package on board, or bring the same to the Queen's Warehouse for that Purpose, and if there be found in such Package any Goods which are prohibited to be imported such Goods shall be forfeited, unless the Commissioners of Customs shall permit them to be exported.

Entry of dutiable Goods.

As to the Entry of dutiable Goods to be delivered for Home Consumption on the landing thereof from the importing Ship:

Entry for Home Consumption.

LV. The Importer of any Goods liable to Duties of Customs and intended to be delivered for Home Use on the landing thereof from the importing Ship, or his Agent, shall, before Unshipment thereof, make

make perfect Entry of such Goods by delivering to the Collector or Comptroller a Bill of Entry thereof in the Form following or to the same Effect, and containing the several Particulars indicated in or required thereby: *Importation and Warehousing.*

ENTRY.

Form of Entry for Payment of Duty on Goods at landing.

Port of (*Name of Port of Importation*).

Whether Prime or Post, and if Post, Date of Prime Entry _____

Importer's Name _____

Wharf, Dock, or Station.	Ship's Name.	Whether British or Foreign Ship; if Foreign, the Country.	Master's Name.	Port or Place from whence imported.
	Here state the Particulars according to the above Headings.			

Marks.	Numbers.	Number of Packages, Quantities, and Descriptions of Goods as charged in Table of Duties.	If charged at Value, Value to be stated in Words at Length.
	Here state the Particulars according to the above Headings.		

£ s. d.

Total Amount of Duty payable on this Entry - - }

Dated this Day of 18 .

(Signed)

Importer or Agent.

I (*Name of Importer or Agent*), of (*Place of Abode*) do hereby declare that I am (*the Importer or Agent duly authorized by the Importer*) of the Goods contained in this Bill of Entry, and that I enter the same Goods, therein stated as Goods charged at Value, at the Sum of (*Money in Words at Length*). Declaration of Importer or Agent.

Witness my Hand the Day of 18 .

(Signed) _____

Importer or Agent.

And the Particulars in such Entry shall correspond with the Particulars given of the same Goods and Packages in the Report of the Ship, and in any Certificate of Origin or other Document, where any such is required, by which the Importation or Entry of such Goods is authorized, or upon which the Importer is entitled to any Benefit by the Distinction thereof, or otherwise, and whenever the Value of any Goods is required to be stated in the Entry, the Importer or his Agent shall subscribe a Declaration of the Truth of such Value in the Form set forth at the Foot of such Entry. Particulars in Entry to correspond with Report.

LVI. The Importer or his Agent shall immediately upon the Entry of any Goods entered by him to be delivered for Home Use pay down any Duties which may be payable upon the Goods mentioned in such Bill of Entry, if in *London* to the Receiver General, and if at any of the Outports to the Collector Payment of Duties.

Warrant for Delivery.

or other Person authorized by the Commissioners of Customs to receive the same; and such Bill of Entry, when signed by the Collector or other such Person, shall be transmitted to the Landing Waiter, and be his Warrant for the landing and Delivery of such Goods.

Detention of Goods for under Value.

Service of Notice in case of.

LVII. If upon the Examination of any Goods entered for Duty which are chargeable with Duty upon the Value thereof it shall appear to the Officers of Customs that such Goods are not valued according to the true Value thereof, or that they are properly chargeable with a higher Rate or Amount of Duty than that to which they would be subject according to the Value thereof as described in the Entry, it shall be lawful for such Officers to detain the same, in which Case they shall forthwith give Notice in Writing to the Person entering the same of the Detention of such Goods, and of the Value thereof as estimated by them, either by delivering such Notice personally or by transmitting the same by Post to such Person, addressed to him at his Place of Abode as stated in his Entry; and the Commissioners of Customs shall, within Seven Days after the Detention of such Goods, determine either to deliver such Goods on the Entry of such Person, or to retain the same for the Use of the Crown, in which latter Case they shall cause the Value at which the Goods were so entered, together with an Addition of Five *per Cent.* and the Duties already paid on such Entry, to be paid to the Person entering the same in full Satisfaction for such Goods, or may permit such Person on his Application for that Purpose to amend such Entry at such Value and on such Terms as they may direct; and if the Commissioners shall retain such Goods they shall and may dispose of them for the Benefit of the Crown, and if the Proceeds arising therefrom in case of Sale shall exceed the Sums so paid and all Charges incurred by the Crown, One Moiety of such Surplus shall be paid to a separate Fund at the Disposal of the Commissioners of Customs, and be distributed by them at such Periods and in such Proportions to or amongst such meretorious Officers as the Commissioners of Customs shall select as most deserving, and the other Moiety shall be accounted for, paid, and carried to account as Duties of Customs under the Direction of the Commissioners of Customs.

In Case of Sale of Goods how Proceeds to be applied.

As to the Entry of Goods intended to be warehoused without Payment of Duty on First Entry thereof:

Entry for the Warehouse.

Particulars of Entry.

Warrant for warehousing.

LVIII. The Importer of any Goods intended to be warehoused without Payment of Duty on the First Entry thereof, or his Agent, shall deliver to the Collector or Comptroller a Bill of Entry of such Goods in the same Manner and Form and containing the same Particulars as are herein-before required on the Entry of Goods to be delivered for Home Use on the landing thereof as far as the same shall be applicable, and the Name and Description of the Warehouse in which such Goods are intended to be warehoused, and the Name of the Person in whose Name they are to be so warehoused; and such Bill of Entry, when signed by the Collector or Comptroller, shall be transmitted to the proper Officer of Customs, and be the Warrant for the due warehousing of such Goods.

As to Goods entered for Warehouse.

LIX. If after any Goods shall have been duly entered and landed to be warehoused, though not actually deposited in the Warehouse, the Importer shall further duly enter the same, or any Part thereof, for Home Use or for Exportation, the same may be delivered and taken for Home Use or Exportation, as the Case may be.

Entry of free Goods.

Particulars of Entry.

Warrant for Delivery.

Account of free Goods.

As to the Entry of Goods free of Duty:

LX. The Importer of any Goods not subject to Duties of Customs, or his Agent, shall deliver to the Collector or Comptroller a Bill of Entry of such Goods in the same Manner and Form and containing the same Particulars as herein-before required on the Entry of dutiable Goods, so far as the same is applicable, which Entry, so far as regards the Goods, shall be a Transcript of the Report, and shall therein describe such Goods according to the Terms upon which such Goods are free of Duty, and the Value of such Goods as shall have been previously chargeable with Duty at Value; and such Bill of Entry, when signed by the Collector or Comptroller, shall be transmitted to the proper Officer, and be his Warrant for the Delivery of the Goods mentioned therein; and the Importer, Owner, or Consignee of such Goods, or his Agent, shall, within Fourteen Days after the Entry and landing thereof, deliver to the Collector, Comptroller, or other proper Officer of Customs a full and true Account of the Goods so landed; provided, that at *Liverpool*, and with the Sanction of the Commissioners of Customs at any other Port where the Docks, Quays, and Wharfs shall in like Manner be wholly or principally under the Control and Management of one and the same Corporate Body, the Owner, Master, or Consignee of the importing Ship, or his Agent, shall sign and leave with the Collector of the Customs, within Fourteen Days next after the final Discharge of such Goods, a full and accurate List thereof, stating the Quantities and distinguishing the Weight and Contents by Measurement of such Goods, if any, comprised therein, as shall be chargeable by Weight or by Measurement for the Freight payable thereon, and the Names of the Consignees (according to the Bills of Lading), or the Names of the Persons actually paying the Freight for the same; and on Failure to leave such List, such Owner, Master, Consignee, or Agent shall forfeit the Sum of Twenty Ponnds.

Entry by Bill of Sight.

Entry by Bill of Sight when Goods not known.

As to the Entry of Goods landed for Examination by Bill of Sight and perfecting Entry thereof:

LXI. The Importer of any Goods or his Agent, if unable for Want of full Information to make a perfect Entry of such Goods, on making and subscribing a Declaration to that Effect before the Collector or Comptroller, may make an Entry by Bill of Sight for the Packages or Parcels of such Goods in the Form following, or to the same Effect, and containing the several Particulars indicated or required thereby:

Form of Entry by Bill of Sight.

BILL OF SIGHT.

Port of [*Name of Port of Importation*].
Importer [*Name of Importer*].

Wharf, Dock, or Station.	Ship's Name.	Whether British or Foreign; if Foreign, the Country.	Master's Name.	Port or Place from whence imported.	Name of Importer or of his Agent.

Here state the Particulars according to the above Headings.

Marks.	Numbers.	Number of Packages, with the best Description of the Goods the Importer is able to give.

Here state the Particulars according to the above Headings.

I, the Importer (*or* Agent to the Importer) of the Goods above mentioned, do hereby declare that I have not (*if Importer*), or that to the best of my Knowledge he has not (*if Agent*), received sufficient Invoice Bill of Lading, or other Advice from whence the Quality, Quantity, or Value of the Goods above mentioned can be ascertained. Dated this Day of 18

(Signed)

Importer, or his Agent.

(Signed)

Coll. or Comptr.

Warrant for landing.

LXII. Such Entry being delivered to the Collector or Comptroller, and signed by him, shall be the Warrant for provisionally landing such Goods to be examined by such Importer in presence of the proper Officers, and the Importer shall within Three Days after the Landing thereof, and before the same shall be delivered, make full and perfect Entry thereof by endorsing upon such Bill of Sight such Particulars of such Goods as are herein-before required on making perfect Entry of Goods, whether for Payment of Duty, or for warehousing, or for Delivery free of Duty, as the Case may be, and to such Endorsement he shall affix the Date thereof, together with his Signature and Place of Abode, and such Endorsement, when signed by the Collector or Comptroller, shall be taken as the perfect Entry for such Goods.

Before Delivery Importer to make perfect Entry.

Goods entered by Bill of Sight not to be delivered, unless Duty is paid or deposited.

LXIII. Where an Entry for the Landing and Examination of Goods for Delivery on Payment of Duty shall be made by Bill of Sight, such Goods shall not be delivered until perfect Entry thereof shall have been made and the Duties due thereon paid, unless the Importer or his Agent shall have deposited with the proper Officer of the Customs a Sum of Money sufficient in Amount to cover the Duties payable thereon; and if the Sum deposited on a Bill of Sight shall not be equal in Amount to the Duties payable upon all the Goods contained in any single Package landed or examined thereby, no Part shall be delivered until a perfect Entry or Entries is or are made, and the Duties paid or deposited for the whole of the Goods contained in such Package.

LXIV. If

Goods to be taken to Queen's Warehouse in default of perfect Entry within Three Days, and sold within One Month after Landing.

LXIV. If full and perfect Entry of any Goods landed by Bill of Sight as aforesaid be not made within Three Days after the Landing thereof, such Goods shall be taken to the Queen's Warehouse by the Officers of the Customs; and if the Importer shall not within One Month after such Landing make perfect Entry or Entries of such Goods, and pay the Duties thereon or on such Parts as can be entered for Home Use, together with the Charges of Removal and of Warehouse Rent, such Goods shall be sold for the Payment of such Duties and Charges, (or for Exportation if they be such as cannot be entered for Home Use or shall not be worth the Duties,) and the Overplus, if any, after Payment of such Duties and Charges, or the Charges if sold for Exportation, shall be paid to the Importer or Proprietor thereof: Provided always, that when Entry be at any Time made as and for a full and perfect Entry for any Goods provisionally landed by Bill of Sight or deposited in the Queen's Warehouse, as aforesaid, if such Entry shall not be made in manner herein required for the due Landing of the Goods, the same shall be deemed to be Goods landed without Entry, and shall be forfeited.

If Entry not in manner required by Law, Goods forfeited.

As to the Entry of Goods re-imported into the United Kingdom as Foreign or by Bill of Store:

Re-importation of British Goods.

LXV. All *British* Goods re-imported into the United Kingdom shall be deemed and taken to be and be entered as Foreign, and shall be liable to the same Duties, Rules, Regulations, and Restrictions as such Goods, if Foreign, would be liable to on the First Importation thereof, unless the same shall be re-imported within Ten Years after the Exportation thereof, and it shall be proved to the Satisfaction of the Commissioners of Customs that the Property in such Goods has continued and still remains in the Person by whom or on whose Account the same have been exported, in which Case the same may be entered as *British* Goods, by Bill of Store containing such Particulars and in such Form and Manner as the said Commissioners may direct: Provided always, that the following Goods shall, on Re-importation be deemed and taken to be Foreign Goods, namely, Corn, Grain, Meal, Flour, and Hops, and also all Goods for which any Drawback of Excise shall have been received on Exportation, unless by special Permission of the Commissioners of Customs, and on Repayment of such Drawback, and also all Goods for which a Bill of Store cannot be issued in manner directed by the said Commissioners, except Remnants of *British* Goods, with Permission of the Commissioners of Customs.

Entry by Bill of Store.

Exceptions.

Entries generally.

As to Entries of Goods in any of the foregoing Cases:

Bill of Entry to be in duplicate.

LXVI. Upon the Entry of any Goods, the Importer, his Agent, or the Consignee of the Ship, as the Case may be, shall deliver Two or more Duplicates of the Bill of Entry thereof, as the Case may require, in which Duplicates all Sums and Numbers may be expressed in Figures; and the Number of Duplicates shall be such as the Collector or Comptroller may require.

Penalty on Importer, &c. not complying with Regulations.

LXVII. Every Importer, Agent, or other Person entering any Goods who shall wilfully fail to comply with the foregoing Regulations, so far as they are respectively applicable to the Goods so entered by him, shall forfeit and pay the Sum of Twenty Pounds.

No Entry or Warrant valid unless Goods properly described therein.

LXVIII. No Entry or Warrant for the landing of any Goods shall be deemed valid unless the Goods shall have been properly described in such Entry by the Denominations and with the Characters and Circumstances according to which such Goods are charged with Duty or may be imported, either to be used in the United Kingdom, or to be warehoused for Exportation only.

Goods concealed in Packages or delivered without Entry forfeited.

LXIX. If any Package or Parcel shall have been landed by or in pursuance of any Entry, and any Goods or other Things shall be found in such Package or Parcel concealed in any way or packed to deceive the Officers, such Package or Parcel and all the Contents thereof shall be forfeited; and if any Goods be taken or delivered out of any Ship or out of any Warehouse, not having been duly entered, the same shall be forfeited: Provided always, that no Entry shall be required in respect of the Baggage of Passengers, which may be examined, landed, and delivered under such Regulations as the Commissioners of Customs may direct, but if any prohibited or uncustomed Goods shall be found concealed therein either before or after landing, the same shall be forfeited, together with the other Contents of the Package containing the same.

Passengers Baggage.

Surplus Stores not excessive may be entered for private Use or Warehouse.

LXX. The proper Officer may permit any surplus Stores, not being Merchandise, nor by him deemed excessive, to be entered for private Use under and subject to the same Duties, Rules, and Regulations as the like Sort of Goods would be subject to on Importation as Merchandise, or permit the Master, Owner, Purser, or other Officer of any Ship, or any Passenger of such Ship, to whom any surplus Stores belong, to enter and warehouse such surplus Stores for future Use as Ship's Stores, although the same could not be legally imported by way of Merchandise.

Entry of Goods by Agents without Licence or by unauthorized Persons not permitted.

Penalty 20*l.*

Not to extend to Persons acting by proper Authority.

LXXI. If at any Port where Persons acting as Agents for transacting any Business relating to the Clearance of any Ship or Goods or Baggage shall be required to be licensed, any Person not so licensed, or not being the duly appointed Clerk to any Person so licensed, shall act as such Agent or Clerk, or if any Person, whether so licensed or appointed or not, shall make or cause to be made Entry of any Goods without being duly authorized for that Purpose by the Proprietor or Consignee of such Goods, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds; but no such Penalty shall extend to any Person acting under the Directions of the several Dock Companies, or to any Person otherwise authorized by Law to pass Entries, nor to any Merchant, Importer, or Consignee of any Goods, acting himself in respect thereof, or any Clerk or Servant exclusively employed by him or by any such Persons in Copartnership.

Agent to produce Authority if required.

LXXII. Whenever any Person shall make Application to any Officer of the Customs to transact any Business on behalf of any other Person, such Officer may require of the Person so applying to produce a written Authority from the Person on whose Behalf such Application shall be made, and in default of the Production of such Authority refuse to transact such Business.

LXXIII. The

Importation and Warehousing.

Officers may take Samples.

LXXIII. The Officers of Customs may on the Entry of any Goods, or at any Time afterwards, take Samples of such Goods for Examination, or for ascertaining the Duties payable on such Goods, or for such other Purpose as the Commissioners of Customs may deem necessary, and such Samples shall be disposed of and accounted for in such Manner as the Commissioners of Customs may direct.

As to the Time within which Goods shall be entered and landed after the Arrival of the importing Ship:

Entry, Time for.

Goods not entered within 14 Days may be taken to Queen's Warehouse;

and also small Packages or Quantities of Goods.

If Duties and Charges on such Goods be not paid within Three Months the Goods may be sold.

LXXIV. If the Importer of any Goods shall not, within Fourteen Days (exclusive of *Sundays* and Holidays), after the Arrival of the Ship importing the same, make perfect Entry or Entry by Bill of Sight of such Goods, or if, having made such Entry, he shall not land such Goods within such Fourteen Days, or within such further Period as the Commissioners of Customs shall direct, the Officers of the Customs may convey such Goods to the Queen's Warehouse; and whenever the Cargo of any Ship shall have been discharged within such Fourteen Days, with the Exception only of a small Quantity of Goods, the Officers of the Customs may forthwith convey such remaining Goods to the Queen's Warehouse; and also at any Time after the Arrival of such Ship may convey any small Packages or Parcels of Goods therein to the Queen's Warehouse, there to remain for due Entry during the Remainder of such Fourteen Days; and if the Duties due upon any Goods so conveyed to the Queen's Warehouse shall not be paid within Three Months afterwards, or within such further Period as the said Commissioners may direct, together with all Charges of Removal and Warehouse Rent, such Goods may be sold, and the Produce thereof applied, first to the Payment of Freight and Charges, next of Duties, and the Overplus, if any, shall be paid to the Proprietor of the Goods on his Application for the same; but if such Goods or any of them shall be of a perishable Nature, the Commissioners of Customs may forthwith direct Sale thereof, and apply the Proceeds in like Manner: Provided always, that for this Purpose, if the importing Ship and Goods be liable to the Performance of Quarantine, the Time for Entry and Landing of such Goods shall be computed from the Time at which such Ship and Goods shall have been released from Quarantine: Provided always, that if Forty-eight Hours or any earlier Period after the Report of any Ship is specified in the Bills of Lading for the Discharge of her Cargo or any Part thereof, and the Importer, Owner, or Consignee of such Goods, or his Agent shall neglect to enter and land the same within such Forty-eight Hours at any Port or Place approved by the Commissioners of Customs, the Master or Owner of such Ship may immediately, on the Expiration of such Forty-eight Hours, enter and land such Goods.

If Goods remain on board importing Ship beyond 14 Days, such Ship may be detained.

LXXV. Whenever any Goods shall remain on board any importing Ship beyond the Period of Fourteen Days after the Arrival of such Ship, or beyond such further Period as the Commissioners of Customs may allow, such Ship shall be detained by the proper Officer of Customs until all Expenses of watching or guarding such Goods beyond such Fourteen Days, or such further Time, if any allowed as aforesaid, not exceeding Five Shillings *per Diem*, and of removing the Goods, or any of them, to the Queen's Warehouse in case the Officers shall so remove them, be paid.

Abatement for Damage.

As to Goods upon which any Abatement for Damage on the Voyage or by Wreck may be claimed:

Abatement of Duty on damaged Goods.

Proof required.

LXXVI. No Claim for any Abatement of Duty in respect of any Goods imported into the United Kingdom shall be allowed on account of Damage, unless such Claim shall be made on the First Examination thereof, and in such Form and Manner as the Commissioners of Customs shall direct, nor unless it shall be proved to the Satisfaction of the Commissioners of Customs or their Officers that such Damage was sustained after such Goods had been shipped in the importing Ship and before the landing thereof in the United Kingdom; and all Goods derelict, jetsam, flotsam, and wreck brought or coming into the United Kingdom, and all Droits of Admiralty sold in the United Kingdom, shall at all Times be subject to the same Duties as Goods of the like Kind on Importation into the same Part of the United Kingdom are subject to, unless it shall be shown to the Satisfaction of the Commissioners of Customs that such Goods are the Growth, Produce, or Manufacture of any Country or Place by virtue whereof the same may be entitled to be admitted at less than the Foreign Duty, or Duty-free, or that the same, if liable to Duty, are entitled to an Abatement in respect of such Damage; and the Damage sustained by such Goods, whether so imported or derelict, jetsam, flotsam, or wreck as aforesaid, shall be assessed by the Officers of the Customs, if competent thereto, but if not, or if the Commissioners of Customs or the Collector or Comptroller of the Port into which the same shall be imported or brought as aforesaid shall entertain any Doubt as to the Amount of such Damage, they may call upon Two indifferent Merchants to examine the Goods and certify to what Extent in their Judgment the same are lessened in Value by such Damage, whereupon the Officers of the Customs may make an Abatement not exceeding Three Fourths of the Duty originally chargeable thereon, but no Allowance shall be made for Damage on Coculus Indicus, Nux Vomica, Rice, Guinea Grains, Lemons, Spirits, Corn, Grain, Meal and Flour, Opium, Sugar, Cocoa, Oranges, Tea, Coffee, Pepper, Tobacco, Currants, Raisins, Wine, and Figs.

Goods derelict, &c., and Droits of Admiralty, to be treated as Foreign Goods.

Exceptions.

Damage to be assessed by competent Persons.

Abatement not to exceed Three Fourths of Duty, and not to apply to certain Goods.

Production of Certificates.

As to the Production of Certificates of Origin in respect of Goods claiming any Benefit thereby on Importation:

Goods from Possessions abroad.

Master to deliver Certificate.

LXXVII. No Goods shall be entered as being of or from any *British* Possessions abroad, (if any Benefit attach to such Distinction,) except the Territories subject to the Government of the Presidencies of *Bengal*, *Madras*, and *Bombay* respectively, unless the Master of the Ship importing the same shall have delivered to the Collector or Comptroller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, of the due Clearance of such Ship from thence, containing an Account of such Goods.

LXXVIII. The

Importation and Warehousing.

Power to Lords of Treasury to require Certificates of Production.

LXXVIII. The Commissioners of the Treasury may by Order under their Hands declare that a Certificate of Production shall be required upon the Exportation of any Goods from any *British* Possession abroad or other Place, or upon the Importation of such Goods into the United Kingdom, and frame such Regulations respecting such Certificates and Goods as they may think fit; and if any Goods in respect of which such Certificates are required be imported without such Certificate they shall be deemed to be Foreign Goods and liable to any Duty attaching to them as such; and such Orders of the Treasury shall be published in the *London* and *Dublin* Gazettes Three Times at least within Three Months from the Date thereof respectively.

Certificate of Growth of Sugar and Spirits from British Possessions in America and the Mauritius.

LXXIX. Before any Spirits or Sugar, so long as any Benefit shall attach to the Distinction, shall be entered as being of the Produce of any *British* Possession in *America* or the Island of *Mauritius*, the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate, under the Hand of the proper Officer of the Place where such Goods were taken on board, testifying that Proof had been made in manner required by Law that such Goods are of the Produce of some *British* Possession in *America* or of the Island of *Mauritius*, stating the Name of the Place where such Goods were produced, and the Quantity and Quality of the Goods, and the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they are laden and of the Master thereof.

Certificate of Sugar from Limits of East India Company's Charter.

LXXX. Before any Sugar shall be entered as being the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, the Master of the Ship importing the same shall, so long as any Benefit attach to such Distinction, deliver to the Collector or Comptroller a Certificate under the Hand and Seal of the proper Officer at the Place where such Sugar was taken on board, testifying that a Declaration in Writing, the Contents of which he believed to be true, had been made and signed before him by the Shipper of such Sugar, that the same was really and *bonâ fide* the Produce of the *British* Possession.

East India Sugar warehoused at the Cape of Good Hope and imported from thence.

LXXXI. If any Sugar, the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, so long as any Benefit attaches to such Distinction, shall have been imported into the *Cape of Good Hope* from the Place of its Production, accompanied by such a Certificate of Origin as would be sufficient for its Admission into the United Kingdom at the Rate of Duty payable upon such Sugar, if imported direct from the Place of its Production, and shall have been warehoused at the *Cape of Good Hope* under the Regulations there in force for the Warehousing of Goods, and shall have been exported from such Warehouse, accompanied by a Certificate from the proper Officer of Customs at the *Cape of Good Hope*, setting forth the Particulars of the Importation, and of the Warehousing, and of the Exportation of the same, and also setting forth the Substance of the Certificate of Origin before mentioned, and if on the Arrival in the United Kingdom of the Ship importing such Sugar, the Master of such Ship shall deliver to the Collector or Comptroller at the Port of Importation such Certificate from the Officer of the Customs at the *Cape of Good Hope*, such Sugar shall be admitted at such Port of Importation in the United Kingdom at the same Rate of Duty as would be payable if the same had been imported direct from the Place of its Production.

Goods of Guernsey, Jersey, &c.

Duty free.

With Exceptions.

LXXXII. Any Goods of the Growth of the Channel Islands, and any Goods manufactured in the said Islands from Materials of the Growth of the said Islands, or from Materials not subject to Duty in the United Kingdom, or from Materials upon which the Duty has been paid in the United Kingdom, and upon which no Drawback has subsequently been granted, may be imported into the United Kingdom from the said Islands respectively without Payment of any Duty, and such Goods shall not be deemed to be included in any Charge of Duties imposed by any Act on the Importation of Goods generally from Parts beyond the Seas; but such Goods shall be charged with any Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Goods the Produce or Manufacture of the Part of the United Kingdom into which they shall be imported, or payable upon any of the Materials from which such Goods are manufactured; and all Goods manufactured in any of the said Islands from any other Materials than the Materials aforesaid shall be declared and taken to be Foreign Goods.

Master to deliver Certificate of Produce.

LXXXIII. Before any Goods shall be entered as being the Produce of the said Islands, (if any Benefit attach to such Distinction,) the Master of the Ship importing the same shall deliver to the Collector or Comptroller of Customs a Certificate from the Governor, Lieutenant-Governor, or Commander-in-Chief of the Island from whence such Goods were imported, that Proof had been made in manner required by Law that such Goods were of the Produce of such Island, stating the Quantity and Quality of the Goods, and the Number and Denomination of the Packages containing the same.

Inwards Entry. Certificate of Wine from British Possessions.

LXXXIV. Before any Wine shall be entered as being the Produce of any of the *British* Possessions abroad, the Master of the Ship importing the same shall deliver to the Collector or Comptroller a Certificate under the Hand of the proper Officer of such Possession, testifying that Proof had been made in manner required by Law that such Wine is the Produce of such Possession, stating the Quantity and Sort of such Wine, and the Number and Denomination of the Packages containing the same.

Unshipping, Landing, and Examination.

As to the Unshipping, Landing, Examination, Warehousing, and Custody of Goods:

Unshpping, &c., Goods to be at Expense of the Importer.

LXXXV. The unshipping, carrying, and landing of all Goods, and bringing them to the proper Place for Examination, and weighing, putting them into the Scales, opening, unpacking, repacking, bulking, sorting, lotting, marking, and numbering, where such Operations respectively are necessary or permitted, and removing to and placing them in the proper Place of Deposit until duly delivered, shall be performed by or at the Expense of the Importer; and the Importer or Person entering any Timber or Wood to be charged with Duty by Measurement shall, at his Expense, pile, sort, frame,

Timber to be piled at the Ex-

or

or otherwise place the same in such Manner as the Commissioners of Customs may deem necessary to enable the Officers to measure and take the Account thereof; and in all Cases when the same is measured in Bulk, the Measurement shall be taken to the full Extent of the Pile, and no Allowance shall be made by the Officers on account of any Interstices; but Battens, Boards, Deals, and Planks exceeding Twenty-one Feet in Length may be measured by the Piece, and the Account thereof taken separately.

pense of the Importer, so as to enable Officer of Customs to measure it.

LXXXVI. If any Goods shall be removed from any Ship, Quay, Wharf, or other Place previous to the Examination thereof by the proper Officer of Customs, unless under the Care or Authority of such Officer, or if any Goods entered to be warehoused, or to be re-warehoused, shall be carried into the Warehouse, unless with the Authority or under the Care of the proper Officer of Customs, and in such Manner, by such Persons, within such Time, and by such Roads or Ways as such Officer shall direct, such Goods shall be forfeited.

Goods removed or carried into the Warehouse without Examination or Authority, forfeited.

LXXXVII. Upon the Entry and Landing of any Goods to be warehoused, or within such Period as the Commissioners of Customs shall direct with respect to the same or any of them, the Landing Waiter or other Officer of Customs shall take a particular Account of such Goods at the Quay or Wharf at which they shall be so landed, or in the Warehouse, if they be Goods of which the Account is permitted to be taken in the Warehouse, and shall cause to be marked on each Package of which such Account shall be taken the Contents thereof, and shall enter in a Book prepared for that Purpose, containing the Name of the import Ship, and of the Person in whose Name they are entered, the Marks, Numbers, and Contents of each such Package, the Description of the Goods, and the Warehouse or Place in the Warehouse in which the same shall be deposited, and when the same shall have been so deposited with the Authority of such Officer he shall certify that the Entry and Warehousing of such Goods is complete, and such Goods shall from that Time be considered Goods warehoused; and if any such Goods shall be delivered, withheld, or removed from the proper Place of Examination before the same shall have been duly examined and certified by such Officer, such Goods shall be deemed to be Goods not duly entered or warehoused, and shall be forfeited.

Landing Waiter to take Account of Goods for Warehouse.

Contents of Packages to be marked thereon, and entered in Landing Book.

LXXXVIII. The Account of the Goods so taken as aforesaid shall be the Account upon which the Duties payable upon such Goods shall be ascertained when the same shall ultimately come to be delivered upon due Entry for that Purpose, and the same shall be entered and the full Duties due thereon be paid according to the Quantity taken in such Account, without any Abatement for any Deficiency, except as herein-after provided.

Goods to be entered and Duties paid according to Landing Account.

LXXXIX. All Goods warehoused shall be deposited in the Packages in which the same shall have been imported, except as to such Goods as are permitted to be skipped on the Quay, or bulked, sorted, lotted, packed, or repacked in the Warehouse after the landing thereof, in which Case they shall be deposited in the Packages in which the same shall be when the Account thereof is taken by the proper Officer; and if such Goods are not so deposited, or if any Alteration shall afterwards be made in the Goods so deposited, or in the packing thereof in the Warehouse, or if the same shall be removed from the Room in the Warehouse in which the same are deposited, without the Presence or Sanction of the proper Officers, except for Delivery under the proper Warrant, Order, or Authority for that Purpose, they shall be forfeited.

Warehoused Goods to be deposited in original Packages, or those of which Account is taken.

XC. The Commissioners of Customs may direct what Goods may be skipped on the Quay, or bulked, sorted, lotted, packed, or repacked, and determine in respect of what Goods the Account may be taken in any Warehouse approved by them for that Purpose, and within what Time after the landing thereof, and on such Conditions as they may deem necessary.

Commissioners to direct what Goods may be bulked, &c.

XCI. If the Occupier of any Warehouse shall neglect to stow the Goods warehoused therein so that easy Access may be had to every Package and Parcel thereof he shall for every such Neglect forfeit the Sum of Five Pounds.

Penalty, on neglecting to stow Goods properly,

XCII. If the Occupier of any Warehouse shall not produce to any Officer of Customs on his Request any Goods deposited in such Warehouse which shall not have been duly cleared and delivered therefrom, such Occupier shall for every such Neglect forfeit the Sum of Five Pounds in respect of every Package or Parcel not so produced, besides the Duties due thereon.

or not producing Goods when required.

XCIII. If any Goods entered to be warehoused shall not be duly warehoused in pursuance of such Entry, or being duly warehoused shall be fraudulently concealed in or removed from the Warehouse, or abstracted from any Package, or transferred from one Package to another, or otherwise, for the Purpose of illegal Removal or Concealment, they shall be forfeited.

Goods not duly warehoused, &c. forfeited.

XCIV. If the Importer or Proprietor of any Goods warehoused, or any Person in his Employ, shall clandestinely open the Warehouse, or, except in the Presence of the proper Officer of Customs acting in the Execution of his Duty, gain Access to the Goods, such Importer or Proprietor shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty on clandestinely gaining Access to warehoused Goods.

XCV. If any Goods shall be taken out of any Warehouse without due Entry of the same with the proper Officer of Customs, the Occupier of such Warehouse shall forthwith pay the Duties due upon such Goods; and every Person so taking out any Goods without Payment of Duty, or who shall aid, assist, or be concerned therein, and every Person who shall wilfully destroy or embezzle any Goods duly warehoused, shall be deemed guilty of a Misdemeanor, and shall, upon Conviction suffer the Punishment by Law inflicted in Cases of Misdemeanor; but if such Person shall be an Officer of Customs or Excise not acting in the due Execution of his Duty, and shall be prosecuted to Conviction by the Importer, Consignee, or Proprietor of such Goods, no Duty shall be payable for or in respect of such Goods, and the Damage occasioned by such Waste, Spoil, or Embezzlement shall, with the Sanction of the Commissioners

Duty on Goods taken out without Entry to be paid by Warehouse Keeper.

missioners of the Treasury, be repaid or made good to such Importer, Consignee, or Proprietor by the Commissioners of Customs.

No Compensation for Goods damaged by Fire, &c.

XCVI. No Compensation shall be made by the Commissioners of Customs to any Importer, Proprietor, or Consignee of any Goods by reason of any Damage occasioned thereto in the Warehouse by Fire or other inevitable Accident.

Duties on warehoused Goods lost or destroyed may be remitted.

XCVII. If any Goods warehoused or entered to be warehoused, or entered to be delivered from the Warehouse, shall be lost or destroyed by unavoidable Accident, either on Shipboard or in landing, or in receiving into the Warehouse, or in the Warehouse, the Commissioners of Customs may remit or return the Duties due thereon.

Removal.

As to the Removal of warehoused Goods:

Goods may be removed from one Port to another; or from one Warehouse to another in same Port.

XCVIII. Any Goods warehoused at any Port in the United Kingdom may be removed by Sea or by inland Carriage to any other Port in which the like Kind of Goods may be warehoused on Importation, to be re-warehoused at such other Port, and again as often as may be required at any other such Port, to be there re-warehoused, or, with the Permission of the proper Officers of Customs, from any Warehouse in any Port to any other Warehouse in the same Port, under such Regulations and with such Security as the Commissioners of Customs may direct, on the Delivery to the proper Officer by the Person requiring such Removal of a Request Note, stating the Particulars of the Goods required to be removed, the Name of the Port, or of the Warehouse if in the same Port, to which the same are intended to be removed, and with such other Information and in such Manner and Form as the Commissioners of Customs or the proper Officer may direct or require.

Regulations for Removal

Officers at Port of Removal to transmit Account of Goods to Officers at Port of Destination.

Remover to give Bond.

Bond may be given at either Port.

Bond, how to be discharged.

XCIX. On the Delivery of any Goods for Removal, an Account containing the Particulars thereof, shall be transmitted by the proper Officers of the Port of Removal to the proper Officers of the Port or Place of Destination, and the Person requiring the Removal thereof shall enter into Bond, with One sufficient Surety, in a Sum equal at least to the Duty chargeable on such Goods, for the due Arrival and re-warehousing thereof at the Port or Place of Destination within such Time as the Commissioners of Customs may direct, such Bond to be taken by the Collector, Comptroller, or other proper Officer, either of the Port or Place of Removal, or the Port or Place of Destination, as shall best suit the Residence or Convenience of the Parties interested in such Removal; and if such Bond shall have been given at the intended Port or Place of Destination, a Certificate thereof, under the Hand of the Collector or Comptroller or other proper Officer of such Port, shall, at the Time of the entering of such Goods, be produced to the Collector, Comptroller, or other proper Officer of the Port of Removal; and such Bond shall not be discharged unless such Goods shall have been produced to the proper Officer, and duly re-warehoused at the Port of Destination, within the Time allowed for such Removal, or shall have been otherwise accounted for to the Satisfaction of the Commissioners of Customs, nor until the full Duties due upon any Deficiency of such Goods not so accounted for shall have been paid; but any Remover may enter into General Bond, with such Sureties, in such Amount, and under such Conditions as the Commissioners of Customs may approve, for the Removal from Time to Time of any of the Goods from one Warehouse to another, and for the due Arrival and re-warehousing of the same at the Place of Destination within such Time or Times as the said Commissioners may direct.

General Removal Bond may be given.

Goods, on Arrival, to be subject to same Regulations as on first Importation;

C. Upon the Arrival of such Goods at the Port or Place of Destination the same shall be entered and warehoused in the same Manner, and under and subject to the same Laws, Rules, and Regulations, so far as the same are or can be made applicable, as are required on the Entry and Warehousing of Goods on the First Importation thereof.

and may, after formal re-warehousing, be entered for Exportation or Home Use, on Payment of Duties.

CI. If upon the Arrival of Goods so removed as aforesaid at the Port of Destination the Parties shall be desirous forthwith to export the same, or to pay Duty thereon for Home Use, without actually lodging the same in the Warehouse for which they have been entered and examined to be re-warehoused, the Officers of Customs at such Port may, after all the Formalities of entering and examining such Goods for re-warehousing have been duly performed, permit the same to be entered and shipped for Exportation, or to be entered and delivered for Home Use, upon Payment of the Duties due thereon, as if such Goods had been actually lodged in such Warehouse; and all Goods so exported or for which the Duties have been so paid, shall be deemed to have been duly cleared from the Warehouse.

No Spirits which shall have been imported into the United Kingdom shall be removed except from Warehouse.

CII. No Spirits which shall have been imported from Parts beyond the Sea into the United Kingdom upon which a higher Duty is payable on their Importation into *England* than on their Importation into *Scotland* or *Ireland*, shall be brought from *Scotland* or *Ireland* into *England*; nor shall any such Spirits upon which a higher Duty is payable on their Importation into *Scotland* than on their Importation into *Ireland*, be brought from *Ireland* into *Scotland*, except such as shall have been duly warehoused upon the First Importation thereof, according to the Laws in force for the Warehousing of Goods, and which shall be in the Warehouse at the Time of such intended Removal, and which shall be removed from one Warehousing Port to another Warehousing Port, according to the Regulations required by Law; and all such Spirits, when so removed, shall be liable to the Duty payable thereon in that Part of the United Kingdom into which they shall be so removed, if they be entered for Home Consumption therein; and all Spirits removed contrary hereto shall be forfeited, and all Persons concerned in such Removal, or knowingly receiving or harbouring any Spirits so removed, shall forfeit the Penalty of One hundred Pounds, or Treble the Value of such Spirits, at the Election of the Commissioners of Customs or Inland Revenue.

Penalty for Removal of Spirits contrary hereto.

Warehoused Goods, if not cleared for Home Use or Expor-

CIII. All warehoused Goods shall be cleared either for Home Use or Exportation at the Expiration of Five Years from the Day on which the same were so warehoused, or within such further Period and in such Cases as the Commissioners of the Treasury shall direct, unless the Owner or Proprietor of such Goods

Goods shall be desirous of re-warehousing the same, in which case the same shall be examined by the proper Officers, and the Duties due upon any Deficiency or Difference between the Quantity ascertained on landing and the Quantity found to exist on such Examination, together with the necessary Expense attendant thereon, shall, subject to such Allowances as are by Law permitted in respect thereof, be paid down, and the Quantity so found shall be re-warehoused in the Name of the then Owner or Proprietor thereof in the same Manner as on First Importation.

tation within 5 Years, must be re-warehoused.

Duties on Deficiencies, and Expenses, to be paid down.

CIV. If any warehoused Goods shall not be duly cleared, exported, or re-warehoused, and the Duties ascertained to be due on the Deficiencies as aforesaid shall not be paid down at the Expiration of Five Years from the previous Entry and warehousing thereof, or within such further Period as shall be directed as aforesaid, the same, if worth the Duty due thereon, shall, after One Month's Notice to the Warehouse Keeper, with all convenient Speed be sold either for Home Use or Exportation, with or without the Consent of the Warehouse Keeper, and the Proceeds thereof shall be applied to the Payment of the Duties, Warehouse Rent, and Charges, and the Surplus, if any, shall be paid to the Owner or Proprietor of such Goods, if known, but if such Owner or Proprietor cannot be found, such Surplus shall be carried to the Crown's Account, to abide the Claim of such Owner or Proprietor on his appearing and making good his Claim thereto; and if such Goods shall not be worth the Duty, then the same, after such One Month's Notice as aforesaid, may be exported or destroyed, with or without the Concurrence of the Owner thereof, or the Proprietor of the Warehouse in which the same were so warehoused, as the Commissioners of Customs shall see fit; and the Duties due upon any Deficiency thereof not allowed by Law shall be forthwith paid by the Proprietor of the Warehouse.

Goods in Warehouse not cleared or re-warehoused, or Duties paid on Deficiencies, after 5 Years, to be sold.

Proceeds, how to be applied.

Goods not worth the Duty may be exported or destroyed.

CV. With the Sanction of the Commissioners of Customs, and after such Notice given by the respective Importers or Proprietors, and at such Times and under such Regulations and Restrictions as the Commissioners of Customs shall from Time to Time require and direct, it shall be lawful in the Warehouse to sort, separate, pack, and repack any Goods, and to make such Alterations therein as may be necessary for the Preservation, Sale, Shipment, or Disposal thereof; provided that such Goods be repacked in the Packages in which they were imported, or in such other Packages as the Commissioners shall permit (not being less in any Case, if the Goods be to be exported or to be removed to another Warehouse, than is required by Law on the Importation of such Goods); and also to draw off any Wine or any Spirits into reputed Quart or Pint Bottles for Exportation only; and to draw off and mix Brandy with any Wine, not exceeding the Proportion of Ten Gallons of Brandy to One hundred Gallons of Wine; and also to fill up any Casks of Wine or Spirits from any other Casks of the same respectively secured in the same Warehouse; and also to rack off any Wine from the Lees, and mix any Wines of the same Sort, erasing from the Cask all Import Brands, unless the whole of the Wine so mixed be of the same Brand; and also to take such Samples of Goods as may be allowed by the Commissioners of Customs, with or without Entry, and with or without Payment of Duty, except as the same may eventually become payable as on a Deficiency of the original Quantity; and the Duty on the Surplus, if any, of such Goods as may be delivered for Home Use shall be immediately paid, and such Surplus shall thereupon be delivered for Home Use accordingly; and after such Goods have been so separated and repacked in proper or approved Packages, the Commissioners of Customs may, at the Request of the Importer or Proprietor of such Goods, cause or permit any Refuse, Damage, or surplus Goods occasioned by such Separation or repacking, or, at the like Request, any Goods which may not be worth the Duty, to be destroyed, and may remit the Duty payable thereon.

Goods in Warehouse may be sorted, repacked, &c.

To be repacked in the original or other legal sized Packages.

Wine or Spirits may be bottled for Exportation only. Brandy may be mixed with Wine.

Casks of Wine or Spirits may be filled up or racked off.

Wines may be mixed, and Samples taken.

After repacking, damaged Parts may be destroyed.

CVI. No Foreign Packages or Materials whatsoever shall be used in the repacking of any Goods in the Warehouse, except such as shall have been used in the Importation of warehoused Goods, unless the full Duties thereon shall have been first paid.

What Packages to be used in repacking.

CVII. The Commissioners of Customs may permit any Goods to be taken out of the Warehouse without Payment of Duty, for such Purpose or for such Period as to them may appear expedient, and in such Quantities, and under such Regulations and Restrictions, and with such Security by Bond for the due Return thereof or the Payment of the Duties due thereon, as they may direct or require; and the Officers of Customs of any Port where any Premises shall be approved as a Bonded Sugar House may deliver any Quantity of Sugar, on the Application of the Proprietor or Occupier of such Bonded Sugar House, and on Entry of such Sugar with the proper Officer of Customs, for the Purpose of being there refined, under the Locks of the Crown, for Removal to the *Isle of Man* or for Exportation; and all Sugars so delivered shall be lodged and secured in such Premises, under such Conditions, Regulations, and Restrictions, as the Commissioners of Customs shall from Time to Time direct.

Goods in Warehouse may be taken out, under Regulations, and with Security for Duties.

Delivery of Sugars Duty-free to be refined for Exportation only.

CVIII. Upon the Entry of any Sugar to be refined in any Premises approved under this Act, the Proprietor or Occupier shall give Bond, to the Satisfaction of the Officers of the Customs, in a Sum equal to double the Amount of the Duty payable upon a like Quantity of Sugar, with a Condition that the whole of such Sugar shall be actually subjected to the Process of Refinement upon the said Premises, and that within Four Months from the Date of such Bond the whole of the refined Sugar and Treacle produced by such Process shall be either duly removed to the *Isle of Man* or exported from the said Premises, or delivered into an approved Bonded Warehouse under the Locks of the Crown, for the Purpose of being eventually so removed or exported.

Refiner to give Bond.

Entry for Home Consumption and Exportation.

As to the Entry of warehoused Goods for Home Consumption and Exportation, and the Delivery thereof:

CIX. No warehoused Goods shall be taken or delivered from the Warehouse, except upon due Entry, and under the Care of the proper Officers, for Exportation, or upon due Entry and Payment of the full Duties

Entry for Exportation or Home Use.

Importation and Warehousing.

Duties payable thereon for Home Use, except Goods delivered into the Charge of the Searchers to be shipped as Stores, in such Quantities as the Collector or Comptroller shall allow, subject to the Directions of the Commissioners of Customs, and under such Regulations as they may see fit to make.

Persons entering warehoused Goods for Home Use to deliver Bill of Entry, and pay down Duties.

CX. Upon the Entry of any Goods to be cleared from the Warehouse for Home Use the Person entering such Goods shall deliver a Bill of Entry, and Duplicates thereof, in like Manner and Form, containing the same Particulars, as are herein-before required on the Entry of Goods to be delivered for Home Use on the landing thereof, as far as the same may be applicable, and shall at the same Time pay down to the proper Officer of Customs the full Duties payable thereon, not being less in Amount than according to the Account of the Quantity taken by the Landing Waiter or other proper Officer on the First Entry and Landing thereof, except as to the following Goods; *viz.*, Tobacco, Wine, Spirits, Figs, Currants, Raisins, and Sugar, the Duties whereon, when cleared from the Warehouse for Home Use, shall be charged upon the Quantity of such Goods ascertained by Weight, Measure, or Strength at the Time of actual Delivery thereof, unless there is reasonable Ground to suppose that any Portion of the Deficiency or Difference between the Weight, Measure, or Strength ascertained on landing and First Examination of any such last-mentioned Goods, and that ascertained at the Time of actual Delivery, has been caused by illegal or improper Means, in which Case the proper Officer of Customs shall make such Allowance only for Loss as he may consider fairly to have arisen from natural Evaporation or other legitimate Cause.

Duties to be paid according to Landing Account, except in certain Cases.

Duties on certain Goods how to be charged.

Value of Deficiencies, how to be estimated.

CXI. When any Deficiency occurs in Goods chargeable to pay Duty according to the Value thereof, the Value thereof shall be estimated as nearly as conveniently may be by the Officers of Customs according to the Market Price of the like Sort of Goods.

Deficiencies in Goods entered for Exportation.

CXII. No Duty shall be charged in respect of any Deficiency in Goods entered and cleared from the Warehouse for Exportation, unless the Officers of Customs have reasonable Ground to suppose that such Deficiency or any Part thereof has arisen from illegal Abstraction.

Entries for Wood Goods restricted.

CXIII. No Entry for Home Consumption shall from and after the passing of this Act be received for or in respect of any Timber or Wood Goods deposited in any Warehouse for Security of Duties, for any less Quantity at any One Time than Five Loads of such Timber or Wood Goods, unless such Wood Goods shall be delivered by Tale, in which Case such Entry may be passed for any Quantity thereof not being less than Two hundred and forty Pieces, or Two Great Hundreds of such Wood Goods; and no less Quantity of such Timber or Wood Goods shall be delivered in virtue of any such Entry at any One Time than One Load of such Timber or Wood Goods, or Ninety Pieces of such Wood Goods if delivered by Tale.

Cards imported not to be sold without a Wrapper provided by the Commissioners of Inland Revenue.

CXIV. No Pack or Parcel of Playing Cards imported into any Part of the United Kingdom shall be sold or exposed or kept for Sale without being separately enclosed in a Wrapper provided by the Commissioners of Inland Revenue, with such Device thereon as they shall direct, and securely fastened round or over the same by means of some adhesive Substance, and so and in such Manner that such Wrapper cannot be opened without being destroyed; and if any Person shall sell, or offer or expose or keep for Sale, any Pack or Parcel of Playing Cards, not being a Pack of Cards within the Meaning of an Act passed in the present Session, Chapter Fifty-nine, and enclosed in a Wrapper of a licensed Maker of Playing Cards approved by the said Commissioners, and the same not being *bonâ fide* Waste Cards within the Meaning of the same Act, without the same being enclosed in a Wrapper provided by the last-mentioned Commissioners in pursuance of this Act, and fastened as herein-before in that Behalf mentioned, he shall for every such Pack or Parcel of Cards forfeit, if he shall not be a licensed Maker of Playing Cards, the Sum of Ten Pounds, and if he shall be such licensed Maker the Sum of Twenty Pounds, whether such Cards shall have been made in the United Kingdom or imported; which Penalty, as well as any Penalty relating to Playing Cards imposed by the said last-mentioned Act, may be recovered, either in Her Majesty's Superior Courts or before any Justice of the Peace, in like Manner as any Penalty under any Act relating to Stamp Duties; and all such Cards so offered, exposed, or kept for Sale may be seized and taken by any Officer of Customs or Inland Revenue, and shall be disposed of as the Commissioners of Inland Revenue shall direct; and in any Proceedings for the Recovery of any such Penalty by this Act imposed it shall be sufficient to allege that the Person charged with the Offence did sell, or offer or expose or keep for Sale, as the Case may be, a Pack or any Number of Packs of Playing Cards, without the same being enclosed in a Wrapper required by Law, and it shall not be necessary further or otherwise to charge or describe the Offence.

Penalty 10*l.* if not a Maker, 20*l.* if a Maker.

Cards kept for Sale without Wrapper forfeited.

Commissioners of Inland Revenue to provide Wrappers to enclose therein Cards imported.

CXV. The Commissioners of Inland Revenue shall provide Wrappers for enclosing Cards imported into the United Kingdom, in such Form and with such Device and with any Words and Figures thereon as they shall think proper, and shall appoint an Officer, at any Port or Place where the same shall be required, to enclose in such Wrappers any Cards imported; and every such Officer, on reasonable Notice and upon Delivery to him of a Certificate, under the Hand of the proper Officer of Customs at the Port where any Cards shall be imported, that the Duties by Law charged on such Cards imported have been duly paid, and specifying such Particulars as the Commissioners of Inland Revenue shall direct, shall enclose every Pack of such Cards in One of such Wrappers, and securely fasten the same by means of some adhesive Substance, in such Manner as the said last-mentioned Commissioners shall direct; and no such Cards shall be delivered out of the Custody of the Officers of Customs until they shall be enclosed in such Wrappers as aforesaid; and if any such Cards, or any Cards made in the United Kingdom and purporting to be or intended to be represented as Cards imported, or which shall not be *bonâ fide* Waste Cards as aforesaid, or Packs of Cards in respect of which the Stamp Duties shall have been paid, shall

be

Importation and Warehousing.

be found in any Part of the United Kingdom not enclosed in any such Wrapper as aforesaid, all such Cards shall be forfeited, and may be seized and taken by any Officer of Customs or Inland Revenue, and shall be disposed of as the Commissioners of Inland Revenue shall direct.

Forgery of Wrapper.

CXVI. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall aid or assist in the forging or counterfeiting of any Wrapper provided by the Commissioners of Inland Revenue in pursuance of this Act, or any Wrapper of a licensed Maker of Playing Cards, or any Wrapper purporting to be the Wrapper of any such licensed Maker made for enclosing Playing Cards, or shall knowingly and wilfully utter, or, without lawful Excuse, the Proof whereof shall lie upon him, be possessed of any such forged or counterfeit Wrapper, he shall be guilty of Felony, and shall be liable to the same Punishment as any Person guilty of forging or counterfeiting any Stamp or Mark provided, made, or used by the Commissioners of Inland Revenue.

III. *Exportation.*

Entry of Goods, &c. out.

As to the Exportation and Entry of Goods, and the Clearance of Ships from the United Kingdom to Parts beyond the Seas:

Warehoused Goods not to be exported in Ships under 50 Tons, except, &c.

CXVII. No Person shall export any warehoused Goods, nor enter any such Goods for Exportation from the United Kingdom to Parts beyond the Seas, in any Ship of less Burden than Fifty Tons, except to the Islands of *Guernsey* and *Jersey* in Ships not being of less than Forty Tons Burden, regularly trading to those Islands.

Master to deliver Certificate of Clearance of last Voyage, &c.

CXVIII. The Master of every Ship in which any Goods are to be exported from the United Kingdom to Parts beyond the Seas, or his Agent, shall, before any Goods be taken on board, deliver to the Collector or Comptroller a Certificate from the proper Officer of the due Clearance Inwards or Coastwise of such Ship of her last Voyage, and shall also deliver therewith an Entry Outwards of such Ship, verified by his Signature, in the following Form or to the same Effect, and containing the several Particulars indicated or required thereby:

ENTRY OUTWARDS.

Form of Entry of Ship Outwards.

Port of (*Name of Port of Exportation*).

Ship's Name.		Tonnage.	Master's Name.	Port of Destination.
If British, Name of Port of her Registry.	If Foreign, Name of Country to which she belongs.			

Lying at (*Name of Station or Place in Port*).

(Signed) _____

Master or Agent.

Date of Entry.

If Ship shall have commenced her Lading at any other Port (Name of such Port).

And if such Ship shall have commenced her Lading at some other Port, the Master shall deliver to the Searcher the Clearance of such Goods from such other Port; and if any Goods be taken on board any Ship at any Port before she shall have been entered Outwards at such Port (unless a Stiffening Order, when necessary, shall be issued by the proper Officer to lade any heavy Goods for Exportation on board such Ship), the Master shall forfeit the Sum of One hundred Pounds.

Penalty.

Goods not to be shipped except on proper Days and Places, nor until Entry and Clearance.

CXIX. No Goods shall be shipped, put off, or water-borne to be shipped for Exportation, from any Port or Place in the United Kingdom, except on Days not being *Sundays* or Holidays, nor from any Place except some Legal Quay, Wharf, or other Place duly appointed for such Purpose, nor without the Presence or Authority of the proper Officer of Customs, nor before due Entry Outwards of such Ship, and due Entry of such Goods, nor before such Goods shall have been duly cleared for Shipment; and it shall be lawful for the Searcher to open all Packages, and fully to examine all Goods shipped or brought for Shipment at any Place in the United Kingdom.

Searcher may open Packages, &c.

Exportation.

Entry and Clearance.

As to the Entry and Clearance of Goods for Exportation:

On Entry Outwards, Bond for due shipping and landing shall be given.

CXX. Before any warehoused Goods, *British*-wrought Plate, Goods subject to Duties of Customs, or entitled to any Drawback of Customs, on Exportation, or exportable only under particular Rules, Regulations, or Restrictions, shall be permitted to be exported, the Exporter or his Agent shall deliver to the Collector or Comptroller a Bond Note or Account of such Goods, and give Security by Bond in double the Amount of Duty payable by Law upon the Importation of such Goods, with One sufficient Surety, that such Goods shall be duly shipped and exported, and shall be landed at the Place for which they are entered Outwards, or otherwise accounted for to the Satisfaction of the Commissioners of Customs; and such Bond Note, when certified by the proper Officer, shall be the Export Entry for such Goods.

Exporter to deliver Shipping Bill.

CXXI. Before any such Goods shall be shipped or water-borne to be shipped for Exportation, the Exporter or his Agent shall deliver to the Searcher or other proper Officer a Shipping Bill of such Goods in the Form following or to that Effect, and containing the Particulars indicated therein or required thereby:

Form of Shipping Bill for Goods for which Bond is required to be given on Exportation.

Shipping Bill for { 1. Warehoused or Drawback Goods. 2. Foreign Goods not for Drawback. 3. Goods exported under some particular Rule, Regulation, or Restriction.

(*State as above described the Class to which the Goods to be exported belong*).

Ship's Name.	Whether British or Foreign Ship; if Foreign, the Country.	Master's Name.	The Port or Place of Destination.

Here state the Particulars according to the above Headings.

Marks.	Numbers.	Description of Packages.	Quantity, Quality, and Description of Goods.

Here state the Particulars according to the above Headings.

Total Number of Packages - -

I claim Drawback on { *Here state the Quantity and Description in Words at Length of any Goods in respect of which Drawback is claimed.*

(Signed) _____

Exporter or Agent.

Station of Clearance.

(Countersigned) _____

Searcher.

Dated Day of

Exportation.

Inland Revenue Drawback. Notice to Officer, &c. Shipment to be certified.

CXXII. No Drawback of Excise shall be allowed upon any Goods cleared for Exportation, unless the Person intending to claim such Drawback shall have given due Notice to the Officer of Excise, and shall have produced to the Searcher, at the Time of clearing such Goods, a proper Document under the Hand of the Officer of Excise, containing the Description of such Goods; and if such Goods be found to correspond with the Particulars of the Goods contained in such Document, and be duly shipped and exported, the Searcher shall, if required, certify such Shipment upon such Document, and shall transmit the same to the Officer of Excise.

No Drawback if Goods of less Value than claimed; and Penalty for Entry thereof.

CXXIII. No Drawback shall be allowed upon the Exportation of any Goods entered for Drawback or as Stores which shall be of less Value than the Amount of the Drawback claimed; and all such Goods so entered shall be forfeited, and the Person who caused such Goods to be entered shall forfeit the Sum of Two hundred Pounds, or Treble the Amount of Drawback claimed in such Case, at the Election of the Commissioners of Customs.

No Drawback on Tobacco not properly manufactured, and Penalty for Frauds to obtain Drawback.

CXXIV. No Drawback shall be allowed on any Tobacco not wholly manufactured from Tobacco on which the Duty on Importation shall have been paid, nor on any Tobacco mixed with Dirt, Rubbish, or other Substance; and every Person who shall enter or ship, or cause to be entered or shipped, any Tobacco contrary hereto, shall, over and above all other Penalties which he may thereby incur, forfeit Treble the Amount of the Drawback sought to be obtained, or Two hundred Pounds, at the Election of the Commissioners of Customs, and all such Tobacco shall be forfeited.

Shipping Bill for Free Goods, &c. to be delivered to Searcher.

CXXV. Before any Goods in respect of which no Bond is required shall be shipped or water-borne to be shipped for Exportation, the Exporter or his Agent shall deliver to the Searcher a Shipping Bill thereof, with such Duplicates as may be required by him, in the following Form or to that Effect, and containing the several Particulars indicated in or required thereby:

Form of Shipping Bill for British Manufactures and Foreign Goods free of Duty.

SHIPPING BILL FOR BRITISH MANUFACTURES OR FOREIGN GOODS FREE OF DUTY.

Ship's Name.	Whether British or Foreign Ship; if Foreign, the Country.	Master's Name.	Port or Place of Destination.

Marks.	Numbers.	Description of Packages.	Quantity, Quality, and Description of Goods.	The Value of British Goods and of Foreign Goods formerly charged with Duty at Value (if any).
				£ s. d.
Total Number of Packages -			Total Value -	

I declare the Value of the British Goods above described to be

(Signed) _____

Exporter or Agent.

Station of Clearance.

(Countersigned) _____

Searcher.

Dated this Day of 18 .

And such Shipping Bill shall be the Entry for the Goods contained therein; provided, that at *Liverpool*, and (with the Sanction of the Commissioners of Customs) at any other Port where the Docks, Quays, and Wharfs are in like Manner wholly or principally under the Control and Management of one and the same

Exportation.

same Corporate Body, the Owner, Charterer, Consignee, Broker, Agent, or other Person acting in the loading and Clearance of the exporting Ship shall also prepare a full and accurate List or Manifest of all such Goods from the Bills of Lading and Freight List thereof, and shall sign and leave with the Collector of the Customs, within Fourteen Days after such Ship shall have cleared Outwards, a correct Transcript of such last-mentioned List or Manifest, with the Addition of the Value of such Goods, if any, as shall have been previously chargeable with Duty, at Value, and of *British* Goods, distinguishing therein the Names of the several Shippers of such Goods, according to the Bills of Lading; and on Failure to prepare such List or Manifest, and to sign and deliver such Transcript as aforesaid, such Owner, Charterer, Consignee, Broker, or other Person as aforesaid shall forfeit the Sum of Twenty Pounds.

Shipping Bill signed by Searcher to be the Clearance for the Goods.

CXXVI. The Shipping Bill or Bills, when filled up, and signed by the Exporter or his Agent, or the Consignee of the Ship, as the Case may be, in such Manner as the proper Officer may require, and countersigned by the Searcher, shall be the Clearance for all the Goods enumerated therein; and if any of such Goods shall consist of Tea, Spirits, or Tobacco, the Exporter or his Agent shall furnish to the Searcher an Account thereof, containing the Number and Description of the Packages, and the respective Quantities contained therein, which, when certified by the Searcher, shall accompany the Ship, and have the same Force and Effect as the Cocket in use prior to the passing of this Act; and if the Exporter or his Agent shall require a similar Certificate in respect of any other Goods shipped for Exportation, the Searcher shall, on its being presented to him for that Purpose, certify the same in like Manner: Provided always, that if any such Certificate be required to be in any particular Form for Goods destined for the *Zolverein* or any other Foreign State, or under the Name of Cocket, such Certificate may be so prepared and denominated.

Licensed Lighterman to carry Goods.

CXXVII. If any Goods cleared for Drawback or from the Warehouse shall be carried or water-borne to be put on board any Ship for Exportation by any Person not at the Time duly licensed and authorized to act as a licensed Lighterman, either in the Port of *London* or any other Port at which Lightermen are required to be so licensed, or by any Person not being in the Employ of such Lighterman at the Time duly authorized to act as such, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds.

Warehoused Goods removed or shipped, &c. without Authority, forfeited.

CXXVIII. If any Goods taken from the Warehouse for Removal or for Exportation shall be removed or shipped, except with the Authority or under the Care of the proper Officer of Customs, and in such Manner, by such Persons, within such Time, and by such Roads or Ways as such Officer shall permit or direct, such Goods shall be forfeited.

Commissioners may remit Duty on warehoused Goods lost or destroyed, &c.

CXXIX. If any Goods duly entered for Delivery from the Warehouse for Removal or Exportation shall be lost or destroyed by unavoidable Accident, either in the Delivery from the Warehouse or the shipping thereof, the Commissioners of Customs may remit the Duties due thereon.

As to the Issue of Debentures for and Payment of Drawback on Goods exported:

Payment of Drawback.

Issuing and passing Debenture.

CXXX. For the Purpose of computing and paying any Drawback claimed and payable upon any Goods duly entered, shipped, and exported, a Debenture shall in due Time after such Entry be prepared by the Collector or Comptroller, certifying in the first instance the Entry Outwards of such Goods, and so soon as the same shall have been duly exported, and a Notice containing the Particulars of the Goods shall have been delivered by the Exporter to the Searcher, the Shipment and Exportation thereof shall be certified to the Collector or Comptroller upon such Debenture by the Searcher, and the Debenture shall thereupon be computed and passed with all convenient Despatch.

Declaration as to Exportation and Right to Drawback.

Name of Person entitled to be declared.

CXXXI. The Person entitled to any Drawback on any Goods duly exported, or his Agent duly authorized by him for that Purpose, shall make and subscribe a Declaration upon the Debenture that the Goods mentioned therein have been actually exported, and have not been relanded, and are not intended to be relanded, in any Part of the United Kingdom, and that such Person at the Time of Entry and shipping was and continued to be entitled to the Drawback thereon, and the Name of such Person shall be stated in the Debenture, which shall then be delivered to such Person or his Agent, and the Receipt of such Person on the Debenture, countersigned by the Holder of such Debenture, if the same shall have been transferred in the meantime, shall be the Discharge for such Drawback when paid.

Payment within Two Years.

CXXXII. No Debenture for any Drawback allowed upon the Exportation of any Goods shall be paid after the Expiration of Two Years from the Date of the Shipment of such Goods.

Warehouse or Debenture Goods not exported, or if relanded, or carried to Guernsey, &c. without Entry, forfeited.

CXXXIII. If any Goods which have been cleared to be exported for any Drawback shall not be duly exported to Parts beyond the Seas, or shall be unshipped or relanded in any Part of the United Kingdom (such Goods not having been duly relanded or discharged as short-shipped under the Care of the proper Officers), or shall be carried to any of the Channel Islands (not having been duly entered, cleared, and shipped to be exported or carried directly to such Islands), the same shall be forfeited, together with any Ship, Boat, or Craft which may have been used in so unshipping, relanding, landing, or carrying such Goods from the Ship in which the same were shipped for Exportation; and the Master of such Ship, and any Person by whom or by whose Orders or Means such Goods shall have been so unshipped, relanded, landed, or carried, or who shall aid, assist, or be concerned therein, shall forfeit a Sum equal to Treble the Value of such Goods, or a Penalty of One hundred Pounds, at the Election of the Commissioners of Customs.

Exportation.

Drawbacks of Duties on Wine allowed for Officers in the Navy.

CXXXIV. A Drawback of the whole of the Duties of Customs shall be allowed for Wine intended for the Consumption of Officers of Her Majesty's Navy on board such of Her Majesty's Ships in actual Service as they shall serve in, not exceeding the Quantities of Wine in any One Year for the Use of such Officers herein-after respectively mentioned; that is to say,

	Gallons.
For every Admiral	1,260
„ Vice-Admiral	1,050
„ Rear-Admiral	840
„ Captain of the 1st and 2d Rate	630
„ Captain of the 3d, 4th, and 5th Rate	420
„ Captain of an inferior Rate	210
„ Lieutenant and other Commanding Officer, and for Marine Officer, Master, Purser, and Surgeon	105

unless such Wine be taken from the Warehouse without Payment of Duty under such Regulations as the Commissioners of Customs may direct: Provided always, that in either Case such Wine be shipped at Ports approved of by the Commissioners of Customs.

Persons entering such Wine for Drawback to declare the Name and Rank of Officer claiming the same.

CXXXV. The Person entering such Wine, and claiming the Drawback for the same, shall state in the Entry and declare on the Debenture the Name of the Officer for whose Use such Wine is intended, and of the Ship in which he serves; and such Wine shall be delivered into the Charge of the Officers of the Customs at the Port of Shipment, to be shipped under their Care; and the Commanding Officer for the Time being of such Ship, having certified upon the Debenture the Receipt of such Wine into his Charge, and the proper Officer of the Customs having certified to the Shipment on the Debenture, the same shall be computed and passed, and be delivered to the Person entitled to receive the same.

Officers leaving the Service, &c. such Wine permitted to be transferred to others.

CXXXVI. If any such Officer shall leave the Service, or be removed to another Ship, the Officers of the Customs may permit the Transfer of any such Wine from one Officer to another, as Part of his Proportion, whether on board the same Ship or another, or the Transhipment from one Ship to another for the same Officer, or the relanding and warehousing for future Reshipment; and the Officers of Customs at any Port may receive back the Duties for any of such Wine, and deliver the same for Home Use; but if any of such Wine be not laden on board the Ship for which the same was intended, or be unladen from such Ship without Permission of the proper Officer of Customs, the same shall be forfeited.

Pursers of Her Majesty's Ships of War may ship Tobacco for the Use of Crew free of Duty, on giving Bond.

CXXXVII. The Purser of any of Her Majesty's Ships of War in actual Service may enter and ship, at any Port approved of by the Commissioners of Customs, in the Proportions herein-after mentioned, any Tobacco there warehoused in his Name, or transferred into his Name for the Use of the Ship in which he shall serve, provided such Purser shall deliver to the Collector or Comptroller of such Port a Certificate from the Captain of such Ship, stating the Name of the Purser, and the Number of Men belonging to the Ship, and shall also give Bond, with One sufficient Surety, in Treble the Duties payable on the Tobacco, that no Part thereof shall be relanded without Leave of the Officers of Customs.

Purser removed from one Ship to another may tranship Tobacco, with Permission of Collector.

CXXXVIII. If any Purser shall be removed from one Ship to another, the Collector or Comptroller of any Port may permit the Transhipment of the Remains of any such Tobacco, for the Use of such other Ship, upon due Entry of such Tobacco by such Purser, setting forth the Time when and the Port at which such Tobacco was first shipped; and if any such Ship shall be paid off, the Collector or Comptroller of the Port may permit the Remains of any such Tobacco to be landed, and to be entered by the Purser of such Ship, either for Payment of Duties, or to be warehoused for the Term of Six Months, for the Supply of some other such Ship, in like Manner as any Tobacco may be warehoused and supplied at any such Port, or for Payment of all Duties within such Six Months; and all Tobacco warehoused for the Purpose of so supplying Her Majesty's Ships of War shall be subject to the Provisions of any Act in force relating to the warehousing of Tobacco generally, as far as the same are applicable, and are not expressly altered by any of the Provisions herein particularly made.

Limiting the Quantity of Tobacco.

CXXXIX. No greater Quantity of such Tobacco shall be allowed to any Ship of War than Two Pounds by the Lunar Month for each of the Crew of such Ship, nor shall any greater Quantity be shipped at any One Time than sufficient to serve the Crew of such Ship for Six Months after such Rate of Allowance; and the Collector or Comptroller of the Port at or from which any such Tobacco shall be supplied to any such Ship, or landed from any such Ship, or transferred from one such Ship to another, shall transmit a particular Account thereof to the Commissioners of Customs, in order that a general Account may be kept of all the Quantities supplied to and consumed on board each of such Ships under the Allowances before granted.

Shipping of Stores.

As to the shipping of Stores for the Use of Foreign-bound Vessels:

Victualling Bill for Stores.

CXL. The Master of every Ship of the Burden of Fifty Tons or upwards, departing from any Port in the United Kingdom upon a Voyage to Parts beyond the Seas, the Duration of which out and home shall not be less than Forty Days, shall, upon due Application made by him, and upon such Terms and Conditions as the Commissioners of Customs may direct, receive from the Searcher an Order for the Shipment of such Stores as may be required and allowed by the Collector or Comptroller for the Use of such Ship, with reference to the Number of the Crew and Passengers on board, and the probable Duration of the Voyage on which she is about to depart; and all Demands for such Stores shall be made in such Form and Manner as such Collector or Comptroller shall require, and shall be signed by the Master or Owner of the Vessel; and after such Stores are duly shipped the Master or his Agent shall make out an Account of the Stores so shipped, together with any other Stores then already on board, and the same, when

Exportation.

when presented to the Searcher, signed by him, and countersigned by the Collector or Comptroller, shall be the Victualling Bill; and no Stores shall be shipped for the Use of any Ship, nor any Articles taken on board any Ship be deemed to be Stores, except such as shall be borne upon such Victualling Bill.

Clearance of Ship out.

As to the Clearance of Ships Outwards:

If Inward Cargo reported for Exportation, Copy of Report to be delivered to Searcher.

CXLI. If there be on board any Ship any Goods, being Part of the Inward Cargo reported for Exportation in the same Ship, the Master shall, before Clearance Outwards of such Ship from any Port in the United Kingdom, deliver to the Searcher a Copy of the Report Inwards of such Goods, certified by the Collector or Comptroller; and if such Copy be found to correspond with the Goods so remaining on board, the Searcher shall sign the same, to be filed with the Certificates or Cockets, if any, and Victualling Bill of the Ship.

Before Clearance, Master to deliver Content.

CXLII. Before any Ship shall be cleared Outwards from the United Kingdom with any Goods shipped or intended to be shipped on board the same, the Master shall deliver a Content of such Ship to the Searcher, in the Form or to the Effect following, and containing the several Particulars therein required, as far as the same can be known by him, and shall make and subscribe the Declaration at the Foot thereof, in the Presence of the Collector or Comptroller, and shall answer such Questions as shall be demanded of him concerning the Ship, the Cargo, and the intended Voyage, by such Collector or Comptroller:

Form of Content.

CONTENT.

Port of

Ship's Name.	Tonnage and Number of Guns.		If British, Port of Registry; if Foreign, the Country.	Number of Crew.	Name of Master.	Number of Passengers or Troops.
	Tons.	Guns.				
Here state the Particulars according to the above Headings.						

Warehoused Goods.	Drawback and Restricted Goods.	British Goods and Foreign Goods free of Duty, and Foreign Goods not for Drawback.
If any, state Marks and Numbers of Packages.	*If any, state Description of Packages,*	*If any, state* "Sundry Packages containing," *either Class, as the Case may be.*
If any Goods shall have been reported Inwards for Exportation in such Ship they must be so stated.		

Cleared

Examined

(Signed) _____

Searcher.

Dated

I do declare, That the above Content is a true Account of all Goods shipped or intended to be shipped on board the above-named Ship, and correct in all other Particulars.

(Signed) _____

Master.

Signed and declared, this Day of

before me,

(Signed) _____

Collector or Comptroller.

And

Exportation.

Before Clearance, Certificate to be delivered to Searcher.

And before Clearance the Certificates, if any, shall be delivered to the Searcher, who shall compare the Shipping Bills with the Content and Certificates, if any, and file such Certificates, Copy of Report inwards, if any, of Goods reported for Exportation in such Ship, and the Victualling Bill, with a Label attached and sealed thereto, in the Form or to the Effect following:

(*Seal.*)

Number of Certificates (*Numbers in Figures*).
Ship (*Name of Ship*).
Master (*Name of Master*).

(*Date of Clearance*). (*Signature*) _____ Searcher.
(*Signature*) _____ Collector or Comptroller.

Label signed, Authority to depart.

And such Label, when filled up, and signed by the Searcher and the Collector or Comptroller, shall, as to the Goods comprised therein, be the Clearance and Authority for the Departure of the Ship; and the Shipper of any *British* Goods and such Goods as were previously chargeable with Duty at Value laden in such Ship shall, under a Penalty of Twenty Pounds, deliver to the Broker, Agent, or other Person clearing such Ship, a Duplicate of the Bill of Lading thereof at the Time of signing thereof, with an Endorsement thereon of the Quantity and Value of such Goods, and such Broker, Agent, or other Person as aforesaid shall, within Fourteen Days after such final Clearance of the Ship, sign and deliver to the Collector or Comptroller of Customs a full and accurate List of all such Goods, with the Quantities and Value thereof, from the Bills of Lading so delivered to him, with such Bill or Bills of Lading annexed thereto, and on Failure thereof such Broker, Agent, or other Person as aforesaid shall forfeit the Sum of Twenty Pounds, and for this Purpose the Duplicate Bill of Lading so required shall not be liable to any Stamp Duty.

Goods on board to correspond with Content.

CXLIII. If any Goods liable to Duty on Importation, or taken from the Warehouse to be exported, or entitled to Drawback on Exportation, which are enumerated in the Content of any Ship, shall not be duly shipped before the Departure of such Ship, or shall not be duly certified by the proper Officer as short-shipped, such Goods shall be forfeited; or if any such Goods shall be taken on board such Ship, not being enumerated in such Content, the Master of such Ship shall forfeit the Sum of Five Pounds in respect of every Package of such Goods; and if any Goods duly shipped on board such Ship shall be landed at any other Place than that for which they shall have been cleared, unless otherwise accounted for to the Satisfaction of the Commissioners of Customs, the Master of such Ship shall forfeit a Sum equal to Treble the Value of the Goods so landed.

Goods shipped contrary to Provisions forfeited.

CXLIV. If any Goods shall be shipped, put off or water-borne to be shipped, without being duly cleared, or otherwise contrary to the Provisions of this Act, the same shall be liable to Forfeiture.

In Ballast. Clearance notified on Victualling Bill. Master to answer Questions. Ships, laden or in Ballast, to clear out. Penalty 100*l.*

CXLV. Before any Ship shall depart in Ballast from the United Kingdom for Parts beyond the Seas, not having any Goods on board, except Stores from the Warehouse borne upon the Victualling Bill of such Ship, nor any Goods reported Inwards for Exportation in such Ship, the Collector or Comptroller shall clear such Ship in Ballast, by notifying such Clearance and the Date thereof on the Victualling Bill, and deliver the same to the Master of such Ship as the Clearance thereof; and the Master of such Ship shall answer to the Collector or Comptroller such Questions touching her Departure and Destination as shall be demanded of him; and Ships having only Passengers with their Baggage on board, and Ships laden only with Chalk or Slate, shall be deemed to be in Ballast; and if any such Ship, whether laden or in Ballast, shall depart without being so cleared, if she have any such Stores on board, the Master shall forfeit and pay the Sum of One hundred Pounds.

Boarding of Ships.

As to the boarding of Ships after Clearance Outwards:

Officers may board any Ship after Clearance. Uncertificated Goods on board; Penalty on such Goods missing.

CXLVI. Any Officers of Customs may go on board any Ship after Clearance Outwards within the Limits of any Port in the United Kingdom, or within Four Leagues of the Coast thereof, and may demand the Ship's Clearance; and if there be any Goods on board in respect of which Certificates are required, not contained in such Certificates, or any Stores not endorsed on the Victualling Bill, such Goods or Stores shall be forfeited; and if any Goods contained in such Certificates be not on board, the Master shall forfeit the Sum of Twenty Pounds for every Package or Parcel of Goods contained in such Certificates, and not on board.

If Officers put Seals on Stores from Warehouse Outwards, and such Seals be broken, Master to forfeit 20*l.*

CXLVII. If any Officer of Customs shall place any Lock, Mark, or Seal upon any Goods taken from the Warehouse without Payment of Duty as Stores on board any Ship or Vessel departing from any Port in the United Kingdom, and such Lock, Mark, or Seal be wilfully opened, altered or broken, or if any such Stores be secretly conveyed away, either while such Ship or Vessel remains at her First Port of Departure, or at any other Port or Place in the United Kingdom, or on her Passage from One such Port or Place to another, before the final Departure of such Ship or Vessel on her Foreign Voyage, the Master shall forfeit the Sum of Twenty Pounds.

Ships not bringing to at Stations, Penalty 20*l.*

CXLVIII. If any Ship departing from any Port in the United Kingdom shall not bring to at such Stations as shall be appointed by the Commissioners of Customs for the landing of Officers from such Ships, or for further Examination previous to such Departure, the Master of such Ship shall forfeit the Sum of Twenty Pounds.

Exportation.

Time of Exportation and Departure defined.

CXLIX. The Time at which any Goods shall be shipped on board any Export Ship shall be deemed to be the Time of Exportation of such Goods, and the Time of the last Clearance of any Ship shall be deemed to be the Time of Departure of such Ship.

Goods prohibited by Proclamation.

Forfeiture.

CL. The following Goods may, by Proclamation or Order in Council, be prohibited either to be exported or carried Coastwise: Arms, Ammunition, and Gunpowder, Military and Naval Stores, and any Articles which Her Majesty shall judge capable of being converted into or made useful in increasing the Quantity of Military or Naval Stores, Provisions, or any Sort of Victual which may be used as Food by Man, and if any Goods so prohibited shall be exported from the United Kingdom or carried Coastwise, or be water-borne to be so exported or carried, they shall be forfeited.

IV. *Coasting Trade.*

As to the Coasting Trade of the United Kingdom:

All Trade by Sea from one Part of the United Kingdom to another to be deemed Coastwise.

CLI. All Trade by Sea from any one Part of the United Kingdom to any other Part thereof shall be deemed to be a Coasting Trade, and all Ships while employed therein shall be deemed to be Coasting Ships, and no Part of the United Kingdom, however situated with regard to any other Part, shall be deemed in Law, with reference to each other, to be Parts beyond the Seas; and if any Doubt shall at any Time arise as to what or to or from what Parts of the Coast of the United Kingdom shall be deemed a Passage by Sea, the Commissioners of the Treasury may determine and direct in what Cases the Trade by Water from One Port or Place in the United Kingdom to another of the same shall or shall not be deemed a Trade by Sea within the Meaning of this or any Act relating to the Customs.

Coasting Trade of United Kingdom.

CLII. No Goods or Passengers shall be carried Coastwise from One Part of the United Kingdom to another, except in *British* Ships.

Coasting Ship confined to Coasting Voyage.

CLIII. No Goods shall be carried in any Coasting Ship, except such as shall be laden to be so carried at some Port or Place in the United Kingdom, and no Goods shall be laden on board any Ship to be carried Coastwise until all Goods brought in such Ship from Parts beyond the Seas shall have been unladen; and if any Goods shall be taken into or put out of any Coasting Ship at Sea or over the Sea, or if any Coasting Ship shall touch at any Place over the Sea, or deviate from her Voyage, unless forced by unavoidable Circumstances, or if the Master of any Coasting Ship which shall have touched at any Place over the Sea shall not declare the same in Writing under his Hand to the Collector or Comptroller at the Port in the United Kingdom where such Ship shall afterwards first arrive, the Master of such Ship shall forfeit the Sum of One hundred Pounds.

Times and Places for landing and shipping.

CLIV. If any Goods shall be unshipped from any Ship arriving Coastwise, or be shipped or water-borne to be shipped to be carried Coastwise, on *Sundays* or Holidays, or unless in the Presence or with the Authority of the proper Officer of the Customs, or unless at such Times and Places as shall be appointed or approved by him for that Purpose, the same shall be forfeited, and the Master of the Ship shall forfeit the Sum of Fifty Pounds.

Master of Coasting Vessel to keep a Cargo Book.

CLV. The Master of every Coasting Ship shall keep or cause to be kept a Cargo Book, stating the Names of the Ship, the Master, and the Port to which she belongs, and of the Port to which she is bound on each Voyage, and shall at every Port of Lading enter in such Book the Name of such Port, and an Account of all Goods there taken on board such Ship, stating the Descriptions of the Packages and the Quantities and Descriptions of the Goods therein, and the Quantities and Descriptions of any Goods stowed loose, and the Names of the respective Shippers and Consignees, so far as such Particulars are known to him, and shall at every Port of Discharge of such Goods note the respective Days on which the same or any of them are delivered out of such Ship, and the respective Times of Departure from every Port of Lading and of Arrival at every Port of Discharge; and such Master shall, on Demand, produce such Book for the Inspection of any Officer of Customs, who shall be at liberty to make any Note or Remark therein; and if upon Examination any Package entered in the Cargo Book as containing Foreign Goods shall be found not to contain such Goods, such Package, with its Contents, shall be forfeited, or if any Package shall be found to contain Foreign Goods not entered in such Book, such Goods shall be forfeited; and if such Master shall fail correctly to keep such Cargo Book, or to produce the same, or if at any Time there be found on board such Ship any Goods not entered in such Book as laden, or any Goods noted as delivered, or if any Goods entered as laden or any Goods not noted as delivered be not on board, the Master of such Ship shall forfeit the Sum of Twenty Pounds.

Penalty for false Entries in such Book.

Account previous to Departure to be delivered to Collector.

CLVI. Before any Coasting Ship shall depart from the Port of Lading, an Account, with a Duplicate thereof, in the Form or to the Effect following, and signed by the Master, shall be delivered to the Collector or Comptroller; and the Collector or Comptroller shall retain the Duplicate, and return the original Account, dated and signed by him; and such Account shall be the Clearance of the Ship for the Voyage, and the Transire or Pass for the Goods expressed therein; and if any such Account be false, the Master shall forfeit the Sum of Twenty Pounds.

Coasting Trade.

TRANSIRE.

Port of

Ship's Name.	Tonnage.	Port of Registry.	Master's Name.	Whither bound.

Here state the Particulars according to the above Headings.

Foreign Goods, distinguishing Warehoused Goods removed under Bond.	Quantities of Corn, Grain, Meal, Flour, or Malt.	Goods liable to Duty of Excise or entitled to Drawback thereof.	Here state "Sundry other Goods," or "No other Goods," as the Case may be.

Here state the Particulars according to the above Headings.

(Signed)

Master.

Cleared the Day of 185 .

(Signed)

Collector or Comptroller.

Provided always, that the Commissioners of the Customs may, whenever it shall appear to them expedient, permit General Transires to be given, under such Regulations as they may direct, for the Lading and Clearance and for the Entry and Unlading of any Coasting Ship and Goods, and the same may be revoked by Notice in Writing under the Hand of the proper Officer delivered to the Master or Owner of any Ship, or any of the Crew on board.

Commissioners may grant General Transires.

CLVII. Within Twenty-four Hours after the Arrival of any Coasting Ship at the Port of Discharge and before any Goods be unladen, the Transire, with the Name of the Place or Wharf where the Lading is to be discharged noted thereon, shall be delivered to the Collector or Comptroller, who shall note thereon the Date of Delivery; and if any of the Goods on board such Ship be subject to any Duty of Excise, the same shall not be unladen without the Authority or Permission of the proper Officer of Excise; and if any Goods on board any Coasting Ship arriving in *Great Britain* or *Ireland* from the *Isle of Man* shall be the Growth or Produce of that Isle, or Manufactures of that Isle from Materials the Growth or Produce thereof, or from Materials not subject to Duty in *Great Britain* or *Ireland*, or from Materials upon which the Duty shall have been paid and not drawn back in *Great Britain* or *Ireland*, the same shall not be unladen until a Certificate be produced to the Collector or Comptroller, from the Collector or Comptroller at the Port of Shipment, that Proof had there been made in manner required by Law that such Goods were of such Growth, Produce, or Manufacture, as the Case may be; and if any Goods shall be unladen contrary hereto the Master shall forfeit the Sum of Twenty Pounds; and if any Goods shall be laden on board any Ship in any Port or Place in the United Kingdom, and carried Coastwise, or having been brought Coastwise shall be unladen in any such Port or Place contrary to this or any other Act relating to the Customs, such Goods shall be forfeited.

Transire to be delivered in 24 Hours after Arrival.

Inland Revenue Goods.

Goods from the Isle of Man.

Penalty for illegal unlading.

Forfeiture of Goods.

CLVIII. Any Officer of the Customs may go on board any Coasting Ship in any Port or Place in the United Kingdom, or at any Period of her Voyage search such Ship, and examine all Goods on board, and all Goods then lading or unlading, and demand all Documents which ought to be on board such Ship; and the Collector or Comptroller may require that all or any such Documents shall be brought to him for Inspection, and the Master of any Ship refusing to produce such Documents, on Demand, or to

Officer may go on board and examine any Coasting Ship.

V. *British Possessions.*

bring the same to the Collector or Comptroller when required, shall forfeit and pay the Sum of Twenty Pounds.

As to particular Provisions relating to the Channel Islands and *British* Possessions abroad:

Absolute Prohibitions.

CLIX. Gunpowder, Ammunition, Arms, or Utensils of War, except from the United Kingdom or any *British* Possession, and base or counterfeit Coin, are hereby absolutely prohibited to be imported or brought, either by Sea or Inland Carriage or Navigation, into the *British* Possessions in *America* and the *Mauritius*.

Restrictions.

Sugar (not being refined in Bond in the United Kingdom) and Molasses until Fifth of *July* One thousand eight hundred and fifty-four, and Rum, such Sugar, Molasses, and Rum being the Produce or Manufacture of any *British* Possession within the Limits of the *East India* Company's Charter (except as herein-after provided), or being of Foreign Produce or Manufacture, are hereby prohibited to be imported or brought into any of the *British* Possessions in the Continent of *South America* or in the *West Indies* (the *Bahama* or *Bermuda* Islands not included), or into the *Mauritius*, except to be warehoused for Exportation only, and may also by Her Majesty's Order in Council be prohibited to be imported into the *Bahama* and *Bermuda* Islands; and if any Goods shall be imported or brought into any of the *British* Possessions in *America* or the *Mauritius*, contrary hereto, the same shall be forfeited:

Sugar and Rum may be imported into the British Possessions in the West Indies and South America, and the Mauritius, in certain Cases.

Provided always, that it shall be lawful to import into any *British* Possessions in the *West Indies* and *South America*, and into the *Mauritius*, any Sugar or Rum the Produce of any *British* Possession within the Limits of the *East India* Company's Charter into which the Importation of Sugar or Rum the Produce of any Foreign Country, or of any *British* Possession into which Foreign Sugar or Rum may be legally imported, has been prohibited; provided that no such Sugar or Rum shall be so entered unless the Master of the importing Ship shall deliver to the proper Officer of Customs a Certificate of Origin under the Hand of the proper Officer at the Place where the same shall have been taken on board, stating the Name of the District in which such Sugar or Rum was produced, the Quantity and Quality or Strength thereof, as the Case may be, the Number and Denomination of the Packages containing the same, and the Name of the Ship in which they were laden, and of the Master thereof, and of the Officer giving the same; the Shipper of such Sugar or Rum shall likewise certify that there had been produced a Certificate under the Hand and Seal of the Collector or Assistant Collector of the Land or Customs Revenue of the District within which such Sugar and Rum was produced, that such Sugar or Rum was the Produce of such District, and that the Importation into such District of Foreign Sugar and Rum, or Sugar and Rum the Growth of any *British* Possession into which any Foreign Sugar or Rum can be legally imported, is prohibited, and the Master shall subscribe a Declaration that such Certificate was received by him at the Place where the Goods were taken on board, and that they are the Goods therein mentioned.

Foreign Reprints of Books under Copyright prohibited.

CLX. Any Books wherein the Copyright shall be subsisting, first composed or written or printed in the United Kingdom, and printed or reprinted in any other Country, shall be and are hereby absolutely prohibited to be imported into the *British* Possessions abroad: Provided always, that no such Books shall be prohibited to be imported as aforesaid unless the Proprietor of such Copyright, or his Agent, shall have given Notice in Writing to the Commissioners of Customs that such Copyright subsists, and in such Notice shall have stated when the Copyright will expire; and the said Commissioners shall cause to be made, and to be publicly exposed at the several Ports in the *British* Possessions abroad, from Time to Time, printed Lists of Books respecting which such Notice shall have been duly given, and all Books imported contrary thereto shall be forfeited; but nothing herein contained shall be taken to prevent Her Majesty from exercising the Powers vested in Her by the Tenth and Eleventh *Victoria*, Chapter Ninety-five, intituled *An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom*, to suspend in certain Cases such Prohibition.

Foreign Manufactures with British Marks.

CLXI. If any Articles of Foreign Manufacture, and any Packages of such Articles, bearing any Names, Brands, or Marks being or purporting to be the Names, Brands, or Marks of Manufacturers resident in the United Kingdom, shall be imported into any of the *British* Possessions abroad, the same shall be forfeited.

Sugar, &c., though British, deemed Foreign in certain Cases.

CLXII. All Sugar and Molasses, until the Fifth of *July* One thousand eight hundred and fifty-four, and Rum (although the same may be of *British* Plantations), exported from any of the *British* Possessions in *America* into which the like Goods of Foreign Production can be legally imported, shall, upon subsequent Importation from thence into any of the *British* Possessions in *America* or the *Mauritius* into which such Goods being of Foreign Production cannot be legally imported, or into the United Kingdom, be deemed to be of Foreign Production, and shall be liable on such Importation respectively to the same Duties or the same Forfeitures as Articles of the like Description being of Foreign Production would be liable to, unless the same shall have been duly warehoused, and exported from the Warehouse direct to such other *British* Possession, or to the United Kingdom, as the Case may be.

Coasting Trade of the British Possessions.

CLXIII. No Goods or Passengers shall be carried from One Part of any British Possession in *Asia*, *Africa*, or *America* to another Part of the same Possession, except in *British* Ships.

Ship and Cargo to be reported on Arrival. Particulars of Report.

CLXIV. The Master of every Ship arriving in any of the *British* Possessions in *America* or the Channel Islands, whether laden or in Ballast, shall come directly, and before Bulk be broken, to the Custom House for the Port or District where he arrives, and there make a Report in Writing to the proper Officer of Customs, in the same Form and Manner as herein-before provided on the Arrival of any Ship

Ship in the United Kingdom, so far as the same may be applicable; and if any Goods be unladen from any Ship before such Report be made, or if the Master fail to make such Report, or make an untrue Report, or do not truly answer the Questions demanded of him, he shall forfeit the Sum of Fifty Pounds, and if any Goods be not reported such Goods shall be forfeited. *British Possessions.* Penalty for false Report.

CLXV. The Master of every Ship bound from any *British* Possessions abroad, except the Territories subject to the Government of the Presidencies of *Bengal*, *Madras*, and *Bombay*, shall deliver to the proper Officer of Customs an Entry Outwards under his Hand of such Ship, and also subscribe and deliver to such Officer a Content of the Cargo of such Ship, if any, or state that she is in Ballast, as the Case may be, and answer such Questions concerning the Ship, Cargo, if any, and Voyage, as shall be demanded of him, in the same Manner, as nearly as may be, as is prescribed to be observed on the Entry and Departure of any Ship from the United Kingdom, and thereupon the proper Officer shall give to the Master a Certificate of the Clearance of such Ship for her intended Voyage; and if the Ship shall depart without such Clearance, or if the Master shall deliver a false Content, or shall not truly answer the Questions demanded of him, he shall forfeit the Sum of Fifty Pounds. Entry Outwards of Ship or Cargo. Penalty for not clearing, 50*l.*

CLXVI. Any Person entering Goods shall deliver to the proper Officer a Bill of Entry thereof, containing the Name of the Ship and of the Master, and of the Place to or from which bound, and the Particulars of the Quality and Quantity of the Goods, and the Packages containing the same, stating whether such Goods be the Produce of the *British* Possessions in *America* or not, and the proper Officer shall thereupon grant his Warrant for the lading or unlading of such Goods. Entry of Goods Inwards and Outwards.

CLXVII. No Goods shall be laden or water-borne to be laden on board any Ship, or unladen from any Ship, in any of the *British* Possessions in *America* or in the Channel Islands, until due Entry shall have been made of such Goods, and Warrant granted for the lading or unlading of the same; and no Goods shall be so laden or water-borne or so unladen in the said Channel Islands, except at some Place at which an Officer of the Customs is appointed to attend the lading and unlading of Goods, or at some Place for which a Sufferance shall be granted by the proper Officer of Customs for the lading and unlading of such Goods, and in the Presence or with the Permission of such Officer; but the Commissioners of Customs may make such Regulations for the carrying Coastwise of any Goods, or for the removing of any Goods for Shipment in the said Islands, as to them shall appear expedient; and all Goods laden, water-borne, or unladen contrary hereto, or to any Regulations to be so made, shall be forfeited. Entry of Goods to be laden or unladen. Regulations Inwards and Outwards. Regulations Coastwise. Forfeiture.

CLXVIII. No Goods shall be stated in such Certificate of Clearance of any Ship from any *British* Possessions to be the Produce of such Possession, unless such Goods shall have been so expressed in the Entry Outwards of the same; and all Goods not expressly stated in such Certificate of Clearance to be the Produce of such Possession shall, at the Place of Importation in any other such Possession, or in the United Kingdom, be deemed to be of Foreign Production. Goods not the Produce of British Possession to be Foreign Production.

CLXIX. Where there is no Officer of Customs, the principal Officer in the Civil Service of Her Majesty, or his Representative, shall be deemed to be the proper Officer for the Performance of all such Duties with respect to such Goods as are hereby required to be performed by the Collector or other Officer of Customs. Where no Officer of Customs Certificate by whom to be granted.

CLXX. Before any Clearing Officer permits any Ship, wholly or in part laden with Timber or Wood Goods, to clear out from any *British* Port in *North America* or in the Settlement of *Honduras* for any Port in the United Kingdom, at any Time after the First Day of *September* or before the First Day of *May* in any Year, he shall ascertain that the whole of the Cargo of such Ship is below Deck, and shall give the Master of such Ship a Certificate to that Effect; and no Master of any Ship so laden shall sail from any of the Ports aforesaid for any Port of the United Kingdom, at any such Time as aforesaid, until he has obtained such Certificate from the Clearing Officer. Clearing Officers to certify that Cargo is below Deck. Captains not to sail without Certificate.

CLXXI. No Master of any Ship in respect of which such Certificate as aforesaid has been obtained shall place, or permit or cause to be placed or remain, upon or above the Deck of such Ship, any Part of the Cargo thereof, until such Ship has arrived at the Port of her Destination: Provided always, that if the Master of any such Ship consider that it is necessary, in consequence of the springing a Leak or of other Damage received or apprehended during the Voyage, to remove any Portion of the Cargo upon Deck, he may remove or cause to be removed upon the Deck of such Ship so much of the Cargo, and may permit the same to remain there for such Time, as he considers expedient; provided also, that the Store Spars or other Articles necessary for the Ship's Use shall not be taken to be the Cargo for the Purposes of this Act. No Part of Cargo to be on Deck. Removal of Cargo in Cases of Leakage. Stores not Cargo.

CLXXII. If any Master of any Ship for which such Certificate as aforesaid is required sails or attempts to sail without having obtained such Certificate, or places or permits, or causes to be placed or to remain or be, upon or above the Deck of such Ship, any Part of the Cargo thereof, except in the Cases in which the same is not hereby forbidden, he shall for every Offence forfeit and pay any Sum not exceeding One hundred Pounds. Penalty for Default.

CLXXIII. The same Tonnage Duties shall be paid upon all Ships or Boats of the United States of *America* importing any Goods into either of the Provinces of *Upper* or *Lower Canada* as are or may be for the Time being payable in the United States of *America* on *British* Vessels or Boats entering the Harbours of the State from whence such Goods shall have been imported. As to Dues in Canada on American Boats.

CLXXIV. The Treaty concluded between Her Majesty and the United States of *America*, dated the Ninth Day of *August* in the Year One thousand eight hundred and forty-two, stipulates that all the Produce of the Forest in Logs, Lumber, Timber, Timber Boards, Staves, or Shingles, or of Agriculture, not Certain Produce of the State of Maine to be treated as Pro-

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duce of New Brunswick.

not being manufactured, grown on any of those Parts of the State of *Maine* watered by the River *Saint John* or by its Tributaries, of which Fact reasonable Evidence shall, if required, be produced, shall have free Access into and through the said River, and its said Tributaries, having their Source within the State of *Maine*, to and from the Seaport at the Mouth of the River *Saint John*, and to and round the Falls of the said River, either by Boats, Rafts, or other Conveyance, and that when within the Province of *New Brunswick* the said Produce shall be dealt with as if it were the Produce of the said Province; and it being the Intention of the High Contracting Parties to the said Treaty that the aforesaid Produce should be dealt with as if it were the Produce of the Province of *New Brunswick*, the Produce in the said recited Treaty and herein-before described shall, so far as regards all Laws relating to Duties, Navigation, and Customs in force in the United Kingdom or in any of Her Majesty's Dominions, be deemed and taken to be and be dealt with as the Produce of the Province of *New Brunswick*; provided, that in all Cases in which Declarations and Certificates of Production or Origin and Certificates of Clearance would be required in respect of such Produce if it were the Produce of *New Brunswick*, similar Declarations and Certificates shall be required in respect of such Produce, and shall state the same to be the Produce of those Parts of the State of *Maine* which are watered by the River *Saint John* or by its Tributaries.

Newfoundland Fishing Certificates in lieu of Clearance during Fishing Season.

CLXXV. Whenever a Ship shall be cleared out from any Port in *Newfoundland* or in any other Part of Her Majesty's Dominions for the Fisheries on the Banks or Coasts of *Newfoundland* or *Labrador* or the Dependencies thereof, without having on board an Article of Traffic (except only such Provisions, Nets, Tackle, and other Things as are usually employed in and about the said Fishery, and for the Conduct and carrying on of the same), the Master of any such Ship shall be entitled to demand from the principal Officer of Customs at such Port a Certificate under his Hand that such Ship hath been specially cleared out for the *Newfoundland* Fishery, and such Certificate shall be in force for the Fishing Season for the Year in which the same may be granted, and no longer; and upon the First Arrival in any Port in the said Colony of *Newfoundland* or its Dependencies of any Ship having on board any such Certificate as aforesaid, a Report thereof shall be made by the Master of such Ship to the principal Officer of Customs at such Port; and every Ship having such Certificate which has been so reported, and being actually engaged in the said Fishery, or in carrying Coastwise, to be landed or put on board any Ship engaged in the said Fishery, any Fish, Oil, Salt, Provisions, or other Necessaries for the Use and Purposes thereof, shall be exempt from all Obligation to make an Entry at or obtain any Clearance from any Custom House at *Newfoundland*, upon Arrival or Departure from any of the Ports or Harbours of the said Colony or its Dependencies, during the Continuance of the Fishing Season for which such Certificate may have been granted; and previously to obtaining a Clearance at the End of such Season for any Voyage at any of such Ports the Master of such Ship shall deliver up the before-mentioned Certificate to the principal Officer of the Customs of such Port: Provided always, that in case any such Ship shall have on board during the Time the same may be engaged in the said Fishery any Goods or Merchandise whatsoever other than Fish, Seals, Oil made of Fish or Seals, Salt, Provisions, and other Things, being the Produce of or usually employed in the said Fishery, such Ship shall forfeit the said Fishing Certificate, and shall thenceforth become and be subject and liable to all such and the same Rules, Restrictions, and Regulations as Ships in general are subject or liable to.

At the End of the Season the Certificate to be delivered up.

Ships trading to forfeit Certificate.

Certificate of Production for Sugar or Spirits.

Declaration of Grower.

CLXXVI. Before any Spirits or Sugar, so long as any Benefit attach to the Distinction, shall be shipped for Exportation in any *British* Possession in *America*, or in the Island of *Mauritius*, as being the Produce of such Possession or of the said Island, the Proprietor of the Estate on which such Goods were produced, or his known Agent, shall make and sign a Declaration in Writing before the proper Officer of Customs at the Port of Exportation, or before One of Her Majesty's Justices of the Peace residing in or near the Place where such Estate is situated, declaring that such Goods are the Produce of such Estate, and such Declaration shall set forth the Name of the Estate, and the Description and Quantity of the Goods, and the Packages containing the same, with the Marks and Numbers thereon, and the Name of the Person to whose Charge at the Place of Shipment they are to be sent; and if any Justice of the Peace or other Officer aforesaid shall subscribe his Name to any Writing purporting to be such a Declaration, unless the Person purporting to make the same shall actually appear before him, and shall declare to the Truth of the same, such Justice of the Peace or Officer aforesaid shall forfeit and pay for any such Offence the Sum of Fifty Pounds; and the Person entering and shipping such Goods shall deliver such Declaration to the proper Officer of Customs, and shall make and subscribe a Declaration before him that the Goods which are to be shipped by virtue of such Entry are the same as are mentioned in such first-mentioned Declaration; and the Master of the Ship in which such Goods shall be laden shall, before Clearance, make and subscribe a Declaration before the proper Officer of Customs, that the Goods shipped by virtue of such Entry are the same as are mentioned and intended in such first-mentioned Declaration, to the best of his Knowledge and Belief; and thereupon the proper Officer of Customs shall sign and give to the Master a Certificate of Production, stating that Proof has been made in manner required by Law that such Goods (describing the same) are the Produce of such *British* Possession or of the said Island, and setting forth in such Certificate the Name of the Exporter and of the exporting Ship, and of the Master thereof, and the Destination of the Goods; and if any Spirits or Sugar be imported into any *British* Possession in *America* as being the Produce of some other such Possession or of the said Island, without such Certificate of Production, the same shall be forfeited.

Declaration of Exporter.

Declaration of the Master.

Certificate of Production on Re-exportation

CLXXVII. Before any Sugar or Spirits, so long as any Benefit attach to the Distinction, shall be shipped for Exportation in any *British* Possession in *America* as being the Produce of some other such Possession,

Possession, the Person exporting the same shall in the Entry Outwards state the Place of Production, and refer to the Entry Inwards and landing of such Goods, and shall make and subscribe a Declaration before the proper Officer of Customs to the Identity of the same; and thereupon, if such Goods shall have been duly imported with a Certificate of Production within Twelve Months prior to the shipping for Exportation, the proper Officer of Customs shall sign and give to the Master a Certificate of Production founded upon and referring to the Certificate of Production under which such Goods had been so imported, and containing the like Particulars, together with the Date of such Importation. *British Possessions.* from another Colony.

CLXXVIII. The Shipper of any Sugar the Produce of some *British* Possession within the Limits of the *East India* Company's Charter, about to be exported from any Place in such Possession, may go before the Chief Officer of Customs at such Place, or, if there be no such Officer, before the principal Officer of such Place, or the Judge or Commercial Resident of the District, and make and sign a Declaration before him that such Sugar was really and *bonâ fide* the Produce of such *British* Possession, to the best of his Knowledge and Belief; and such Officer, Judge, or Resident is hereby required to grant a Certificate thereof, stating therein the Name of the Ship in which the Sugar is to be exported, and the Destination of the same. Certificate of Production of East India Sugar.

CLXXIX. The Shipper of any Wine, the Produce of any *British* Possession abroad, which is to be exported from thence, may go before the chief Officer of Customs, and make and sign a Declaration before him that such Wine was really and *bonâ fide* the Produce of such *British* Possessions; and such Officer is hereby required to grant a Certificate thereof, stating therein the Name of the Ship in which the Wine is to be exported, and the Destination of the same. Certificate of Production of Wine.

CLXXX. Any Person who is about to export from the Channel Islands to the United Kingdom, or to any of the *British* Possessions in *America* or the *Mauritius*, any Goods of the Growth or Produce of any of those Islands, or any Goods manufactured from Materials which were the Growth or Produce thereof, or of the United Kingdom, or of Materials Duty-free in the United Kingdom, or whereupon the Duty has been there paid, and not drawn back, may go before any Magistrate of such Islands, and make and sign before him a Declaration that such Goods, describing the same, are of such Growth or Produce, or of such Manufacture, and such Magistrate shall administer and sign such Declaration; and thereupon the Governor, Lieutenant-Governor, or Commander-in-Chief of the Island from which the Goods are to be exported shall, upon the Delivery to him of such Declaration, grant a Certificate under his Hand of the Proof contained in such Declaration, stating the Ship in which and the Port to which the Goods are to be exported; and such Certificate shall be the proper Document to be produced at such Port in proof that the Goods mentioned therein are of the Growth, Produce, or Manufacture of such Island respectively. Certificate of Production of Goods in Guernsey, &c.

CLXXXI. The Officer of Customs may go on board any Ship in any Port in any *British* Possession in *America*, and rummage and search such Ship for prohibited Goods, and if there be any Goods on board prohibited to be imported into such Possession they shall be forfeited. Officers may board Ships.

CLXXXII. All Vessels, Boats, Goods, and other Things which shall have been or shall hereafter be seized as forfeited in or near any of the *British* Possessions abroad, under this or any Act relating to the Customs, shall be deemed and taken to be condemned, and may be dealt with in the Manner directed by Law in respect to Vessels, Boats, Goods, and other Things seized and condemned for Breach of any such Act, unless the Person from whom such Vessels, Boats, Goods, and other Things shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Month from the Day of seizing the same, give Notice in Writing to the Person or Persons seizing the same, or to the chief Officer of Customs at the nearest Port, that he claims the Vessel, Boat, Goods, or other Things, or intends to claim them. Seized Goods, if unclaimed for a Month, to be condemned, and dealt with accordingly.

CLXXXIII. Whenever any Penalty or Forfeiture shall have been incurred in any of the *British* Possessions abroad, under this or any other Act relating to the Customs, such Penalty or Forfeiture shall and may be sued for, prosecuted, recovered, and disposed of in the Court of Record or of Vice Admiralty having Jurisdiction in any *British* Possession where the same may have been incurred or forfeited; but in case there shall be no such Court at such *British* Possession, such Penalty or Forfeiture shall and may be sued for, prosecuted, recovered, and disposed of in the Court of Record or of Vice Admiralty having Jurisdiction in some *British* Possession near to that where such Penalty or Forfeiture may have been incurred; and all such Penalties and Forfeitures shall be deemed to be Sterling Money of *Great Britain*, and paid accordingly. Penalties and Forfeitures, how to be recovered in British Possessions abroad.

CLXXXIV. All Penalties and Forfeitures recovered in the Channel Islands or in any of the *British* Possessions abroad under this or any Act relating to the Customs shall be paid into the Hands of the Collector, Comptroller, or other proper Officer of the Port or Place where the same shall have been recovered, and shall be divided, paid, and applied as follows; (that is to say,) after deducting the Charges of Prosecution from the Produce thereof, One Third of the net Produce shall be paid to or for the Use of Her Majesty, One Third to the Governor or Commander-in-Chief of the Colony or Plantation, and the other Third Part to the Seizor, Informer, and Prosecutor; excepting such Penalties and Forfeitures as are from Seizures made at Sea by the Commanders or Officers of Her Majesty's Ships of War duly authorized to make Seizures, One Moiety of which, first deducting the Charges of Prosecution from the gross Produce, shall be paid as aforesaid to and for the Use of Her Majesty, and the other Moiety to the Seizor, Informer, and Prosecutor, subject nevertheless to such Distribution of the Produce of the Seizures so made at Sea, as well with regard to the Moiety herein-before granted to Her Majesty as with regard Application of Penalties.

to

British Possessions.

to the other Moiety given to the Seizor, Informer, or Prosecutor, as Her Majesty shall think fit to direct by Order in Council or by Proclamation.

Bail may be given for Seizures.

CLXXXV. If any Goods or any Ship or Vessel shall be seized as forfeited under this or any Act relating to the Customs, and detained in any of the *British* Possessions in *America*, the Judge or Judges of any Court having Jurisdiction to try and determine such Seizures may, with the Consent of the Chief Officer of Customs, order the Delivery thereof, on Security by Bond, with Two sufficient Sureties, to be first approved by such Officer, to answer Double the Value of the same in case of Condemnation; and such Bond shall be taken to the Use of Her Majesty in the Name of the Officer of Customs in whose Custody the Goods or the Ship or Vessel may be lodged, and such Bond shall be delivered and kept in the Custody of the Officer; and in case the Goods or the Ship or Vessel shall be condemned, the Value thereof shall be paid into the Hands of such Collector or Officer, who shall thereupon cancel such Bond.

Suits to be commenced in Name of Officers.

CLXXXVI. No Suit shall be commenced for the Recovery of any Penalty or Forfeiture in the Channel Islands or in any of the *British* Possessions abroad under this or any Act relating to the Customs, except in the Name of some Officer of the Customs or Navy, or other Person employed as hereinbefore mentioned, or of Her Majesty's Advocate or Attorney General for the Place where such Suit shall be commenced; and if a Question shall arise whether any Person is an Officer of the Customs or Navy, or such other Person as aforesaid, *vivâ voce* Evidence may be given of such Fact, and shall be deemed legal and sufficient Evidence.

Limitation of Appeals.

CLXXXVII. No Appeal shall be prosecuted from any Decree or Sentence of any of Her Majesty's Courts in *America* touching any Penalty or Forfeiture imposed by this or any Act relating to the Customs, unless the Inhibition shall be applied for and decreed within Twelve Months from the Time when such Decree or Sentence was pronounced.

Security to abide an Appeal from Vice Admiralty.

CLXXXVIII. If any Proceedings shall have been or shall hereafter be instituted in any Court of Vice Admiralty or other competent Court in any of Her Majesty's Possessions abroad, against any Ship, Vessel, Boat, Goods, or Effects, for the Recovery of any Penalty or Forfeiture under this or any Act relating to the Customs, the Execution of any Sentence or Decree restoring such Ship, Vessel, Boat, Goods, or Effects to the Claimant thereof, which shall be pronounced by the said Vice Admiralty Court in which such Proceedings shall have been had, shall not be suspended by reason of any Appeal which shall be prayed and allowed from such Sentence; provided that the Party or Parties Appellate shall give sufficient Security, to be approved of by the Court, to render and deliver the Ship, Vessel, Boat, Goods, or Effects concerning which such Sentence or Decree shall be pronounced, or the full Value thereof, to be ascertained either by Agreement between the Parties, or, in case the said Parties cannot agree, then by Appraisement under the Authority of the said Court, to the Appellant or Appellants, in case the Sentence or Decree so appealed from shall be reversed, and such Ship, Vessel, Boat, Goods, or Effects be ultimately condemned.

Persons authorized to seize under 5 G. 4. c. 113. to have Benefit of this Act.

Application of Penalties.

CLXXXIX. All Persons authorized to make Seizures under an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade*, shall, in making and prosecuting any such Seizures, have the Benefit of all the Provisions granted to Persons authorized to make Seizures under this Act; and all Penalties and Forfeitures created by the said Act, whether pecuniary or specific, shall (except in Cases specially provided for by the said Act) go and belong to such Persons as are thereby authorized to make Seizures, in such Shares, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied, in such and the like Manner, and by the same Ways and Means, and subject to the same Rules and Directions, as any Penalties and Forfeitures incurred in *Great Britain* and in the *British* Possessions in *America* respectively now go and belong to, and may be sued, prosecuted, tried, recovered, and distributed respectively in *Great Britain* or in the said Possessions, under and by virtue of this Act.

Colonial Laws repugnant to Acts of Parliament void.

CXC. All Laws, Byelaws, Usages, or Customs at this Time or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the *British* Possessions in *America*, which are in anywise repugnant to this Act, or to any Act relating to the Customs or to Trade and Navigation, so far as the same shall relate to the said Possessions, are and shall be null and void to all Intents and Purposes whatsoever.

Trade with the Channel Islands.

CXCI. No Goods or Passengers shall be brought, imported, or carried into the United Kingdom from the Channel Islands, nor shall any Passengers or Goods be exported or carried from the United Kingdom to the said Islands, nor shall any Goods or Passengers be carried from any one of the said Islands to any other of them, nor from one Part of any of the said Islands to another Part of the same, except in *British* Ships; and if any Goods or Passengers be brought, imported, exported, or carried Coastwise contrary hereto, all such Goods shall be forfeited, and the Master of the Ship in which the same are so brought, imported, exported, or carried shall forfeit the Sum of One hundred Pounds.

Penalties.

Spirits from and to the Channel Islands in Ships of 50 Tons and Casks of 20 Gallons.

Exception of Spirits in Glass Bottles, or Stores.

CXCII. No Spirits (except Rum of the *British* Plantations) shall be imported into or exported from the Channel Islands or any of them, or be removed from any one to any other of the said Islands, or be carried Coastwise from any one Part to any other Part of any one of the said Islands, or shall be shipped in order to be so removed or carried in any Ship of less Burden than Fifty Tons, nor in any Cask or other Vessel capable of containing Liquids not being of the Size or Content of Twenty Gallons at the least; and all Spirits imported, exported, removed, carried, shipped, or water-borne to be so shipped, removed, or carried, contrary hereto, shall be forfeited, together with the Ship and any Boat importing, exporting, removing, or carrying the same: Provided always, that nothing herein contained shall extend to any Spirits imported in Glass Bottles as Part of the Cargo, nor to any Spirits being really intended for the

Consumption

British Possessions.

Consumption of the Seamen and Passengers during their Voyage, and not being more in Quantity than is necessary for that Purpose, nor to any warehoused Goods exported from the United Kingdom in Ships of not less than Forty Tons Burden, being regular Traders to those Islands, nor to any Boat of less Burden than Ten Tons, for having on board at any One Time any Foreign Spirits of the Quantity of Ten Gallons or under, such Boat having a Licence from the proper Officer of Customs at either of the Islands of *Guernsey* or *Jersey* for the Purpose of being employed in carrying Commodities for the Supply of the Island of *Sark*, which Licence such Officer of Customs is hereby required to grant without Fee or Reward; but if any such Boat shall have on board at any One Time any greater Quantity of Spirits than Ten Gallons, unless in Casks or Packages of the Size and Content of Twenty Gallons at the least, such Spirits and Boat shall be forfeited.

Licensed Boats of 10 Tons, supplying Sark.

Cigars, &c. may be imported into Channel Islands in Packages of the same Weight as may be imported into the United Kingdom.

CXCIII. No Tobacco, Cigars, or Snuff shall be imported into the Channel Islands in Ships of less than One hundred and twenty Tons Burden, nor unless in Hogsheads, Chests, or Cases, each containing not less than Two hundred Pounds net Weight of such Tobacco or Snuff, nor unless in Packages each containing not less than One hundred Pounds net Weight of such Cigars, such Tobacco or Snuff not being in any Manner separated or divided within such Package, except Tobacco, Cigars, or Snuff from the United Kingdom, which may be imported from thence into the said Islands in Ships of not less than Fifty Tons Burden, or in Ships regularly trading to those Islands not being of less than Forty Tons Burden, and in Packages of the same Weight and subject to the same Provisions in and under which the like Sort of Goods may respectively be legally imported into the United Kingdom; and all Cigars, Tobacco, or Snuff imported into the said Islands contrary hereto, or which shall be found or discovered to have been on board any Ship or Boat within One League of the Coasts thereof, shall be forfeited, together with the Ship or Boat.

Malta deemed to be in Europe.

CXCIV. The Island of *Malta* and its Dependencies shall be deemed to be in *Europe*.

VI. *Bonds and other Securities.*

As to Bonds and other Securities relating to the Customs:

All Bonds, &c. valid.

Bonds to be taken to Use of Her Majesty.

Bonds of Minors valid.

CXCV. All Bonds and other Securities entered into by any Person or Persons for the Performance of any Condition, Order, or Matter relative to the Customs or incident thereto shall be valid in Law, and upon Breach of any of the Conditions thereof may be sued and proceeded upon in the same Manner as any Bond expressly directed or given by or under the Provisions of any Act relating to the Customs; and all Bonds relating to the Customs, or for the Performance of any Condition or Matter incident thereto, shall be taken to or for the Use of Her Majesty; and all such Bonds, except such as are given for securing the due Exportation of or Payment of Duty upon warehoused Goods, may, after the Expiration of Three Years from the Date thereof, or from the Time, if any, limited therein for the Performance of the Condition thereof, be cancelled, by or by the Order of the Commissioners of Customs; and all Bonds given under the Provisions of this or any Act relating to the Customs by Persons under Twenty-one Years of Age shall be valid.

How Bonds satisfied may be discharged.

CXCVI. If any Bond given under the Provisions of this or any Act relating to the Customs, or in respect of any Matter under the Control or Management of the Commissioners of Customs, shall have been registered in the Court of Common Pleas in *England*, or in the Office of the Registrar of Judgments in *Ireland*, and the Condition of such Bond shall have been satisfied, the Commissioners of Customs, by Certificate under the Hands of any Two or more of them, may authorize the proper Officer of the said Court or Office of Registrar of Judgments, as the Case may be, to enter up Satisfaction on the Record of such Bond or Obligation; and such Certificate may be in the Form or to the Effect following:

This is to certify, that the following Bond has been satisfied and cancelled.

Name *or* Names of the Obligor *or* Obligors.	Date of Bond.	Penalty.	Condition.	When registered.

Given under our Hands, this Day of 185

{ Commissioners of Customs.

To the Senior Master or other proper Officer of the Court of Common Pleas (*if in England*), *or* to the Registrar of Judgments (*if in Ireland*), (*as the Case may be*).

Bonds and other Securities.

And upon the Receipt of such Certificate such Officer is required to enter up Satisfaction accordingly, whereupon the Bond or Obligation shall be discharged, and the Lands thereby affected shall be released and exonerated from all Claims in respect thereof.

Exoneration of Estates of Obligors.

CXCVII. When any Bond entered into under the Provisions of this or any Act relating to the Customs, or for the Performance of any Condition, Order, or Matter incident or relative to the Customs, shall have been registered in the Court of Common Pleas in *England*, under the Act of the Second Year of the Reign of Her present Majesty, Chapter Eleven, or in the Office of the Registrar of Judgments in *Ireland*, under the Act of the Seventh and Eighth Years of the Reign of Her said Majesty, Chapter Ninety, and it shall be deemed necessary, in the Discretion of the Commissioners of Customs, to exonerate the whole or any Part of the Lands of any Obligor of such Bond from Liability in respect thereof, the Commissioners of Customs, by Certificate or Certificates under the Hands of any Two or more of them, may, first requiring the Consent of any Co-Obligor, if they shall deem it necessary, exonerate and discharge such Lands or any Part thereof, as the Case may require, and such Certificate may be in the Form or to the Effect following:

Form of Certificate of Exoneration.

'BY a Bond or Obligation, bearing Date the Day of 18 , [*Name of Obligor seeking Exoneration*] of [*Residence and Description of Obligor*] became bound to Her Majesty, Her Heirs and Successors, in the Sum of conditioned as therein mentioned; and the said Bond was, on the Day of 18 , duly recorded in the Court of Common Pleas [*if in England, or* filed in the Office of the Registrar of Judgments, *if in Ireland,*] in pursuance of the Act [*state the Act under which the Bond was registered*].

'This is to certify, That all the Estate, Lands, Tenements, and Hereditaments, [*if the whole are to be discharged*] *or* [*here set out the particular Lands, Tenements, and Hereditaments exonerated, if Part only are to be discharged, adding the following Words,*] being Part of the Estate, Lands, Tenements, and Hereditaments, of the said [*Name of Obligor seeking Exoneration*], are wholly exonerated and discharged from all Claims of Her Majesty, Her Heirs or Successors, or of the Commissioners of Customs on Her or their Behalf, in respect of such Bond or Obligation. Given under our Hands, this Day of 185 .

'(Signed) _____ } Commissioners of Her Majesty's Customs.'
_____ }

Certificates to be sufficient Evidence of Exoneration.

And the Lands mentioned in such Certificate or Certificates shall thereupon be held wholly exonerated and discharged from all Liability in respect of such Bond or Obligation, and every such Certificate shall be accepted by all Persons and in all Courts as sufficient Evidence of the Exoneration of the Lands therein described.

VII. *False Declarations.*

As to making and signing false Declarations relating to the Customs, falsely answering Qustions, and counterfeiting Documents:

Making false Declarations. Signing false Documents, and untruly answering Questions. Counterfeiting and using false Documents.

CXCVIII. If any Person shall make and subscribe any false Declaration, or make or sign any Declaration, Certificate, or other Instrument required by this Act to be verified by Signature only, the same being false in any Particular, or if any Person shall make or sign any Declaration made for the Consideration of the Commissioners of Customs, on any Application presented to them, the same being untrue in any Particular; or if any Person required by this or any other Act relating to the Customs to answer Questions put to him by the Officers of Customs shall not truly answer such Questions; or if any Person shall counterfeit, falsify, or wilfully use when counterfeited or falsified, any Document required by this or any Act relating to the Customs, or by or under the Directions of the Commissioners of Customs, or any Instrument used in the Transaction of any Business or Matter relating to the Customs, or shall fraudulently alter any Document or Instrument, or counterfeit the Seal, Signature, Initials, or other Mark of or used by the Officers of the Customs, for the Verification of any such Document or Instrument, or for the Security of Goods, or any other Purpose in the Conduct of Business relating to the Customs, or under the Control or Management of the Commissioners of Customs or their Officers; every Person so offending shall for every such Offence forfeit the Penalty of One hundred Pounds.

Penalty 100*l.*

VIII. *Smuggling.*

As to the Restrictions on small Craft, and the Regulations for the Prevention of Smuggling:

Restrictions on Small Craft.

Commissioners may make General Regulations for Vessels and Boats not exceeding 100 Tons.

CXCIX. The Commissioners of Customs may from Time to Time, by Order under their Hands, make such General Regulations as they shall deem expedient in respect of Vessels and Boats not exceeding One hundred Tons Burden, for the Purpose of prescribing, with reference to the Tonnage, Build, or Description of such Vessels or Boats, the Limits within which the same may be employed, the Mode of Navigation, the Manner in which such Vessels or Boats shall be so employed, and, if armed, the Number and Description of Arms, the Quantity of Ammunition, and such other Terms, Particulars, Conditions, and Restrictions as the said Commissioners may think fit, and also from Time to Time may revoke, alter, or vary such Regulations; and the General Regulations made under any former Act, and in force at the Time of the passing of this Act, shall remain and continue in force until altered, varied, or revoked.

Vessels and Boats used contrary to Regulations forfeited.

CC. Every Ship or Boat which shall be used or employed in any Manner contrary to the Regulations prescribed by the Commissioners of Customs shall be liable to Forfeiture, unless the same shall have been specially licensed by the Commissioners of Customs to be so used or employed, as next herein-after provided.

CCI. The

Smuggling.

Commissioners of Customs may grant special Licences, on Terms.

CCI. The Commissioners of Customs may, if they shall so think fit, grant Licences in respect of any Vessels or Boats not exceeding One hundred Tons Burden, upon such Terms and Conditions, and subject to such Restrictions and Stipulations, as in such Licences mentioned, notwithstanding any General Regulations made in pursuance of this Act, whether the said Regulations shall be revoked or not; and if any Vessel or Boat so licensed shall not comply with the Conditions imposed by or expressed in any such Licence, or if such Vessel or Boat shall be found without having such Licence on board, such Vessel or Boat shall be forfeited.

Commissioners may revoke Licences.

CCII. The Commissioners of Customs may revoke, alter, or vary any Licence or Licences granted under any former Act, or which may hereafter be granted under this or any other Act relating to the Customs.

Vessels used in Removal of uncustomed or prohibited Goods forfeited.

CCIII. If any such Vessel or Boat shall be used in the Importation, Landing, Removal, Carriage, or Conveyance of any uncustomed or prohibited Goods, the same shall be forfeited, and the Owner and Master of every such Vessel or Boat shall each forfeit and pay a Penalty equal to the Value of such Vessel or Boat, not in any Case exceeding Five hundred Pounds.

Regulations to extend to Channel Islands.

CCIV. All the Regulations which shall be so made by the said Commissioners of Customs relating to Vessels and Boats, and the Power to grant, revoke, or vary such Licences, shall extend to the Channel Islands.

Ships not to sail from Channel Islands without Clearance.

Forfeiture.

CCV. No Ship or Boat belonging wholly or in part to Her Majesty's Subjects shall sail from the Channel Islands without a Clearance, whether in Ballast or having a Cargo; and if with Cargo, the Master shall give Bond to Her Majesty in double the Value of such Cargo for the due landing thereof at the Port for which such Ship or Boat clears; and every such Ship or Boat not having such Clearance, or which, having a Clearance for her Cargo, shall be found light, or to have discharged any Part of her Cargo before Arrival at the Port or Place of Discharge specified in the Clearance, shall be forfeited.

Boats of Vessels to have thereon the Name of Vessel, Port, and Master.

CCVI. The Owner of every Ship belonging wholly or in part to any of Her Majesty's Subjects shall paint or cause to be painted upon the Outside of the Stern of every Boat belonging to such Ship the Name of such Ship and the Port or Place to which she belongs, and the Master's Name withinside the Transom, in White or Yellow Roman Letters, not less than Two Inches in Length, on a Black Ground, on pain of the Forfeiture of every such Boat not so marked, wherever the same shall be found.

Boat not belonging to Ships to have Name of Owner and Port thereon.

CCVII. The Owner of every Boat not belonging to any Ship shall paint or cause to be painted upon the Stern of such Boat, in White or Yellow Roman Letters, of Two Inches in Length, on a Black Ground, the Name of the Owner of the Boat and the Port or Place to which she belongs, on pain of the Forfeiture of such Boat not so marked, wherever the same shall be found.

British Vessels having secret Places for concealing or Devices for running Goods, &c. forfeited.

CCVIII. All Ships and Boats belonging wholly or in part to Her Majesty's Subjects having false Bulkheads, false Bows, double Sides or Bottoms, or any secret or disguised Place whatsoever, adapted for the Purpose of concealing Goods, constructed in such Ships or Boats, or having any Hole, Pipe, or Device in or about such Ships or Boats adapted for the Purpose of running Goods, shall be forfeited; and all Foreign Ships or Boats coming into any Port of the United Kingdom having on board any Goods liable to the Payment of Duties, or prohibited to be imported into the United Kingdom, concealed in false Bulkheads, false Bows, double Sides or Bottoms, or in any secret or disguised Place whatsoever, constructed in such Ships or Boats, shall be forfeited.

Goods unshipped without Payment of Duty, and prohibited Goods, liable to Forfeiture.

Prohibited Goods shipped or water-borne with intent to be exported, &c.

Goods concealed on board, and Goods packed therewith, forfeited.

CCIX. If any Goods liable to the Payment of Duties shall be unshipped from any Ship or Boat in the United Kingdom (Customs or other Duties not being first paid or secured), or if any prohibited Goods whatsoever shall be imported or brought into any part of the United Kingdom, or if any Goods whatever which shall have been warehoused or otherwise secured in the United Kingdom, either for Home Consumption or Exportation, shall be clandestinely or illegally removed from or out of any Warehouse or Place of Security; or if any Goods which are prohibited to be exported shall be put on board any Ship or Boat, with Intent to be laden or shipped for Exportation, or shall be brought to any Quay, Wharf, or other Place in the United Kingdom, in order to be put on board any Ship or Boat for the Purpose of being exported; or if any Goods which are prohibited to be exported shall be found in any Package produced to any Officer of Customs as containing Goods not so prohibited; or if any Goods subject to any Duty or Restriction in respect of Importation, or which are prohibited to be imported into the United Kingdom, shall be found or discovered to have been concealed in any Manner on board any Ship or Boat within the Limits of any Port of the United Kingdom, or shall be found either before or after landing to have been concealed in any Manner on board any such Ship or Boat, within such Limits as aforesaid; then and in every of the foregoing Cases all such Goods shall be forfeited, together with any Goods which shall be found packed with or used in concealing them.

Spirits and Tobacco found removing to be deemed run.

CCX. All Spirits and Tobacco which shall be found removing without a legal Permit or Certificate for the same shall be deemed to be Spirits or Tobacco respectively liable to and unshipped without Payment of Duty, unless the Party in whose Possession the same shall be found or seized shall prove to the contrary.

Restricted Goods to be deemed run.

CCXI. All Goods the Importation of which is in any way restricted, which are of a Description admissible to Duty, and which shall be found or seized in the United Kingdom under any Law relating to the Customs or Excise, shall, for the Purpose of proceeding for the Forfeiture of them, or for any Penalty incurred in respect of them, be described in any Information exhibited on account of such Forfeiture or Penalty as and on the Trial or Hearing thereof be deemed and taken to be Goods liable to and unshipped without Payment of Duties, unless the contrary be proved.

CCXII. If

Smuggling.

Certain Vessels belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of the Coast of the United Kingdom or Channel Islands with certain Goods on board, forfeited, with the Goods.

CCXII. If any Ship or Boat, belonging wholly or in part to Her Majesty's Subjects, or having Half the Persons on board Subjects of Her Majesty, shall be found or discovered to have been within Four Leagues of that Part of the Coast of the United Kingdom which is between the *North Foreland* on the Coast of *Kent* and *Beachy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom, or if any Foreign Ship or Boat having One or more Subjects of Her Majesty on board shall be found or discovered to have been within Three Leagues of the Coast of the United Kingdom, or if any Foreign Ship or Boat shall be found or discovered to have been within One League of the Coast of the United Kingdom, or if any Ship or Boat shall be found or discovered to have been within One League of the Channel Islands, any such Ship or Boat so found or discovered, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tea exceeding Six Pounds Weight in the whole, or any Tobacco or Snuff not being in a Cask or Package containing Two hundred Pounds Weight of Tobacco or Snuff at the least, or being separated or divided in any Manner within any Cask or Package, or any Tobacco Stalks, Tobacco Stalk Flour, Snuff Work, or any Cordage or other Articles adapted and prepared for slinging or sinking small Casks, or any Casks or other Vessels whatsoever of less Size or Content than Twenty Gallons of the Description used for the smuggling of Spirits, then and in every such Case the said Spirits, Tea, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, together with the Casks or Packages containing the same, and the Cordage or other Articles, Casks, and other Vessels of the Description aforesaid, and also the Ship or Boat, shall be forfeited.

Any Vessel or Boat arriving within any Port of the United Kingdom or of the Channel Islands having prohibited Goods on board or attached thereto forfeited.

Commissioners may waive Forfeiture.

CCXIII. If any Ship or Boat shall be found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff, not being in a Cask or Package containing Two hundred Pounds Weight of such Tobacco or Snuff at the least, or being separated or divided in any Manner within any Cask or Package, or any Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work, every such Ship or Boat, and such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, shall be forfeited; but if it shall be made to appear to the Satisfaction of the Commissioners of Customs that such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work were on board without the Knowledge or Privity of the Owner or Master of such Ship or Boat, and without any wilful Neglect or Want of reasonable Care on their Parts, then and in such Case the said Commissioners shall deliver up the said Ship or Boat to the Owner or Master of the same.

Forfeiture not to extend to Ships and Goods in certain Cases.

CCXIV. Nothing herein contained shall extend to render any Ship of One hundred and twenty Tons Burden or upwards liable to Forfeiture on account of any Tobacco coming direct from the *East Indies* or the *Turkish* Dominions, including *Egypt*, if in Packages each containing not less than One hundred Pounds net Weight of such Tobacco; nor on account of any Snuff or Negrohead Tobacco the Produce of and imported direct from the United States of *America*, if in Packages each containing not less than One hundred and fifty Pounds net Weight of such Snuff or Tobacco; nor on account of any Tobacco imported from *Malta* in Packages each containing not less than Eighty Pounds net Weight of such Tobacco; nor on account of any Tobacco the Produce of *Porto Rico*, *Mexico*, *South America*, *St. Domingo*, *Cuba*, the *British* Possessions in *America* and the West Coast of *Africa*, if in Packages each containing not less than Eighty Pounds net Weight of such Tobacco, and imported direct from those Places or from the United States of *America*; nor on account of any Cigars, if in Packages each containing not less than One hundred Pounds net Weight of such Cigars; nor on account of any Cigarillos or Cigarettos, if in Packages each containing not less than Seventy-five Pounds net Weight of such Cigarillos or Cigarettos; nor to render any Ship of Fifty Tons Burden or upwards liable to Forfeiture on account of any Tea, or of any Spirits in Glass Bottles or Stone Bottles not exceeding the Size of Three Pints each, such Tobacco, Snuff, Cigars, Cigarillos or Cigarettos, Tea, and Spirits being really Part of the Cargo of such Ship; nor to render any Ship liable to Forfeiture on account of any Spirits, Tea, or Tobacco really intended for the Consumption of the Seamen or Passengers on board during their Voyage, and not being more in Quantity than is necessary for that Purpose; nor to render any Ship liable to Forfeiture if really bound from One Foreign Port to another Foreign Port, and pursuing such Voyage, Wind and Weather permitting.

Ships in Port with a Cargo unaccounted for forfeited.

CCXV. If any Ship or Boat whatever shall be found within the Limits of any Port of the United Kingdom with a Cargo on board, and such Ship or Boat shall afterwards be found light or in Ballast, and the Master is unable to give a due Account of the Port or Place within the United Kingdom where such Ship or Boat shall have legally discharged her Cargo, such Ship or Boat shall be forfeited.

Certain Ships from which Goods are thrown overboard to prevent Seizure to be forfeited.

CCXVI. Every ship or Boat belonging wholly or in part to Her Majesty's Subjects, or having on board One or more of Her Majesty's Subjects, which shall be found or discovered to have been within Four Leagues of that Part of the Coast of the United Kingdom which is between the *North Foreland* on the Coast of *Kent* and *Beechy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom, from which any Part of the Lading of such Ship or Boat shall have been thrown overboard, or on board which any of the Goods shall be staved or destroyed to prevent Seizure, shall be forfeited.

CCXVII. When

Smuggling.

CCXVII. When any Ship or Boat belonging wholly or in part to Her Majesty's Subjects, or having One Half of the Persons on board being Subjects of Her Majesty, shall be found within One hundred Leagues of the Coast of the United Kingdom, and shall not bring to upon Signal made by any Vessel or Boat in Her Majesty's Service or in the Service of the Revenue, hoisting the proper Pendant and Ensign in order to bring such Ship or Boat to, and thereupon Chase shall be given, if any Person or Persons on board such Ship or Boat so chased shall during the Chase, or before such Ship or Boat shall bring to, throw overboard any Part of her Lading, or shall stave or destroy any Part of such Lading, to prevent Seizure thereof, then and in any such Case such Ship or Boat shall be forfeited; and all Persons escaping from any such Ship or Boat, or from any Foreign Ship or Boat, during any Chase made thereof by any Vessel or Boat in Her Majesty's Service or in the Service of the Revenue, shall be deemed Subjects of Her Majesty, unless the contrary be proved.

Ships belonging to Her Majesty's Subjects, or One Half on board being Subjects, throwing Goods overboard during Chase, forfeited,

CCXVIII. If any Ship or Boat liable to Seizure or Examination under this or any Act for the Prevention of Smuggling shall not bring to when required so to do, on being chased by any Vessel or Boat in Her Majesty's Navy having the proper Pendant and Ensign of Her Majesty's Ships hoisted, or by any Vessel or Boat duly employed for the Prevention of Smuggling, having a proper Pendant and Ensign hoisted, it shall be lawful for the Captain, Master, or other Person having the Charge or Command of such Vessel or Boat in Her Majesty's Navy, or employed as aforesaid, (first causing a Gun to be fired as a Signal,) to fire at or into such Ship or Boat, and such Captain, Master, or other Person acting in his Aid or by his Direction, shall be and is hereby indemnified and discharged from any Indictment, Penalty, Action, or other Proceeding for so doing.

Ships to bring to, on being chased by Preventive Service. Not bringing to may be fired into.

CCXIX. Any Officer or Officers of the Army, Navy, or Marines duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer or Officers of Customs, producing his or their Warrant or Deputation (if required), may go on board any Ship which shall be within the Limits of any Port of the United Kingdom, and rummage and search the Cabin and all other Parts of such Ship for prohibited or uncustomed Goods, and remain on board such Ship so long as she shall continue within the Limits of such Port.

Ships may be searched within the Limits of the Ports.

CCXX. Any Officer of Customs or Excise, or other Person acting in his or their Aid, or duly employed for the Prevention of Smuggling, may, upon reasonable Suspicion, stop and examine any Cart, Waggon, or other Means of Conveyance, for the Purpose of ascertaining whether any smuggled Goods are contained therein; and if no such Goods shall be found, the Officer or other Person so stopping and examining such Cart, Waggon, or other Conveyance, having had probable Cause to suspect that such Cart, Waggon, or other Conveyance had smuggled Goods contained therein, shall not, on account of such Stoppage and Search, be liable to any Prosecution or Action at Law on account thereof; and all Persons driving or conducting such Cart, Waggon, or other Conveyance, refusing to stop or allow any such Examination when required in the Queen's Name, shall forfeit the Sum of One hundred Pounds.

Officers of Customs may, on probable Cause, stop Carts, &c., and search for Goods.

CCXXI. Any Officer of Customs, or Person acting under the Direction of the Commissioners of Customs, having a Writ of Assistance issued from the Court of Exchequer, may, in the Daytime, enter into and search any House, Shop, Cellar, Warehouse, Room, or other Place, and in case of Resistance break open Doors, Chests, Trunks, and other Packages, and seize and bring away any uncustomed or prohibited Goods, and put and secure the same in the Queen's Warehouse, and may take with him any Constable, Headborough, Police or other public Officer, duly sworn as such, who may act as well without the Limits of the Parish or other Place for which he shall be so sworn as within such Limits; and all Writs of Assistance so issued shall continue in force during the Reign for which they were granted, and for Six Months afterwards.

Officers authorized by Writ of Assistance may search Houses for uncustomed or prohibited Goods.

CCXXII. All Ships, Boats, Carriages, or other Means of Conveyance, together with all Horses and other Animals made use of in the Removal, Carriage, or Conveyance of any Goods liable to Forfeiture under this or any other Act relating to the Customs, shall be forfeited.

Ships and Boats used in Removal of run Goods to be forfeited.

CCXXIII. All Ships and Boats, and all Goods whatsoever, liable to Forfeiture, and all Persons liable to be detained for any Offence under this or any other Act relating to the Customs, shall and may be seized or detained in any Place, either upon Land or Water, by any Officer or Officers of Her Majesty's Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on Full Pay, or by any Officer or Officers of Customs or Excise, or by any Person having Authority from the Commissioners of Customs or Inland Revenue to seize, or duly employed for the Prevention of Smuggling; and all Ships, Boats, and Goods, so seized shall, as soon as conveniently may be, be delivered into the Care of the proper Officer appointed to receive the same; and the Forfeiture of any Ship or Boat shall be deemed to include her Tackle, Apparel, and Furniture, and the Forfeiture of any Goods shall be deemed to include the Package in which the same are found and all the Contents thereof.

Ships, Boats, Goods, and Persons may be seized or detained, and Goods delivered to the proper Officer.

CCXXIV. If any Goods liable to Forfeiture under this or any other Act relating to the Customs shall be stopped or taken by any Police Officer or other Person acting by virtue of any Act of Parliament, or otherwise duly authorized, such Goods shall be carried to the Customs Warehouse next to the Place where the Goods were stopped or taken, and there delivered to the proper Officer appointed to receive the same, within Forty-eight Hours after the said Goods were stopped and taken.

Police Officers seizing Goods to carry them to the Customs Warehouse.

CCXXV. If any such Goods shall be stopped or taken by any Police Officer on suspicion that the same had been feloniously stolen, the said Officer may carry the same to the Police Office to which the Offender is taken, there to remain until and in order to be produced at the Trial of the Offender, and in such Case the Officer is required to give Notice in Writing to the Commissioners of Customs of his having so detained the said Goods, with the Particulars of the same; and immediately after the Trial of such

Goods stopped by Police Officers may be retained until Trial of Persons charged

Smuggling.

with stealing them

such Offender all such Goods shall be conveyed to and deposited in the Customs Warehouse as aforesaid, to be proceeded against according to Law; and in case any Police Officer making Detention of any such Goods shall neglect to convey the same to such Warehouse, or to give the Notice of having stopped the same as before prescribed, such Officer shall forfeit the Sum of Twenty Pounds.

Notice to be given by seizing Officer to Owner of Ships or Goods seized, and Seizures to be claimed within One Month.

CCXXVI. Whenever any Ship, Boat, or Goods shall be seized as forfeited under this or any Act relating to the Customs, the seizing Officer shall forthwith give Notice in Writing of such Seizure, and of the Grounds thereof, to the Master or Owner of such Ship, Boat, or Goods, if known, either by delivering the same to him personally, or by Letter addressed to him at his Place of Abode, if known, and transmitted by Post; and all Ships, Boats, or Goods so seized under any Law relating to the Customs shall be deemed and taken to be condemned, and may be sold, in the Manner directed by Law in respect to Ships, Boats, and Goods seized and condemned for Breach of any Law relating to the Customs, unless the Person from whom such Ships, Boats, and Goods shall have been seized, or the Owner of them, or some Person authorized by him, shall, within One Calendar Month from the Day of seizing the same, give Notice in Writing, if in *London*, to the Person seizing the same, or to the Secretary or Solicitor for the Customs, and, if elsewhere, to the Person seizing the same, or to the Collector, Comptroller, or other chief Officer of the Customs at the nearest Port, that he claims the Ship, Boat, or Goods, or intends to claim them.

Commissioners of Treasury or of Customs may restore Seizures.

CCXXVII. The Commissioners of the Treasury or of the Customs may, by any Order made by them for that Purpose, direct any Ship, Boat, Goods, or Commodities whatever seized under this or any Act relating to the Customs to be delivered to the Proprietor thereof, whether Condemnation shall have taken place or not, upon such Terms and Conditions as the said Commissioners respectively may see fit.

Ships and Goods seized may be disposed of as Commissioners direct.

CCXXVIII. All Ships and Boats and all Goods whatsoever which shall have been seized and condemned for Breach of any Law relating to the Customs shall be disposed of, as soon as conveniently may be after the Condemnation thereof, in such Manner as the Commissioners of Her Majesty's Customs may direct; and any Nets, Dredges, Instruments, or Implements of Fishing liable to Seizure or Forfeiture, and seized, under the Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Seventy-nine, and the Convention and Articles therein referred to, shall and may be sold or otherwise disposed of, as the Commissioners of Customs may direct, unless claimed within One Month after Seizure thereof, or within One Month after the passing of this Act as to such as may be then under Seizure, such Claim being made in the same Manner as is prescribed by the Two hundred and twenty-sixth Section of this Act with respect to Ships, Boats, or Goods seized under this Act.

Fishing Implements, &c. seized may be sold unless claimed as in Sec. 226.

Offences.

As to Offences committed by and Penalties attaching to Persons:

Persons may be searched if Officers have Reason to suspect smuggled Goods are concealed upon them.

CCXXIX. Any Officer of Customs, or of the Army, Navy, or Marines, duly employed in the Prevention of Smuggling, and on Full Pay, may search any Person on board any Ship or Boat within the Limits of any Port in the United Kingdom or the Channel Islands, or any Person who shall have landed from any Ship or Boat, provided such Officer shall have good Reason to suppose that such Person has any uncustomed or prohibited Goods secreted about his Person; and if any Persons shall obstruct any such Officer in going, remaining, or returning from on board or in searching such Ship or Boat or Person, every such Person shall forfeit the Sum of One hundred Pounds; and if any Passenger or other Person on board any such Ship or Boat, or who may have landed from any such Ship or Boat, shall, upon being questioned by any such Officer whether he has any Foreign Goods upon his Person or in his Possession, deny the same, and any such Goods shall after such Denial be discovered to be or to have been upon his Person or in his Possession, such Goods shall be forfeited, and such Person shall forfeit Treble the Value of such Goods.

Penalty on Persons denying having Foreign Goods about them.

Persons before Search may require to be taken before a Justice, &c.

CCXXX. Before any Person shall be searched by any such Officer as aforesaid, such Person may require such Officer to take him or her before any Justice, or before the Collector, Comptroller, or other acting principal Officer of the Customs, who shall, if he see no reasonable Cause for Search, discharge such Person, but if otherwise, direct such Person to be searched, and if a Female she shall not be searched by any other than a Female.

Penalty on Officers for Misconduct.

CCXXXI. Any Officer repuired to take any such Person before such Justice, Collector, Comptroller, or other superior Officer of Customs shall do so with all reasonable Despatch; but if such Officer shall require any Person to be searched, not having reasonable Ground to suppose that he has uncustomed or prohibited Goods about his Person, such Officer shall forfeit and pay any Sum not exceeding Ten Pounds.

Persons concerned in importing prohibited or restricted Goods, whether unshipped or not, and Persons unshipping, harbouring or having Custody of such Goods, to forfeit Treble the Value, or 100*l.*

CCXXXII. Every Person who shall be concerned in importing or bringing into the United Kingdom any prohibited Goods, or any Goods the Importation of which is restricted, contrary to such Prohibition or Restriction, and whether the same be unshipped or not; and every Person who shall unship or assist or be otherwise concerned in the unshipping of any Goods which are prohibited or of any Goods which are restricted and imported contrary to such Restriction, or of any Goods liable to Duty, the Duties for which have not been paid or secured; or who shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer or cause or procure to be harboured, kept, or concealed, any such Goods, or any Goods which shall have been illegally removed without Payment of Duty from any Warehouse or Place of Security in which they may have been deposited; or to whose Hands and Possession any such Goods shall knowingly come; or who shall assist or be concerned in the illegal Removal of any Goods from any Warehouse or Place of Security in which they shall have been deposited as aforesaid; or who shall be in any way knowingly concerned in conveying, removing, depositing, concealing, or in any Manner dealing with any Goods liable to Duties of Customs, with Intent to defraud Her Majesty of such Duties or any Part thereof; or who shall be in any way knowingly concerned in any fraudulent Evasion or Attempt at Evasion of such Duties or any Part thereof; shall in each and every of the foregoing Cases forfeit

forfeit either Treble the Value of the Goods or the Penalty of One hundred Pounds, at the Election of the Commissioners of Customs. *Smuggling.*

If Goods removed prior to Examination, Penalty upon Parties concerned in the Removal.

CCXXXIII. Every Person who shall remove any Goods imported into the United Kingdom from any Ship, Quay, Wharf, or other Place previous to the Examination thereof by the proper Officer of Customs, unless under the Care or Authority of such Officer, or who shall remove or withdraw from any Quay, Wharf, or other Place any Goods entered to be warehoused after the landing thereof, so that no sufficient Account is taken thereof by the proper Officer, or so that the same are not duly warehoused, and every Person who shall assist or be otherwise concerned in such Removal or Withdrawal, or shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer or cause or procure to be harboured, kept, or concealed, any such Goods, or to whose Possession any such Goods shall knowingly come, every such Person shall forfeit either Treble the Value thereof or the Penalty of One hundred Pounds, at the Election of the Commissioners of Customs.

Persons unshipping or concerned in the carrying away or concealing Spirits or Tobacco to forfeit 100*l.*, and may be detained.

CCXXXIV. Every Person who shall unship or be aiding or concerned in the unshipping of any Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work, or of any Tea or Silk, such Tea or Silk being of the Value of Ten Pounds or upwards, liable to Forfeiture under this or any other Act relating to the Customs or Excise, or who shall carry, convey, or conceal, or be aiding, assisting, or concerned in the carrying, conveying, or concealing of any such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work, or of any such Tea or Silk as aforesaid, shall forfeit for each such Offence Treble the Value of such Goods, or the Sum of One hundred Pounds, at the Election of the Commissioners of Customs; and every such Person may be detained, to be dealt with as herein-after directed.

Persons found or discovered to have been on board Vessels liable to Forfeiture for being found within certain Limits of the Coast, subject to be committed to any House of Correction.

CCXXXV. Every Subject of Her Majesty who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture under this or any Act relating to the Customs for being found or discovered to have been within any of the Distances in this Act mentioned from the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Ship or Boat to Forfeiture, or who shall be found or discovered to have been within any such Distances as aforesaid on board any Ship or Boat from which any Part of the Cargo or Lading shall have been thrown overboard, or staved or destroyed, to prevent Seizure, and every Person, not being a Subject of Her Majesty, who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture for any of the Causes last aforesaid within One League of the Coast of the United Kingdom or of the Channel Islands, shall, upon being duly convicted of any of the said Offences before any Justice, be adjudged by such Justice, for the First of such Offences to be imprisoned in any House of Correction, and there kept to Hard Labour, for any Term not less than Six nor more than Nine Months, and for the Second of such Offences for any Term not less than Nine nor more than Twelve Months, and for the Third or any subsequent Offence for Twelve Months; and every such Person may be detained, and taken before any Justice, to be dealt with as herein-after directed.

Persons on board Vessels within Ports of the United Kingdom or the Channel Islands, with Contraband Articles, subject to Penalty of 100*l.*, and Detention.

CCXXXVI. Every Person who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture under this or any other Act relating to the Customs for being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or of the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Ship or Boat to Forfeiture, or who shall be found or discovered to have been on board any of Her Majesty's Ships or Vessels, or on board any Ship or Vessel in Her Majesty's Employment or Service, or on board of any Foreign Post Office Packet, being a national Vessel, employed in carrying the Mails between any Foreign Country and the United Kingdom, such last-mentioned Ships, Vessels, or Packets being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff, not being in a Cask or Package containing Two hundred Pounds Weight of such Tobacco or Snuff at least, or being separated or divided in any Manner within any Cask or Package, shall forfeit the Sum of One hundred Pounds; and every such Person shall and may be detained, and taken before any Justice, to be dealt with as herein-after directed.

Persons in Her Majesty's Service detained, to be secured on board until Warrant procured.

CCXXXVII. Where any Person or Persons, being Part of the Crew of any of Her Majesty's Ships or Vessels, or of any Ship or Vessel in Her Majesty's Employment or Service, and liable to Detention, shall have been detained under any Law relating to the Customs, such Person or Persons, upon Notice thereof by the detaining Officer to the Commanding Officer of the Ship or Vessel, shall be placed in Security by such Commanding Officer on board such Ship or Vessel, until such detaining Officer shall have obtained a Warrant from a Justice for bringing such Person or Persons before him or any other Justice or Justices, to be dealt with according to Law, which Warrant such Justice is required to grant upon Complaint made to him by such Officer of Customs stating the Offence for which such Person or Persons is or are liable to Detention.

Any Person escaping may afterwards be detained.

CCXXXVIII. If any Person liable to be detained under this or any other Act relating to the Customs shall not be detained at the Time of committing the Offence for which he is so liable, or shall after Detention make his Escape, such Person shall and may at any Time afterwards be detained, and taken before any Justice, to be dealt with as if detained at the Time of committing such Offence.

CCXXXIX. When-

Smuggling.

Magistrates to proceed to Conviction of Smugglers in certain Cases without an Order of Customs.

CCXXXIX. Whenever any Person shall have been detained, and taken before any Justice, for being found or discovered to have been on board any Ship or Boat within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, such Ship or Boat having on board or having had on board Spirits or Tobacco in such Casks or Packages as would under this or any other Act relating to Customs subject the same to Forfeiture, or for unshipping or for aiding or being concerned in the unshipping of any Spirits or Tobacco liable to Forfeiture under this or any other Act relating to the Customs or Excise, or for carrying, conveying, or concealing, or for aiding or being concerned in the carrying, conveying, or concealing of any such Spirits or Tobacco, and it shall appear to such Justice that the Quantity of Spirits in respect of which such Person has been so detained does not exceed Two Gallons, or that the Quantity of Tobacco in respect of which such Person has been so detained does not exceed Ten Pounds Weight, such Justice may proceed summarily upon the Case without any Information, and although no Direction shall have been given by the Commissioners of Customs, and convict such Person of such Offence, and adjudge that such Person shall, in lieu of any other Penalty, forfeit any Sum not less than the single Value nor more than Treble the Value of such Goods, including the Duties of Importation due thereon, and in default of Payment of such Sum of Money commit such Person to any of Her Majesty's Gaols for any Time not exceeding One Month.

Where Persons are taken before a Justice for any Offence under any Act relating to the Customs, such Justice may order them to be detained, &c.

CCXL. When any Person shall have been detained for any Offence against this or any other Act relating to the Customs, and taken before any Justice, such Justice may, if he see reasonable Cause, order such Person to be detained in Gaol, or in the Custody of the Police or Constabulary Force, a reasonable Time, to obtain the Order of the Commissioners of Customs or Inland Revenue, and to prepare the necessary Informations, Convictions, and Warrants of Commitment, and at the Expiration of such Time to be brought before him, or any other Justice or Justices, who may then finally hear and determine the Matter; but any Person so detained may be liberated, on giving, by Recognizance, Security to the Satisfaction of such Justice in the Sum of One hundred Pounds, or in the Amount of the Penalty sought to be recovered, to appear at such Time and Place as shall be appointed by such Justice for hearing the Case.

Penalty on Persons offering Goods for Sale under Pretence of being run, &c.

CCXLI. If any Person shall offer for Sale any Goods under Pretence that the same are prohibited, or have been unshipped and run on Shore without Payment of Duties, all such Goods (although not liable to any Duties or prohibited) shall be forfeited, and every Person so offering the same for Sale shall forfeit Treble the Value of such Goods.

No Persons, except Officers, to take up Spirits in small Casks sunk or floating.

CCXLII. No Subject of Her Majesty, other than Officers of the Navy, Customs, or Excise, shall intermeddle with or take up any Spirits, being in Casks of less Content than Twenty Gallons, which may be found floating upon or sunk in the Sea within One hundred Leagues of the United Kingdom; and if any Spirits shall be so intermeddled with or taken up the same shall be forfeited, together with any Ship or Boat in which they are found.

Commissioners may mitigate or remit Punishments, &c.

CCXLIII. The Commissioners of the Treasury or Customs may mitigate or remit any Penalty or Fine, or any Part of any Penalty or Fine, incurred under this or any Act relating to the Customs, or release from Confinement any Person committed under this or any Act relating to the Customs, on such Terms and Conditions as to them shall appear proper.

Persons signaling Smuggling Vessels may be detained, and forfeit 100*l.*, or be kept to Hard Labour for One Year.

CCXLIV. No Person shall, after Sunset and before Sunrise between the Twenty-first Day of *September* and the First Day of *April*, or after the Hour of Eight in the Evening and before the Hour of Six in the Morning at any other Time of the Year, make, aid, or assist in making any Signal in or on board or from any Ship or Boat, or on or from any Part of the Coast or Shore of the United Kingdom, or within Six Miles of any Part of such Coast or Shore, for the Purpose of giving Notice to any Person on board any Smuggling Ship or Boat, whether any Person so on board of such Ship or Boat be or not within Distance to notice any such Signal; and if any Person, contrary to this Act, shall make or cause to be made, or aid or assist in making, any such Signal, such Person so offending shall be guilty of a Misdemeanor; and any Person may stop, arrest, and detain the Person so offending, and convey him before any Justice, who, if he see Cause, shall commit the Offender to the next County Gaol, there to remain until delivered by due Course of Law; and it shall not be necessary to prove on any Indictment or Information in such Case that any Ship or Boat was actually on the Coast; and the Offender, being duly convicted, shall, by Order of the Court before whom he shall be convicted, either forfeit the Penalty of One hundred Pounds, or, at the Discretion of such Court, be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for any Term not exceeding One Year.

Proof of a Signal not being intended on Defendant.

CCXLV. If any Person be charged with or indicted for having made or caused to be made, or for aiding or assisting in making, any such Signal as aforesaid, the Burden of Proof that such Signal so charged as having been made with Intent and for the Purpose of giving such Notice as aforesaid was not made with such Intent and for such Purpose shall be upon the Defendant against whom such Charge is made or such Indictment is found.

Any Person may prevent Signals, &c.

CCXLVI. Any Person whatsoever may prevent any Signal being made as aforesaid, and may go upon any Lands for that Purpose, without being liable to any Indictment, Suit, or Action for the same.

Persons assembling, to the Number of Three or more, to run Spirits, Tobacco, &c., or obstructing

CCXLVII. All Persons assembled, to the Number of Three or more, for the Purpose of unshipping, carrying, conveying, or concealing any Spirits or Tobacco, or any Tea or Silk (such Tea or Silk being of the Value of Ten Pounds or more), liable to Forfeiture under this or any other Act relating to the Customs or Excise, and every Person who shall by any Means procure or hire, or shall depute or authorize any other Person to procure or hire, any Person or Persons to assemble for the Purpose of being concerned in the landing or unshipping, or carrying, conveying, or concealing any Goods which are prohibited

prohibited to be imported, or the Duties for which have not been paid or secured, and every Person who shall obstruct any Officer or Officers of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, or any Officer or Officers of Customs or Excise, or any Person acting in his or their Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his or their Duty, or in the due seizing of any Goods liable to Forfeiture by this Act or any Act relating to the Customs, or who shall rescue, attempt or endeavour to rescue, or cause to be rescued, any Goods which have been duly seized, or who shall before or at or after any Seizure stave, break, or otherwise destroy, or attempt, or endeavour to break, stave, or otherwise destroy, any Goods, to prevent the Seizure thereof or the securing of the same, shall, upon being duly convicted of any of the said Offences before any Justice of the Peace, be adjudged by such Justice for the First Offence to be imprisoned in any House of Correction, and there kept to Hard Labour, for any Term not less than Six nor more than Nine Months, and for the Second Offence for any Term not less than Nine nor more than Twelve Months, and for the Third or any subsequent Offence for Twelve Months.

Officers, to be sent to House of Correction to Hard Labour.

CCXLVIII. If any Persons, to the Number of Three or more, armed with Firearms or other offensive Weapons, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be assembled in order to be aiding and assisting in the illegal landing, running, or carrying away of any prohibited Goods, or any Goods liable to any Duties which have not been paid or secured, or in rescuing or taking away any such Goods as aforesaid after Seizure from the Officer of the Customs, or other Officer authorized to seize the same, or from any Person or Persons employed by or assisting them, or from the Place where the same shall have been lodged by them, or in rescuing any Person who shall have been apprehended for any Offence made Felony by this or any Act relating to the Customs, or in the preventing the Apprehension of any Person who shall have been guilty of such Offence, or in case any Persons, to the Number of Three or more, so armed as aforesaid, shall, within the United Kingdom, or within the Limits of any Port, Harbour, or Creek thereof, be so aiding or assisting, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, being thereof convicted, be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court before which he shall be convicted, to be transported beyond the Seas for the Term of his natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Three or more armed Persons assembled to land or rescue smuggled Goods, guilty of Felony.

CCXLIX. If any Person shall maliciously shoot at any Vessel or Boat belonging to Her Majesty's Navy, or in the Service of the Revenue, within One hundred Leagues of any Part of the Coast of the United Kingdom, or shall maliciously shoot at, maim, or wound any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or any Person acting in his Aid or Assistance, or duly employed for the Prevention of Smuggling, in the Execution of his Office or Duty, every Person so offending, and every Person aiding, abetting, or assisting therein, shall, upon Conviction, be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court before which he shall be convicted, to be transported beyond the Seas for the Term of his natural Life, or for any Term not less than Fifteen Years, or to be imprisoned for any Term not exceeding Three Years.

Shooting at Boats belonging to Navy or Revenue Service, Felony.

CCL. If any Person, in company with more than Four others, be found with any Goods liable to Forfeiture under this or any other Act relating to the Customs or Excise, or in company with One other Person, within Five Miles of the Sea Coast or of any Tidal River, and carrying offensive Arms or Weapons, or disguised in any Way, every such Person shall be adjudged guilty of Felony, and shall, on Conviction of such Offence, be transported as a Felon for the Term of Seven Years.

Five Persons in company, having smuggled Goods, or Two armed or disguised, Felony.

CCLI. If any Person shall, by Force or Violence, assault, resist, or obstruct any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or other Person duly employed for the Prevention of Smuggling, in the due Execution of his or their Duty, or any Person acting in his or their Aid, every Person so offending, being thereof convicted, shall be transported for Seven Years, or sentenced to be imprisoned in any House of Correction or Common Gaol, and kept to Hard Labour, for any Term not exceeding Three Years, at the Discretion of the Court before whom such Offender shall be tried and convicted as aforesaid.

Persons assaulting Officers by Force or Violence may be transported.

CCLII. The Commanding Officer for the Time being of any Vessel or Boat employed for the Prevention of Smuggling may haul any such Vessel or Boat upon any Part of the Coasts of the United Kingdom, or the Shores, Banks, or Beaches of any River, Creek, or Inlet of the same, (not being a Garden or Pleasure Ground, or Place ordinarily used for any Bathing Machine or Machines,) which shall be deemed most convenient for that Purpose, and moor any such Vessel or Boat on such Part of the aforesaid Coasts, Shores, Banks, and Beaches below High-water Mark, and over which the Tide flows on ordinary Occasions, and to continue such Vessel or Boat so moored as aforesaid for such Time as the said Commanding Officer shall deem necessary and proper; and such Commanding Officer, or Person or Persons acting under his Direction, shall not be liable to any Indictment, Action, or Suit for so doing.

Commanding Officers may haul their Vessels on shore without being liable to Suit.

CCLIII. Any Officer of the Army, Navy, or Marines, being duly employed for the Prevention of Smuggling, and on Full Pay, or any Officer of Customs or Excise, or any Person acting in his or their Aid, or duly employed for the Prevention of Smuggling, when on Duty, may patrol upon and pass freely along and over any Part of the Coasts of the United Kingdom, or any Railway, or the Shores or Banks of any River, Creek, or Inlet of the same (not being a Garden or Pleasure Ground); and any such Officer or Person so patrolling shall not be liable to any Indictment, Action, or Suit for so doing.

Officers of Army, &c. may patrol Coasts without being liable to Suit.

Smuggling.

Compensations and Rewards.

As to Compensations and Rewards:

Officers wounded to be provided for, &c.

CCLIV. If any Officer or Seaman employed in the Service of the Customs or Inland Revenue shall be killed, maimed, wounded, or in any way injured in the due Execution of his Office, or if any Person acting in his Aid, or duly employed for the Prevention of Smuggling, shall be so killed, maimed, wounded, or in any way injured while so aiding such Officer or Seaman, or so employed, the Commissioners of Customs or Inland Revenue respectively may, with the Sanction of the Commissioners of the Treasury, make such Provision for such Officer or Person, or for the Widows and Families of such as shall be killed, as they may see fit.

Rewards for detaining Smugglers.

CCLV. The Commissioners of Customs may award to any Officer or other Person detaining any Person liable to Detention under this or any other Act relating to the Customs, if convicted, such Reward as they may think fit, not exceeding the Sum of Twenty Pounds for each Person.

Rewards out of Penalties.

CCLVI. The Commissioners of Customs may order such Reward as they see fit out of any pecuniary Penalty or Composition to any Officer or other Person by whose Means the same is recovered.

Rewards to Officers making Seizures.

CCLVII. The Commissioners of Customs may order to be paid in respect of any Seizure made under this or any Act relating to the Customs, to the Person or Persons making the same, such Rewards as they may see fit, not exceeding the Value of the Goods or Things so seized, and for this Purpose the Value of Spirits and Tobacco seized as aforesaid shall be deemed and taken to be such as the Lords of the Treasury or the Commissioners of Customs may think fit.

How Value is to be ascertained.

CCLVIII. In all Cases where any Penalty the Amount of which is to be determined by the Value of any Goods is directed to be sued for under any Act relating to the Customs or Excise, such Value shall, as regards Proceedings in any Court or before Justices, be estimated and taken according to the Rate and Price for which Goods of the like Kind but of the best Quality upon which the Duties of Importation shall have been paid were sold at or about the Time of the Offence, or according to the Rate and Price for which the like sort of Goods were sold in Bond at or about the Time of the Offence, with the Duties due thereon added to such Rate or Price in Bond, except as to Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, the Value of which shall, for the Purpose of any Suit or Proceeding under this or any Act relating to the Customs, be estimated at the same Rate as that of unmanufactured Tobacco upon which the Duties of Importation shall have been paid.

All Rewards to Officers of Army, Navy, or Marines to be regulated by Order in Council.

CCLIX. Every Reward or Share of any such Seizure, or of the Value thereof, payable to any Officer or Officers, Non-commissioned Officers, Petty Officers, Seamen, or Privates of Her Majesty's Army, Navy, or Marines, or acting under the Orders of the Lord High Admiral or Commissioners of the Admiralty, shall be divided and distributed in such Proportions, and according to such Rules, Regulations, and Orders, as Her Majesty shall by Her Order or Orders in Council or by Her Royal Proclamation in that Behalf be pleased to direct and appoint.

Commissioners may distribute Officers Shares of Seizure so as to reward Persons not actually present.

CCLX. The Commissioners of Customs or Inland Revenue respectively may, in case af any Seizure of Ships, Boats, or Goods, or of the Apprehension of any Parties, under this or any other Act relating to the Customs, direct the Distribution of the Seizor's Share of such Ships, Boats, or Goods, or of any Penalties or Rewards that may be recovered on account of any Seizure, so that any other Person through whose Information or Means such Seizure shall have been made or Penalty recovered or Party apprehended, and who may by them be deemed to be so entitled, may participate in such Proportions as the said Commissioners shall respectively deem expedient.

Rewards to Persons giving Information of Goods floating or sunk in the Sea.

CCLXI. If any Person shall discover any Spirits in Casks of less Content than Twenty Gallons found floating upon or sunk in the Sea, and shall give Information to any Officer of the Customs, or other Person duly authorized to make Seizure of such Spirits, so that Seizure shall be made of the same, the Person giving such Information shall be entitled to and shall receive such Reward as the Commissioners of Customs may direct.

Collusive Seizures.

As to collusive Seizures:

Penalty on Officers and Persons making collusive Seizures, or taking Bribes, and on Persons offering them.

CCLXII. If any Officer of Customs or Excise, or of the Army, Navy, or Marines, duly employed for the Prevention of Smuggling, and on Full Pay, or any other Person or Persons whomsoever duly employed for the Prevention of Smuggling, shall make any collusive Seizure, or deliver up, or make any Agreement to deliver up or not to seize any Vessel or Boat, or any Goods liable to Forfeiture, or shall take any Bribe, Gratuity, Recompence, or Reward for the Neglect or Nonperformance of his Duty, or conspire or connive with any Person to import or bring into the United Kingdom or the Channel Islands, or any of the *British* Possessions abroad, or be in any way concerned in the Importation or bringing into the United Kingdom, or the said Islands or Possessions, of any Goods prohibited to be imported or liable to Duties of Customs for the Purpose of seizing any Ship, Boat, or Goods, and obtaining any Reward for such Seizure or otherwise, every such Officer or other Person shall forfeit for every such Offence the Sum of Five hundred Pounds, and be rendered incapable of serving Her Majesty in any Office whatever, either civil or military; and every Person who shall give or offer, or promise to give or procure to be given, any Bribe, Recompence, or Reward to, or shall make any collusive Agreement with, any such Officer or Person as aforesaid to induce him in any way to neglect his Duty, or to do, conceal, or connive at any Act whereby any of the Provisions of any Act of Parliament relating to the Customs may be evaded, shall forfeit the Sum of Two hundred Pounds.

As

As to the Course of Procedure for recovering Penalties and enforcing Forfeitures under this or any other Act relating to the Customs:

Legal Proceedings generally.

IX. Jurisdiction. Penalties and Forfeitures, how to be sued for.

CCLXIII. In all Suits or Proceedings at the Suit of the Crown for the Recovery of any Duty or Penalty, or the Enforcement of any Forfeiture under this or any Act relating to the Customs, the Parties thereto shall be entitled to recover Costs against each other in the same Manner as if such Suits or Proceedings were conducted and had between Subject and Subject, and the like Amendments may be made in all such Proceedings by the Judge or Court as may now be made in Civil Actions; and all Duties, Penalties, and Forfeitures incurred under or imposed by this or any other Act relating to the Customs, and the Liability to Forfeiture of any Goods seized under the Authority thereof, shall and may, except as is herein-after provided, be sued for, prosecuted, determined, and recovered by Action of Debt, Information, or other appropriate Proceeding in the Superior Courts of Common Law at *Westminster*, *Dublin*, or *Edinburgh*, or in the Royal Courts of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, in the Name of the Attornies General for *England* or *Ireland* respectively, or of the Lord Advocate of *Scotland*, or of some Officer of Customs or Excise, and for the Recovery or Enforcement of any Penalty or Forfeiture, by Information in the Name of some Officer of Customs or Excise, before One or more Justice or Justices in the United Kingdom, or before any Governor, Deputy Governor, or Deemster, or other Magistrate, in the *Isle of Man* and the Channel Islands: Provided always, that where any Goods shall have been seized in the United Kingdom, with regard to which the Amount of Duties or Penalties claimed by the Crown shall not exceed the Sum of One hundred Pounds, such Seizure or Penalties shall not be sued for or enforced in any of the said Superior Courts, but by Information before any One or more Justice or Justices, Governor, Deputy Governor, Deemster, or other Magistrate as aforesaid, or by Information, Suit, or other appropriate Proceeding in the County Courts, if in *England*, the Assistant Barristers Courts, if in *Ireland*, and the Sheriffs Courts, if in *Scotland*, for which Purposes the said Courts respectively shall have Jurisdiction in such Cases to the Extent of One hundred Pounds, with Power to enforce or mitigate any Penalty sought to be recovered, unless upon Consideration of the Facts and Circumstances of, or the Questions of Law involved in, any Case so excepted from the Jurisdiction of the Superior Courts of Common Law, it shall appear to the Commissioners of Customs desirable that such Case should be tried in a Superior Court, in which Case the said Commissioners shall certify their Opinion that it is a proper Case to be tried in the said Superior Courts to the Commissioners of the Treasury, who may thereupon make and issue an Order to the said Commissioners of Customs, authorizing them to bring such Case in such Superior Court, and the Purport of such Order shall be endorsed on any Process to be issued out of such Court in such Case at the Suit or Prosecution of the Crown in the Words following: "By Order of the Commissioners of Her Majesty's "Treasury, this Case appearing to them to be a fit Case to be tried in Her Majesty's Court of "Exchequer," and the same shall confer Jurisdiction on such Superior Court to try such Case.

Proviso where the Duties and Penalties sought to be recovered shall not exceed 100*l.*

Where Suits for Recovery of Duties and Penalties, though not exceeding 100*l.*, may be prosecuted before a Superior Tribunal.

CCLXIV. It shall be optional for the Defendent in any Case, except as herein-after provided, where the Amount of Duties or Penalties claimed by the Crown shall not exceed the Sum of One hundred Pounds, to require that, instead of proceeding against him on account thereof by Information before any Justice or Justices as aforesaid, the Proceedings shall be brought in a Superior Court of Law, and upon the Request in Writing of such Defendant, delivered to the Officer by whom the Goods shall have been seized, or to the Solicitor of Customs, such Proceedings may be instituted in a Superior Court, for which Purpose, on Notice by the Defendent to the Justice or Justices if Proceedings have been already commenced before them, such Justice or Justices shall adjourn the Case for One Week to afford the Defendant an Opportunity of delivering such Request; and in order to confer Jurisdiction on such Superior Court it shall be sufficient to state such Request on the Back of any Process to be issued in such Case, in the Words following, "On the Requisition of Defendant, who prefers a Trial by One of Her Majesty's "Superior Courts of Law to a Trial before Justices," and such Endorsement on the Process, signed by the Solicitor of Customs, shall be Evidence to the Court of the same, notwithstanding the Provisions herein-before contained: Provided that in any Case where Proceedings shall have been already commenced before any Justice or Justices, and the Defendant shall be under Bail or Recognizance to appear before such Justice or Justices, or in Custody for Default of such Bail, such Proceedings shall not be removed, but such Justice or Justices shall hear and determine the Case.

Proceedings at the Option of Defendant to be instituted in Superior Courts, though the Sum claimed for Duties and Penalties does not exceed 100*l.*

CCLXV. If any Suit or Prosecution for the Recovery or Enforcement of any Penalty or Forfeiture, in which the Amount of Duties or Penalties claimed by the Crown shall exceed the Sum of One hundred Pounds, shall have been commenced in any of the said Superior Courts, the Commissioners of Customs, at their Discretion, may, on the Defendant's Request in Writing to the Solicitor of Customs, order such Suit or Prosecution to be brought by Information before any Justice or Justices, whereupon such Suit or Prosecution in such Superior Court shall cease, and on the Production of an Order of any Two or more Commissioners of Customs directing the bringing such Proceeding before such Justice or Justices, they shall receive such Information, and in due Course proceed to hear and determine the same.

Justices Jurisdiction in Consent where the Sums claimed shall exceed 100*l.*

CCLXVI. Whenever the Commissioners or the proper Officer of Customs shall in any Case proceed by Information against any Person or Persons for any Offence under this or any other Act relating to the Customs before any Justice or Justices, instead of instituting such Proceedings in the Court of Exchequer, and in which Case, if such Proceedings were had in such Court, a Capias might issue for the Purpose of arresting and holding the Offender or Offenders to Bail, any such Justice or Justices shall and may, on sufficient Information on Oath being given before him that the Offence charged has been committed,

Where Proceedings in the Court of Exchequer by Capias is waived in favour of the Subject, Jus-

tices may issue Warrant and admit to Bail

committed, issue his or their Warrant to apprehend and bring such Offender or Offenders before him or any other Justice, and on his or their being so brought to require him or them to give by Recognizance Security to the Satisfaction of any such Justice in such Amount as he may deem sufficient to appear before him or any other Justice or Justices at a Time and Place appointed by him or them for the Hearing of the Case, and in the meantime in default of such Security to commit such Offender or Offenders to Gaol, or to the Custody of the Police or other Constabulary Force.

Penalties joint and several may be sued for by joint and several Information.

CCLXVII. When by any Act relating to the Customs a Penalty jointly and severally incurred by any Number of Persons, such Persons may be proceeded against jointly by One Information, or severally by separate Informations, as Her Majesty's Attornies General for *England* and *Ireland*, and as the Lord Advocate of *Scotland*, or the Commissioners of Customs, may deem expedient; and in case of a Proceeding against such several Persons by joint Information for Recovery of the Penalty or Penalties so severally incurred by each, the Penalty or Penalties shall be recoverable against each, notwithstanding that any One or other of such Persons so jointly proceeded against may have allowed Judgment to go by Confession or Default, or that the Penalty adjudged to be paid by any One or other of the Defendants so jointly sued may be for a different Amount from that of the Penalty in which any One or other of such several Persons may be convicted, or that any One or other of such several Persons so jointly prosecuted may be acquitted, and no Judgment on any such Information shall be reversed or avoided, or Error in Law alleged therein, on the Ground of any such Judgment being obtained by Confession, or Default of any of the Persons, nor on account of any Difference in the Amount of the Penalty or Penalties in which any One or more of such Persons may be convicted, or the Acquittal of any such Persons; but every such Judgment shall be valid and effectual against any or all of the said several Persons so jointly proceeded against, and for the full Amount of the Penalty or Penalties in which such Person or Persons shall have been severally or respectively convicted.

Persons previously convicted may, on Verdict, be imprisoned in House of Correction.

CCLXVIII. When any Verdict shall pass against any Person in any Court of Record for any Offence for which any pecuniary Penalty shall have been inflicted by any Act relating to the Customs, and it shall be made to appear that such Person had been previously convicted of any similar Offence, the presiding Judge or Judges may order that such Person shall, in lieu of Payment of any Penalty, be imprisoned in any House of Correction for a Period not less than Six nor more than Twelve Months, and the Governor or Keeper of such House of Correction is hereby required to receive any Person committed under such Order.

Proceedings before Justices.

As to Proceedings before Justices for Recovery of Penalties and Forfeitures, and the Prosecution of Offences:

Informations, Convictions, &c. to be in Form, &c. in Schedule.

CCLXIX. All Informations exhibited before any Justice or Justices for any Offence committed against or Forfeiture incurred under this or any other Act relating to the Customs, and all Summonses, Convictions, and Condemnations for such Offences, and Forfeitures, and all Warrants of any Justice or Justices founded upon such Convictions, may be in the Form or to the Effect in Schedule (B.) to this Act; and the Form of Information given in the said Schedule, and the Counts therein contained, with reference to any Offences created by or punishable under the several Sections of this Act to which the same or any of them relate, shall be applicable to and sufficient for all Purposes in the Prosecution of such Offences and Forfeitures; and where Two or more Counts are given upon the same Section those Counts may be used which apply most nearly to the Circumstances of the Case; and any One or more of the said Counts may be included in the same Information together with any other Count or Counts; and in any Case or for any Offence or Forfeiture for which no Count is given in the said Schedule, such Count or Counts may be substituted or added as Circumstances may require; and every such Information and every Conviction and Warrant of Commitment or Condemnation for such Offence or Forfeiture shall be deemed valid and sufficient in which the Offence or Forfeiture is set forth either in the Words of the Act or Acts by which the Penalty for such Offence has been inflicted or under which any Forfeiture has been incurred, or in the Words of the Information by this Act prescribed, and where in any such Forms the Word "Customs" is used to describe the Commissioners or Officers of Customs, the Words "Inland Revenue" or "Excise" may be substituted, as the Case may require, and the like Counts shall be applicable to and sufficient for the like Purposes, and be used in like Manner in any Information filed in any Court having Jurisdiction in such Cases under this or any Act relating to the Customs; and no Conviction, Warrant of Commitment, or Condemnation shall be held void by reason of any Defect therein; and no Party shall be entitled to be discharged out of Custody on account of such Defect, provided it be alleged in such Warrant that the said Party has been convicted of such Offence, and that it shall appear to the Court or Judge before whom such Warrant is returned that such Conviction proceeded upon good and valid Grounds; and every such Warrant may be executed by any Officer of Customs, and in any Part of the United Kingdom, without further Endorsement or Sanction than that of the Justice issuing the same; and no Objection shall be taken or allowed to any Information, Complaint, or Summons for any alleged Defect therein in Substance or in Form, or for any Variance between such Information, Complaint, or Summons and the Evidence adduced on the Part of the Informant or Complainant at the hearing of such Information or Complaint.

Justices may summon Offender.

CCLXX. Upon the exhibiting of any Information or Complaint before any Justice or Justices for any Offence against this or any Act relating to the Customs, for which Offence the Party charged is not liable to be detained, or by which Information any Penalty or Forfeiture shall be sought to be recovered, or any Punishment of Hard Labour sought to be inflicted, and where such Information shall have been exhibited

Legal Proceedings generally.

exhibited before such Justice or Justices within Three Years next after the Date of the Offence committed, such Justice or Justices or any other Justice or Justices having Jurisdiction in that Behalf from Time to Time and at any Time afterwards may issue his or their Summons directed to such Party, stating shortly the Matter of such Information or Complaint, and requiring him personally to appear at a certain Time and Place before the same or any other Justice or Justices to answer to the said Information or Complaint, and to be further dealt with according to Law; and every such Summons shall be served by any Officer of Customs or Excise, or by any Person to whom the same shall be delivered for that Purpose, upon the Party to whom it is so directed, by delivering the same to the Party personally, or by leaving the same at his last known Place of Abode, or on board any Ship or Vessel to which such Party may belong or may have lately belonged, and every such Summons so served shall be deemed sufficiently served.

Summons how to be served.

On Attendance of the Party on the Day and at Place appointed, Justices may hear and determine the Case.

CCLXXI. If on the Day and at the Place appointed in such Summons as aforesaid the Party so summoned shall appear before the Justice or Justices who are to hear and determine such Complaint or Information, then such Justice or Justices shall proceed to hear and determine the same, and upon Proof of the Matter contained in such Complaint or Information, either upon the Confession of the Party or upon the Oath of One or more credible Witness or Witnesses, shall convict the Party charged in such Complaint or Information.

If Party summoned to answer do not appear, Justice to proceed as if he had appeared.

CCLXXII. If upon the Day and at the Place appointed in and by such Summons for the Appearance of the Party so summoned, in case he shall fail to appear in obedience to such Summons, then and in every such Case, if it be proved upon Oath or Affirmation to the Justice or Justices then present that such Summons was duly served upon such Party a reasonable Time before the Time appointed for his Appearance as aforesaid, it shall be lawful for such Justice or Justices to proceed *ex parte* to the Hearing of such Information or Complaint, and to adjudicate thereon as fully and effectually to all Intents and Purposes as if such Party had personally appeared before him or them in obedience to such Summons.

Justices may condemn Goods liable to Forfeiture.

CCLXXIII. When any Information shall have been exhibited before any Justice for the Forfeiture of any Goods whatsoever seized under this or any Act relating to the Customs, it shall be lawful for such Justice and he is hereby required to summon the Party to whom such Goods belonged, or from whom they were seized, to appear before him or any other Justice or Justices, and such Summons directed to the Party being left at his last Place of Abode, or on board any Ship to which such Party may belong or have lately belonged, shall be deemed to have been sufficiently served, and upon his or their Appearance or Default such Justice or Justices may proceed to the Examination of the Matter, and upon due Proof that the Goods are liable to Forfeiture under this or any Act relating to the Customs may condemn the said Goods.

Justices may summon Witnesses.

Service of Summons.

CCLXXIV. Any Justice before whom any Complaint or Information under this or any other Act relating to the Customs shall be judicially brought may summon any Person required as a Witness, wherever in the United Kingdom such Person shall be or reside, to appear before him or any other Justice or Justices to testify what he shall know concerning the Matter of such Complaint or Information; and if any Person so summoned shall refuse or neglect to appear at the Time and Place appointed by such Summons, and no just Excuse shall be offered for such Neglect or Refusal, then, after Proof upon Oath or Affirmation that such Summons was duly served upon such Person, either personally or by leaving the same at his last or usual Place of Abode, or on board any Ship to which such Person may belong, or who having appeared according to the Exigency of such Summons shall refuse to take Oath, or, if a Quaker or other Person having legal Power to make Affirmation, refuse to affirm, or shall refuse to give Evidence or to answer according to the best of his Knowledge and Belief any legal Question required of him, such Person shall for every such Default or Offence forfeit such Sum not exceeding Fifty Pounds as such Justice shall see fit.

Penalty for neglecting to attend.

Offences on the Waters, &c., and Jurisdiction.

CCLXXV. Where any Offence shall be committed in any Place upon the Water not being within any County of the United Kingdom, or where the Officers have any Doubt whether such Place is within the Boundaries or Limits of any such County, such Offence shall for the Purposes of this Act be deemed and taken to be an Offence committed on the High Seas; and for the Purpose of giving Jurisdiction under this Act every Offence shall be deemed to have been committed, and every Cause of Complaint to have arisen, either in the Place in which the same actually was committed or arose, or in any Place on Land where the Offender or Person complained against may be or be brought.

Justice of adjoining County may act when required.

CCLXXVI. When the Attendance of a Justice having Jurisdiction in the County where the Offence is committed cannot be conveniently obtained, it shall be lawful for any Magistrate of any neighbouring or adjoining County to that in which the Offence was deemed to have been committed to hear and determine any Information exhibited before him, and to have the same Powers and Authorities in all respects as to any Proceedings under this or any other Act relating to the Customs as if he were a Justice for the County in which the Offence was committed or deemed to be committed.

Justice of Counties to have concurrent Jurisdiction in Cities, Boroughs, &c. situate in such Counties.

CCLXXVII. Where any Offence against this or any Act relating to the Customs shall be committed in any City, Borough, Liberty, Division, Franchise, or Town Corporate, any Justice or Justices having Jurisdiction therein, and any Justice or Justices of any County within which the same is or are situated, shall have Jurisdiction to hear and determine the same; and all Powers vested in any Justice or Justices of the Peace by virtue of this Act shall be and the same are hereby vested in and may be exercised in the *Isle of Man* or the Channel Islands by any Governor, Deemster, or other Magistrate of the said Isle or Islands; and for the Purposes of this Act the Jurisdiction of the Magistrates of the Borough of *Gravesend*

Legal Proceedings generally.

Gravesend in the County of *Kent* shall be deemed to extend on the River *Thames* from *Yantlet Creek* to *Broadness Point* in the *Northfleet Hope*, and shall include every Part of the said River between those Limits respectively.

ustice may commit in default of Payment of Penalty until paid.

CCLXXVIII. In case of the Nonpayment of any Penalty incurred for any Offence in respect of which the Offender is not liable to Detention, such Justice or Justices or any other Justice or Justices may, by Warrant under his or their Hand and Seal, commit such Party to any of Her Majesty's Gaols within his or their Jurisdiction, there to remain until the Penalty shall be paid.

Officers of Customs may execute Warrants of Commitment.

CCLXXIX. Such Warrants may be executed in any Part of the United Kingdom by any Officer of Customs, and such Justice or Justices are hereby also authorized and required, when such Party is convicted of any Offence for which the Punishment of Hard Labour is inflicted, to commit such Party by such Warrant to any House of Correction, there to be kept to Hard Labour for such Time as may be authorized by this or any other Act relating to the Customs.

Justices may mitigate Penalties in certain Cases to One Fourth.

CCLXXX. Where any Person shall or may be convicted before any Justice or Justices as aforesaid in any Penalty or Penalties incurred as aforesaid, and except as is herein-after provided, the said Justice or Justices may, in Cases where upon Consideration of the Circumstances they shall deem it expedient so to do, and for a First Offence only, mitigate the Payment of the said Penalty or Penalties so as the Sum to be paid by such Person be not less than One Fourth Part of the Amount of the Penalty in which such Person shall have been convicted.

Persons detained and convicted to be committed to Gaol for Nonpayment without Mitigation, or to Hard Labour where required by this Act.

CCLXXXI. Any Justice or Justices before whom any Person liable to be detained and who shall have been detained for any Offence against this or any other Act relating to the Customs shall be brought may either on the Confession of such Person of such Offence, or on Proof thereof upon Oath, convict such Person of any such Offence, and every Person so convicted shall immediately upon such Conviction pay, without any Mitigation, into the Hands of such Justice or Justices, for the Use of Her Majesty, the Penalty imposed for such Offence, or in default thereof the said Justice or Justices shall, by Warrant under his or their Hand and Seal or Hands and Seals, commit such Person so convicted as aforesaid and making such Default as aforesaid to any Gaol or Prison, there to remain until such Penalty shall be paid; and such Justice or Justices may also, when any such Person is convicted of any Offence for which the Punishment of Hard Labour is inflicted, commit such Person to any House of Correction, there to be kept to Hard Labour for such Time as they shall be authorized to do by this or any other Act or Acts relating to the Customs.

Penalties and Forfeitures to be paid to Commissioners.

CCLXXXII. All Penalties and Forfeitures recovered under this or any other Act relating to the Customs shall be paid to the Commissioners of Customs, and all Penalties and Forfeitures recovered under any Act relating to the Excise shall be paid to the Commissioners of Inland Revenue, or to the Persons appointed by such Commissioners respectively to receive the same, and such Penalties and Forfeitures shall be applied by such Commissioners respectively in such Manner as the Law directs.

Commitment and Punishment.

As to the Commitment and Punishment of Offenders after Conviction, and the Mitigation or Increase of such Punishment under certain Circumstances:

Any Person committed in default of Payment of a less than 100*l.* to be discharged in Six Months.

CCLXXXIII. Where any Person shall have been committed by any Justice or Justices to any Prison for Nonpayment of any Penalty incurred under this or any other Act relating to the Customs less than One hundred Pounds, the Gaoler or Keeper of such Prison is hereby authorized and required to discharge such Person at the End of Six Months from the Commencement of his Imprisonment.

Justices may imprison in default of Payment of Penalty, and if Party previously convicted may sentence to Hard Labour.

CCLXXXIV. Where any Person shall have been convicted before any Justice or Justices of any Offence for which any Penalty of One hundred Pounds or upwards shall have been inflicted by this or any other Act relating to the Customs, the said Justice or Justices may, if he or they shall think fit, adjudge that such Person shall in default of paying such Penalty be imprisoned for such Offence, if it be a first one, in any Gaol within his or their Jurisdiction for a Period of not less than Six nor more than Nine Months; and if it shall appear that such Party had been before convicted of any Offence against this or any other Act relating to the Customs, it shall and may be lawful for the said Justice or Justices, if he or they shall think fit, to order and adjudge that such Person shall in lieu of such Penalty be imprisoned in any House of Correction, and there kept to Hard Labour for any Period not less than Six nor more than Twelve Months.

Justices may commit to nearest House of Correction, if none in their Jurisdiction.

CCLXXXV. When any Person shall have been convicted of any Offence against this or any other Act relating to the Customs for which such Person is liable to be sentenced to Hard Labour, and such Conviction shall take place before any Justice or Justices within whose Jurisdiction there is no House of Correction, such Justice or Justices shall and may, by Warrant under his or their Hands and Seals, commit such Offender to any Gaol within his or their Jurisdiction wherein the Sentence of Hard Labour is or can be executed, or to the House of Correction nearest to the Place where such Offender is convicted, for such Time as has herein-before been limited for a first or subsequent Offence respectively; and the Governor or Keeper of such Gaol or House of Correction is hereby required to receive such Offender and to obey such Warrant in all respects as if such Gaol or House of Correction was within the Jurisdiction of such Justice or Justices.

Justices may commute Hard Labour where Offender is a Female, &c.

CCLXXXVI. Where any Person shall have been convicted of any Offence against this or any other Act relating to the Customs for which such Person would be liable to be committed to Hard Labour, it shall and may be lawful for the Justice or Justices before whom such Person is so convicted, if such Person be a Female or if a Male from physical Infirmity incapable of Hard Labour, to order and adjudge that

that such Person shall, in lieu of being subjected to Hard Labour, be imprisoned in any Gaol within their Jurisdiction for the Period during which such Person would have been liable to be kept to Hard Labour, but in all such Cases the Cause of Mitigation shall be stated in the Warrant of Commitment.

Legal Proceedings generally.

CCLXXXVII. Where any Person shall have been convicted before any Justice or Justices of any Offence against this or any other Act relating to the Customs for which such Person is liable to be committed to Hard Labour, and it shall at any Time during the Imprisonment of such Person be made to appear to the said or any other Justice or Justices that such Person had before been convicted of a similar Offence, it shall be lawful for such Justice or Justices and he and they are hereby required to commit such Offender to some House of Correction to be kept to Hard Labour for any Period not less than Nine nor more than Twelve Months in the whole from the Date of the First Commitment, and to amend the Warrant of Commitment accordingly, and without including in such Amendment any Reference to the former Conviction; and any Gaoler in whose Custody such Person shall be is hereby required upon a written Order, signed by any Justice, to produce such Person before such last-mentioned Justice.

If Prisoner be found to have been previously convicted, Imprisonment may be extended.

CCLXXXVIII. Where any married Woman shall be convicted before any Justice or Justices of any Offence against this or any other Act relating to the Customs she shall, in default of paying any Penalty she may have incurred, be liable to be committed to Prison.

Married Women may be committed.

CCLXXXIX. The actual Expenses incurred by any County, City, Borough, Liberty, Division, Franchise, or Town Corporate, in consequence of the Commitment of any Person to Hard Labour under this or any Act or Acts relating to the Customs, shall be repaid out of the Consolidated Customs by an Order of the Commissioners of Treasury in such Manner and to such Amount as they shall direct; and for the necessary Subsistence of any poor Person confined in any Prison in the United Kingdom under or by virtue of any Exchequer or other Process for the Recovery of any Duties or Penalties, either upon Bond or otherwise, under this or any other Act relating to the Customs, the Commissioners of Customs may allow any Sum, not exceeding Sevenpence Halfpenny *per Diem*, to be made for any such poor Person out of any Money in their Hands arising from the Duties of Customs.

Expenses incurred by Commitment of Smugglers to Hard Labour to be paid out of Consolidated Customs.

As to the Removal of Proceedings before Justices under the Customs Laws:

Removal of Proceedings.

CCXC. No Writ of Certiorari shall issue to remove any Proceedings before any Justice or Justices under this or any other Act relating to the Customs, nor shall any Writ of Habeas corpus issue to bring up the Body of any Person who shall have been convicted before any Justice or Justices under this or any other Act relating to the Customs, unless the Party against whom such Proceeding shall have directed, or who shall have been so convicted, or his Attorney or Agent, shall state by Affidavit in Writing duly sworn the Grounds of Objection to such Proceedings or Conviction; and upon the Return to such Writ of Certiorari or Habeas corpus, no Objection shall be entertained by the Court other than such as shall have been stated in such Affidavit; and any Justice or Justices shall and may amend any Information, Conviction, or Warrant of Commitment for any Offence under this or any such Act at any Time, whether before or after Conviction.

Writs of Certiorari and Habeas corpus not to issue except on Affidavit.

CCXCI. No such Writ shall issue without Notice in Writing to the Solicitor for the Customs, and no Return to any such Writ shall be considered by any of Her Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, or the Judges thereof, unless there shall be produced to such Court or Judge an Affidavit in Writing duly sworn stating that Notice of the issuing of such Writ was given to the Solicitor of Customs or left at his Office Four clear Days before the Return of such Writ; and with respect to all such Writs there shall be an Interval of Four clear Days at least between the Day of Issue and the Day of the Return thereof, and any such Writ issuing without Notice, or not in conformity with the Directions herein contained, shall be void to all Intents and Purposes.

No Writ of Habeas without Notice to Solicitor of Customs.

As to Justice Clerks Fees in Prosecutions under the Customs Laws:

Justices Clerks Fees.

CCXCII. The Fees to Justices Clerks shall be regulated and governed by the Table of Fees to this Act annexed, and shall be allowed to and taken by such Clerks in respect of the Matters therein mentioned, in lieu of all other Fees heretofore chargeable for the like Matters.

Justices Clerks Fees.

As to Proceedings in the Superior Courts for Penalties:

Superior Courts.

CCXCIII. All Suits, Prosecutions, or Informations for Recovery of Penalties under this or any Act relating to the Customs in any of Her Majesty's Courts of Record at *Westminster*, *Dublin*, or *Edinburgh* may be commenced either by Writ of Subpœna or Capias as the First Process at the Election of the Commissioners of Customs, in which shall be specified the Amount of the Penalty or Penalties sued for, and if by Capias the Person against whom such Capias shall issue shall be bound with Two sufficient Sureties to the Party to whom such Capias shall be directed to appear in the Court out of which such Capias shall issue at the Day of the Return of such Writ to answer such Information, and shall likewise at the Time of such appearing be bound to Her Majesty, Her Heirs and Successors, with Two sufficient Sureties, or, by Leave of the Court or a Judge, more than Two, to be acknowledged in the same Court, to answer and pay all the Penalties so sued for, or such other Sum, not exceeding the Penalty or Penalties sought to be recovered, as the Commissioners of Customs, or the Judge upon whose Fiat such Capias shall issue, may see fit, in case such Person shall be convicted thereof, or to yield the Body of such Person to Prison, and in default of being bound by such respective Sureties the Person against whom such Capias shall issue shall be taken to Prison.

Procedure for Penalties.

CCXCIV. In

Service of Subpœna.

CCXCIV. In any Case where the Commissioners shall waive the Right of issuing Writ of Capias, and elect to proceed by Subpœna, Service of a Copy of such Subpœna, either on the Defendant personally or by leaving the same at his last known Place of Abode, or on board any Ship or Vessel to which such Defendant may belong or have lately belonged, shall be deemed to be sufficiently served.

Judgment by Default if Persons in Gaol do not appear, and plead to Information served.

CCXCV. Any Person arrested under such Capias and imprisoned for Want of sufficient Bail shall be served with a Copy of the Information filed against him either personally or by Delivery of a true Copy thereof to the Gaoler, Keeper, or Turnkey of the Prison in which such Person shall have been confined; and in default of such Person's appearing or pleading to such Information for the Space of Twenty Days, to be computed from the Date of such Service, Judgment shall be entered by Default; and in case Judgment shall be obtained against any such Person by Default, Verdict, or otherwise, and such Person shall not pay the Sum recovered against him, Execution shall thereupon issue, not only against the Body of the Person so imprisoned as aforesaid, but against all the Real and Personal Estate of such Person, or any other Person in trust for him, for such Sum or Sums of Money so as aforesaid recovered against him, together with the Costs, Poundage, Fees, and Expenses of Execution over and above the Sum recovered.

Execution may issue to Sheriff of any County without reference to Venue.

CCXCVI. Every such Execution may be directed in the first instance to the Sheriff of any County or County of a City or other Shrievalty as the Party suing out the same may think fit, without reference to the County in which the Venue is laid, and without any Suggestion of the issuing of any prior Writ of Execution into such County.

Impoverished Persons may sue in formâ Pauperis.

CCXCVII. Where any Person so arrested and imprisoned as aforesaid by virtue of any Writ of Capias shall be disabled by Poverty from making Defence to any such Information, it shall be competent for such Person to petition the Court on Affidavit verifying such Disability; and the Court on being satisfied of the Truth of the Facts alleged in such Affidavit may assign Counsel and Attorney to such Person, and the Counsel and Attorney so assigned are hereby required to act for such Person without Fee.

Sheriff to grant special Warrant on Writ of Capias endorsed by Solicitor of Customs.

CCXCVIII. Every Sheriff, Mayor, Bailiff, and other Person accustomed to execute the Process of the Courts, and every Under Sheriff, Deputy, or Agent of such Sheriff, Mayor, or Bailiff, is hereby required (on the Request of the Solicitor or Assistant Solicitor of Customs, or of any Person acting on his Behalf, such Request to be endorsed on the Back of any Writ of Capias or other Process issuing as aforesaid, and signed by such Solicitor or by such other Person stating his Authority,) to grant a special Warrant to such Persons as shall be named to them by such Solicitor or other Person for apprehending the Person against whom such Process shall issue, or in default thereof every such Sheriff, Mayor, Bailiff, Under Bailiff, and other Person shall be liable to such Process of Contempt, Fines, and Penalties as they or any of them are now by any Law or Custom liable to in case of refusing to execute similar Process where the Defendant might have been taken thereupon in the usual Course of proceeding.

Sheriff indemnified for Escape if Warrant granted at Request of Customs.

CCXCIX. Every Sheriff, Mayor, Bailiff, Under Sheriff, and other Person granting such special Warrant shall be indemnified from all Liability for the Escape of any Person who shall be arrested by virtue of such Warrant, which Escape shall happen from the Time of taking such Person, until he shall be committed to the proper Prison, or be tendered to the Gaoler or Keeper of such Prison, who is hereby required to receive every Person so arrested as aforesaid, and give a Receipt for his Body.

When Offenders are arrested and give Bail to the Sheriff, the Bail Bond to be assigned to Her Majesty.

CCC. If any Person shall be arrested under or by virtue of any Writ of Capias ad respondendum, and the Sheriff or other Officer shall take Bail from such Person, such Sheriff or other Officer, at the Request and Costs of the Prosecutor, shall assign to the Queen's Majesty, Her Heirs and Successors, the Bail Bond taken from such Person, by endorsing and attesting the same under his Hand and Seal in the Presence of Two or more credible Witnesses, which may be done without any Stamp, provided the Assignment so endorsed be duly stamped before any Suit be commenced thereupon, and if such Bail Bond be forfeited such Process shall thereupon issue as on Bonds originally made to the Queen's Majesty, Her Heirs and Successors.

Prosecutions, &c.

As to Prosecution by Indictment or Information for Offences against the Customs Laws:

Indictment to be preferred by Order of the Commissioners, and Suits to be in the Name of the Attorney General, &c.

CCCI. No Indictment shall be preferred for any Offence against this or any other Act or Acts relating to the Customs or Excise, nor shall any Suit be commenced for the Recovery of any Penalty or Forfeiture for any such Offence, except in the Cases of Persons detained and carried before One or more Justices in pursuance of such Act or Acts as aforesaid, unless such Indictment shall be preferred under the Direction of the Commissioners of Customs or Inland Revenue, or unless such Suit shall be commenced in the Name of Her Majesty's Attorney General for *England* or *Ireland*, or in the Name of the Lord Advocate of *Scotland*, or in the Name of some Officer of Customs or Excise, under the Direction of the said Commissioners respectively.

The Attorney General or Lord Advocate may enter a Nolle prosequi.

CCCII. In any Prosecution for Recovery of any Fine, Penalty, or Forfeiture incurred under this or any other Act relating to the Customs or Excise, Her Majesty's Attorney General for *England*, Her Majesty's Attorney General for *Ireland*, or the Lord Advocate of *Scotland*, if satisfied that such Fine, Penalty, or Forfeiture was incurred without any Intention of Fraud, or that it may be inexpedient to proceed in the said Prosecution, may enter a Nolle prosequi or otherwise on such Information as well with respect to the Share of such Fine, Penalty, or Forfeiture to which any Officer or Officers may be entitled as to the Queen's Share thereof.

Within what Time Suits, &c., are to be exhibited.

CCCIII. All Suits, Indictments, or Informations brought or exhibited for any Offence against this or any other Act relating to the Customs in any Court, or before any Justice or Justices, shall be brought or exhibited within Three Years next after the Date of the Offence committed.

CCCIV. Any

Indictments or Informations may be tried in any County in England, Scotland, or Ireland respectively.

CCCIV. Any Indictment, Prosecution, or Information which may be instituted or brought under the Direction of the Commissioners of Customs relating to the Customs shall and may be inquired of, examined, tried, and determined in any County of *England* when the Offence is committed in *England*, and in any County of *Scotland* when the Offence is committed in *Scotland*, and in any County in *Ireland* when the Offence is committed in *Ireland*, in such Manner and Form as if the Offence had been committed in the said County where the said Indictment or Information shall be tried.

Proofs in Proceedings.

As to Proofs in Proceedings under the Customs Laws in any of the Courts or before Justices:

Defendant's Proofs in Smuggling Cases.

CCCV. If in any Prosecution under the Direction of the Commissioners of Customs in respect of any Goods seized for Nonpayment of Duties, or any other Cause of Forfeiture, or for the recovering any Penalty or Penalties under this or any Act relating to the Customs, any Dispute shall arise whether the Duties of Customs or Excise have been paid in respect of such Goods, or the same have been lawfully imported or lawfully unshipped, or concerning the Place from whence such Goods were brought, then and in every such Case the Proof thereof shall be on the Defendant in such Prosecution.

Averments in Smuggling Cases.

CCCVI. The Averment that the Commissioners of Customs or Inland Revenue have directed or elected that any Information or Proceedings under this or any other Act relating to the Customs or Excise shall be instituted, or that any Ship or Boat is Foreign or belonging wholly or in part to Her Majesty's Subjects, or that any Person detained or found on board any Ship or Boat liable to Seizure is or is not a Subject of Her Majesty, or that any Goods thrown overboard, staved, or destroyed were so thrown overboard, staved, or destroyed to prevent Seizure, or that any Goods thrown overboard, staved, or destroyed when chased by any Ship or Boat in Her Majesty's Service, or in the Service of the Revenue, were so thrown overboard, staved, or destroyed to avoid Seizure or that any Person is an Officer of Customs or Excise, or that any Person was employed for the Prevention of Smuggling, or that the Offence was committed within the Limits of any Port, or where the Offence is committed in any Port of the United Kingdom the naming of such Port in any Information or Proceedings, shall be deemed to be sufficient, without Proof of such Fact or Facts, unless the Defendant in any such Case shall prove to the contrary.

Vivâ voce Evidence may be given that a Party is an Officer.

Witness competent although entitled to Part of Seizure or Reward.

CCCVII. If upon any Trial a Question shall arise whether any Person is an Officer of the Army, Navy, or Marines being duly employed for the Prevention of Smuggling, and on Full Pay, or an Officer of Customs or Excise, his own Evidence thereof, or other Evidence of his having acted as such shall be deemed sufficient, and such Person shall not be required to produce his Commission or Deputation unless sufficient Proof shall be given to the contrary; and every such Officer and any Person acting in his Aid or Assistance shall be deemed a competent Witness upon the Trial of any Suit or Information on account of any Seizure or Penalty as aforesaid, notwithstanding such Officer or other Person may be entitled to the whole or any Part of such Seizure or Penalty, or to any Reward upon the Conviction of the Party charged in such Suit or Information.

What shall be deemed sufficient Evidence of an Order of the Treasury or of the Commissioners of Customs or Inland Revenue.

CCCVIII. Upon the Trial of any Issue, or upon any Judicial Hearing or Investigation touching any Seizure, Penalty, or Forfeiture, or other Proceeding under any Law or Laws relating to the Customs or Excise, or incident thereto, where it may be necessary to give Proof of any Order issued by the Commissioners of the Treasury, or by the Commissioners of Customs or Inland Revenue respectively, the Order, or any Letter or Instructions referring thereto, which shall have been officially received by any Officer of Customs or Excise for his Government, and under which he shall have acted as such Officer, shall be admitted and taken as sufficient Evidence and Proof of such Order.

Entry of Appearances.

As to the Entry of Appearances and Claims by the Owners of Vessels or Goods seized by Officers of the Customs:

Claim to be in Name of bonâ fide Owners.

CCCIX. No Claim nor Appearance shall be permitted to be entered to any Information filed for the Forfeiture of any Ship or Goods seized for any Cause of Forfeiture and returned into any Court unless such Claim or Appearance be made by or in the true and real Name or Names of the Owner or Proprietor of such Ship or Goods, describing the Place of Residence and the Business or Profession of such Owner or Proprietor; and if such Person shall reside at *London*, *Edinburgh*, or *Dublin*, or within the Liberties thereof, Oath shall be made by him before One of the Judges of the Court into which the said Ship or Goods are returned, or in which such Information is filed, that the said Ship, Boat, or Goods was or were his Property at the Time of Seizure; but if such Person shall reside elsewhere, then Oath shall be made by the Attorney by whom such Claim or Appearance shall be entered that he has full Authority from such Owner to enter the same, and that to the best of his Knowledge and Belief such Ship or Goods were at the Time of the Seizure thereof the *bonâ fide* Property of the Person in whose Name such Claim or Appearance is entered; and on failure of making such Proof of Ownership the Ship or Goods shall be condemned, and Judgment shall be entered thereon by Default according to the usual Practice of the Court as if no Claim or Appearance had been made.

Verified by Oath of Ownership.

If Goods owned by more than Five Co-proprietors, Two may make the Oath.

CCCX. When any such Ship or Goods shall at the Time of the Seizure thereof be the *bonâ fide* Property of any Number of Proprietors exceeding Five, it shall not be necessary for more than Two of such Proprietors resident as aforesaid to enter such Claim or Appearance on the Part of themselves and their Co-proprietors, or to make such Oath as aforesaid.

If Goods owned by a Company or Copartnership, the Oath, how to be made.

CCCXI. When any such Ship or Goods shall at the Time of the Seizure thereof be the Property of any Joint Stock Company or of Partners in any Copartnership actually carrying on Trade in any Part of the United Kingdom, such Claim and Appearance may be entered and Oath made by the public Officer of such Joint Stock Company, or by any Agent for or any One of the Partners in any such Co-

Legal Proceedings generally.

partnership; and every Person who shall be convicted of taking a false Oath as to any or either of the Facts herein-before required to be sworn to shall be deemed guilty of Perjury, and liable to the Pains and Penalties thereof.

In Suits on Seizure Judge may certify probable Cause in Bar.

CCCXII. In case any Information or Suit shall be tried for any Cause of Forfeiture, and a Verdict shall be found for the Claimant, and it shall appear to the Judge before whom such Trial was had that there was a probable Cause of Seizure, such Judge shall certify on the Record that there was such probable Cause, and such Certificate shall be a Bar, and may be pleaded as such, to any Action, Indictment, or other Proceeding against the Party making such Seizure; and in case any Action, Indictment, or other Proceeding shall be brought to Trial against any Person whatsoever on account of any Seizure (whether any Information shall have been or shall be brought to Trial for the Condemnation of the same or not), and a Verdict shall be given for the Plaintiff, if the Court or Judge before whom such Action, Indictment, or other Proceeding shall be tried shall certify, on the Record or other written Proceedings, that there was probable Cause for such Seizure, then the Plaintiff shall not be entitled to more than Twopence Damages nor to any Costs, nor shall the Defendant or Defendants in any such Prosecution be fined more than One Shilling; and the Production of such Certificate, or a Copy thereof, verified by the Signature of the Officer of the Court having Charge thereof, shall be sufficient Evidence of such Certificate.

Actions against Officers.

As to Actions against Officers of Customs:

One Month's Notice of Action to Officer before Process.

CCCXIII. No Action or Suit shall be commenced against any Officer of the Army, Navy, Marines, Customs, or Excise, or against any Person acting under the Direction of the Commissioners of Customs, for anything done in the Execution of or by reason of his Office, until One Month next after Notice in Writing shall have been delivered to him or left at his usual Place of Abode by the Attorney or Agent of the Plaintiff, in which Notice shall be clearly stated the Cause of Action, the Name and Place of Abode of the Plaintiff, and the Name and Place of Abode or Business of such Attorney or Agent, and the Attorney or Agent mentioned in such Notice shall be entitled to a Fee of Ten Shillings for preparing and serving such Notice; and if any Action or Suit shall be commenced against any such Officer or other Person, and no such Notice shall have been given, such Officer or other Person may call upon the Plaintiff to establish, to the Satisfaction of the Court, on Affidavits on both Sides, that such Action or Suit is brought for some Act, Matter, or Thing not done in the Execution of or by reason of his Office, and if the Plaintiff shall fail so to satisfy the Court, such Action or Suit shall discontinue: Provided always, that if the Plaintiff shall so satisfy the Court, he shall not be allowed on the Trial of such Action to give Evidence of any Cause of Action other than such as shall have been disclosed in his said Affidavit.

Evidence limited to Subject in Notice.

CCCXIV. Upon the Trial of any Action brought in pursuance of such Notice the Plaintiff shall not be entitled to a Verdict without proving on the Trial that such Notice had been duly served, and in default of such Proof the Defendant in such Action shall receive a Verdict, with Costs, nor shall any such Plaintiff be at liberty to produce any Evidence of any Cause of Action, except such as has been distinctly stated in such Notice.

Officer may tender Amends.

CCCXV. It shall be lawful for any Officer or other Person to whom such Notice shall be given, at any Time within One Month after Service of such Notice as aforesaid, to tender Amends to the Plaintiff or his Agent or Attorney, and in case such Amends be not accepted to plead such Tender in Bar of the Action, together with the Plea of "Not Guilty," and other Pleas, with Leave of the Court, where such Leave must be obtained pursuant to the "Common Law Procedure Act, 1852;" and if upon the Trial of such Action the Jury shall find the Amends so tendered sufficient they shall give a Verdict for the Defendant, and in such Case, or in case the Plaintiff shall be nonsuited or discontinue his Action, or in case Judgment be given for such Defendant on Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to if he had pleaded the General Issue only; but if upon Issue joined the Jury shall find that no Amends were tendered, or that the same were insufficient, or shall find against the Defendant on such Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, together with Costs of Suit.

Officer omitting to tender Amends may pay Money into Court.

CCCXVI. In case any such Officer or other Person as aforesaid shall neglect to tender Amends, or shall not have tendered sufficient Amends, before the Action brought, it shall be lawful for him, by Leave of the Court in which such Action shall be brought, at any Time before the Trial of the said Action, to pay into Court a Sum of Money by way of Amends, and such Proceedings shall be had and taken thereupon, and in relation to the Monies so paid into Court, as are prescribed by the Seventieth, Seventy-first, Seventy-second, and Seventy-third Sections of an Act of the Fifteenth and Sixteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Seventy-six.

Actions against Officers to be brought within Two Months after Cause arises.

CCCXVII. Every such Action against any Officer of Customs or other such Person as aforesaid shall be commenced within Two Months after the Cause of Action shall have arisen; and if such Action be brought in respect of any Seizure made by such Officer or other Person, such Cause of Action shall not be deemed to have arisen until the Day after the Trial of the Information with respect to such Seizure, and the Venue in such Action shall be laid in the County or Place where the Cause thereof is alleged to have occurred; and the Defendant may plead the General Issue, and give the special Matter in Evidence on the Trial thereof; and if the Plaintiff shall be non-suited or discontinue, or if upon a Verdict or Demurrer Judgment shall be given against him, the Defendant shall be entitled to Costs, and have such Remedy for recovering the same as any other Defendant now has in other Cases where Costs are legally recoverable.

CCCXVIII. Any

Legal Proceedings generally.

Actions for illegal Seizures may be tried in County Court.

CCCXVIII. Any Party complaining of any illegal Seizure of any Boat, Vessel, or Goods may, after Service of the Notice in Writing to the Effect, and within the Time herein-before provided in respect to the bringing of any Action or Actions in the Superior Court of Common Law, and in case no such Amends as herein-before provided shall have been tendered, proceed against the Officer by whom such Seizure shall have been made by Plaint in the County Courts in *England*, or by Civil Bill in the Assistant Barrister's Court in *Ireland*, or by Summons in the Sheriff's Courts in *Scotland:* Provided always, that the Sum claimed for Damages by the Party so complaining, shall not exceed the Amount to which the Jurisdiction of the said Courts respectively is limited.

Venue confined to District where Action arises.

CCCXIX. In the event of any Party so complaining as aforesaid resorting for Redress to the County Courts in *England*, the Action shall be brought within the District where the Cause of Action shall have arisen, and the Proceedings and Conduct of the Suit shall be regulated as nearly as the Circumstances of the Case shall allow in conformity with the Provisions of the Acts and Orders which govern the Procedure and Practice of the said Courts; and such Right of Appeal shall be allowed to the Parties as is provided by the County Courts Acts in other Actions now triable by such Courts: Provided always, that in every such Suit or Plaint the County Court Judge shall hear and determine such Case without the Assistance of a Jury, and that no Order for the Trial thereof by a Jury shall be made by any County Court Judge, except upon the written Consent of the Plaintiff and Defendant.

Action brought in Civil Bill Court, Ireland.

CCCXX. Where the Party so complaining as aforesaid shall be desirous to bring his Suit in the Civil Bill Court in *Ireland*, he shall bring the same at a General Sessions of the Peace for the Division of the County within which the Cause of Action shall have arisen, and the Proceedings and Conduct of the Suit shall in like Manner be regulated as nearly as the Circumstances of the Case will allow in conformity with the Provisions of the Acts and General Rules and Orders which govern the Procedure and Practice of the Civil Bill Courts: Provided always, that it shall not be lawful for any Party who shall think himself aggrieved by any Decree or Decision pronounced by any Assistant Barrister on the Hearing of any such Civil Bill to appeal therefrom to the next or any other Judge of Assize, but in lieu of such Right of Appeal it shall be lawful for the Chairman, Recorder, or Assistant Barrister, in case he shall be of opinion that a Question of Law only is involved in such Proceeding, by Consent of the Parties respectively, to state a Special Case under his Hand for the Opinion of the Chief or any other Baron of the Court of Exchequer in *Ireland* upon any Question of Law, and thereupon like Proceedings shall be had and a like Decision given upon such Appeal and Special Case, and subject, as nearly as the Circumstances will allow, to the like Provisions as in other Cases of Appeal, save that without further Proof of the Facts of the Case the Decision of the Judge shall be given upon such Special Case.

Action in Sheriff's Court in Scotland.

CCCXXI. In case the Party so complaining as aforesaid shall desire to bring his Action in the Sheriff's Court in *Scotland*, it shall be lawful for him to proceed in the said Court, in which Case the Proceedings and Conduct of the Suit shall be regulated as nearly as may be in accordance with the Provisions of the Acts and Orders of Court which govern the Procedure and Practice of the said Court.

Where 20*l.* only is recovered, no Costs to be allowed unless Judge certifies.

CCCXXII. If in any Action commenced after the passing of this Act in any of the Superior Courts of Record in *England, Ireland,* or *Scotland,* in which the Plaintiff shall seek to recover Damages for any alleged illegal Seizure or Detention of any Ship or Goods, the said Plaintiff shall recover a Sum not exceeding Twenty Pounds, such Plaintiff shall have Judgment to recover such Sum only and no Costs, unless at the Trial of such Cause the Judge shall certify on the Back of the Record either that the Case was one that could not be tried, if in *England,* in the County Court, if in *Ireland* in the Civil Bill Court, or if in *Scotland* in the Sheriff's Court, or that although within the Jurisdiction of those Courts respectively it nevertheless was a fit Case to be tried in One of such Superior Courts, or (in case there shall be no Trial) unless the Court or Judge shall make an Order to that effect, and it shall not be necessary to enter any Suggestion on the Record to deprive such Plaintiff of Costs.

Solicitors Clerks and Officers of Customs may conduct Cases.

CCCXXIII. Any Person appointed to be Solicitor or Assistant Solicitor of Her Majesty's Customs, or any Clerk duly appointed to act on his Behalf or under his or their Directions, shall and may in any Case relating to the Customs, or under the Direction of the Commissioners of Her Majesty's Treasury or Customs, act as Counsel, Solicitor, Attorney at Law, Advocate, or Writer to the Signet in the Prosecution, Conduct, or Defence of any such Case in any Court, Jurisdiction, or Place in which such Case may be instituted, and any such Solicitor, Assistant Solicitor, or Clerk, and any Officer or Officers of Customs, under the Order and Directions of the Commissioners of Customs, may prosecute, defend, or conduct any Proceeding before any Magistrate or Magistrates, Justices or Justice of the Peace, in any Matter relating to the Customs, to be heard or determined by him or them.

X. *Reciprocity.*

Queen may restrict the Privileges of Foreign Ships in certain Cases.

As to Reciprocity in Commerce between *British* and Foreign Countries:

CCCXXIV. If it shall be made to appear to Her Majesty that *British* Vessels are subject in any Foreign Country to any Prohibitions or Restrictions as to the Voyages in which they may engage, or as to the Articles which they may import into or export from such Country, it shall be lawful for Her Majesty (if She think fit), by Order in Council, to impose such Prohibitions or Restrictions upon the Ships of such Foreign Country, either as to the Voyages in which they may engage or as to the Articles which they may import into or export from any Part of the United Kingdom or of any *British* Possession in any Part of the World, as Her Majesty may think fit, so as to place the Ships of such Country on as nearly as possible the same Footing in *British* Ports as that on which *British* Ships are placed in the Ports of such Country.

Reciprocity.

And may impose additional Duties.

CCCXXV. If it shall be made to appear to Her Majesty that British Ships are either directly or indirectly subject in any Foreign Country to any Duties or Charges of any Sort or Kind whatsoever from which the national Vessels of such Country are exempt, or that any Duties are imposed upon Articles imported or exported in *British* Ships which are not equally imposed upon the like Articles imported or exported in national Vessels, or that any Preference whatsoever is shown either directly or indirectly to national Vessels over *British* Vessels, or to Articles imported or exported in national Vessels over the like Articles imported or exported in *British* Vessels, or that *British* Trade and Navigation is not placed by such Country upon as advantageous a Footing as the Trade and Navigation of the most favoured Nation, then and in any such Case it shall be lawful for Her Majesty (if She think fit), by Order in Council, to impose such Duty or Duties of Tonnage upon the Ships of such Nation entering into or departing from the Ports of the United Kingdom, or of any *British* Possession in any Part of the World, or such Duty or Duties on all Goods or on any specified Classes of Goods, imported or exported in the Ships of such Nation, as may appear to Her Majesty justly to countervail the Disadvantages to which *British* Trade or Navigation is so subjected as aforesaid.

Order in Council to specify Ships to which it applies.

CCCXXVI. And in every such Order Her Majesty may, if She so think fit, specify what Ships are to be considered as Ships of the Country or Countries to which such Order applies, and all Ships answering the Description contained in such Order shall be considered to be Ships of such Country or Countries for the Purposes of such Order.

The Queen may regulate the Trade of certain Colonies.

CCCXXVII. Her Majesty, by and with the Advice of Her Privy Council, by any Order or Orders in Council to be issued from Time to Time, may give such Directions and make such Regulations touching the Trade and Commerce to and from any *British* Possessions on or near the Continent of *Europe*, or within the *Mediterranean* Sea, or in *Africa*, or within the Limits of the *East India* Company's Charter (excepting the Possessions of the said Company), as to Her Majesty in Council shall appear most expedient and salutary, any thing in this Act to the contrary notwithstanding; and if any Goods shall be imported or exported in any Manner contrary to any such Order of Her Majesty in Council, the same shall be forfeited, together with the Ship importing and exporting the same.

Queen in Council may regulate Coasting Trade of Colonies on their Address.

CCCXXVIII. If the Legislature or proper legislative Authority of any of the *British* Possessions abroad shall present an Address to Her Majesty, praying Her Majesty to authorize or permit the Conveyance of Goods or Passengers from One Part of such Possession to another Part thereof in other than *British* Ships, or if the Legislatures of any Two or more Possessions, which for the Purposes of this Act Her Majesty in Council shall declare to be neighbouring Possessions, shall present Addresses or a joint Address to Her Majesty, praying Her Majesty to place the Trade between them on the Footing of a Coasting Trade, or of otherwise regulating the same, so far as relates to the Vessels in which it is to be carried on, it shall thereupon be lawful for Her Majesty, by Order in Council, so to authorize the Conveyance of such Goods or Passengers, or so to regulate the Trade between such neighbouring Possessions, as the Case may be, on such Terms and under such Conditions as to Her Majesty may seem good.

Coasting Trade of India to be regulated by Governor General in Council.

CCCXXIX. And with regard to the Coasting Trade of *India*, it shall be lawful for the Governor General of *India* in Council to make any Regulations authorizing or permitting the Conveyance of Goods or Passengers from One Part of the Possessions of the *East India* Company to another Part thereof in other than *British* Ships, subject to such Restrictions or Regulations as he may think necessary; and such Regulations shall be of equal Force and Effect with any Laws and Regulations which the said Governor General in Council is now or may hereafter be authorized to make, and shall be subject to Disallowance and Repeal in like Manner as any other Laws or Regulations made by the said Governor General in Council, under the Laws from Time to Time in force for the Government of the *British* Territories in *India*, and shall be transmitted to *England*, and be laid before both Houses of Parliament, in the same Manner as any other Laws or Regulations which the Governor General in Council is now or may hereafter be empowered to make.

Orders to be published in "Gazette," and to be laid before Parliament.

CCCXXX. Every such Order in Council as aforesaid shall, within Fourteen Days after the issuing thereof, be twice published in the *London Gazette*, and that a Copy thereof shall be laid before both Houses of Parliament within Six Weeks after the issuing the same, if Parliament be then sitting, and if not, within Six Weeks after the Commencement of the then next Session of Parliament.

Orders may be revoked.

CCCXXXI. It shall be lawful for Her Majesty from Time to Time to revoke any Order or Orders in Council made under the Authority of this Act.

XI. *Acquisition of Lands, &c.*

As to the Acquisition and Disposal of Lands, &c. for the Service of the Customs:

Acquisition and Disposal of Lands, &c.

Lands and Buildings to be vested in the Secretary of the Customs and his Successors.

CCCXXXII. All Lands which have heretofore been or which shall hereafter be purchased or taken for the Use of Her Majesty's Customs, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, except such Lands as may be of Copyhold Tenure, shall be and continue vested in the Secretary for the Time being to the Commissioners of Customs and his respective Successors in such Service, according to the respective Nature and Quality of the said Lands, and the several Estates and Interests in the same respectively, in trust for Her Majesty, Her Heirs and Successors, for the Use and Service of Her Majesty's Customs; and upon the Death of any Secretary, Collector of Customs, or other Officer or Person in whom any Lands or Interest therein were vested as a Trustee for the Crown, all the Estate and Interest therein of such deceased Trustee shall vest in the Secretary for the Time being, and be held and dealt with by him upon the same Trusts and for the same Purposes as if he had been the Trustee originally appointed; and whenever any Act or Deed shall be required to be done by, or the Attendance, Assent, or Concurrence of the Heir-at-Law or legal Representative of such deceased

deceased Trustee shall become necessary in order to the Conveyance, Assignment, Surrender, or other Disposition of any such Lands, under the Direction of the Commissioners of Customs, the Secretary of Customs for the Time being shall be deemed to be the Heir-at-Law of such deceased Trustee for such Purpose. *Acquisition of Lands, &c.*

CCCXXXIII. The Secretary of Customs may, under the Direction of the Commissioners of Customs, (testified by Writing under their Hands and Seals,) sell, exchange, or in any Manner dispose of, as well any of the Freehold and Leasehold Lands which shall be so vested in him as also any of the Copyhold Lands which shall have been surrendered to and vested in any Person or Persons, and his, her, or their Heirs and Assigns, in trust for Her said Majesty or any of Her Predecessors, his, her, or their Heirs or Successors, for the Use and Service of Her Majesty's Customs, or any Part thereof, in such Manner, for such Considerations, and to such Persons as the Commissioners of Customs may think fit, and may purchase other Lands for the like Purposes, and afterwards sell the same, and for that Purpose may execute all such Conveyances, Assignments, and Agreements as may be necessary for effectually conveying and assigning the same. Secretary, under Authority of Commissioners, may sell or let Lands vested in him; and execute necessary Conveyances, &c.

CCCXXXIV. The Monies produced by Sales or Exchange of any of the said Lands, including the Monies already paid by way of Deposit for the Purchase of any Lands already contracted to be sold and the Residue of the Monies to be received in respect or on account of such Contract, shall be paid by the respective Purchaser or Purchasers thereof, or the Person or Persons making such Exchange to the Receiver General of Customs for the Time being, or to such Person as the said Commissioners for the Time being, or any Two or more of them, shall appoint to receive the same, in trust for Her Majesty, Her Heirs and Successors, for the Use of the said Customs; and the Receipt of the said Receiver General, or such other Person as aforesaid, for such Monies (such Receipt to be endorsed on every such Conveyance, Surrender, or Assignment,) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be paid. Monies produced by Sale of such Lands to be paid to the Receiver General.

CCCXXXV. The Commissioners of the Treasury may, from Time to Time, by any Writing under their Hands, authorize any Person to survey and make out any Lands, not exceeding One Half Acre at any One Station, which may be wanted for the Purpose of erecting Watch-houses, Dwelling Houses, and other Buildings requisite for the Security and Protection of the Revenues of Customs and Excise, with all necessary Ways unto and from the same, such Lands being situated within Half a Mile of the Seashore or of the Tideway of any navigable River, and may authorize any Person, by Warrant to treat and agree with the Owner or Owners of or any Person or Persons interested in any such Lands as aforesaid for such Estate or Interest therein, or for the absolute Purchase thereof, or for the Possession thereof for such Term of Years as the Public Service may require. Treasury may authorize Persons to survey and mark out Lands for Watch-houses, &c.; and to treat with Owners.

CCCXXXVI. When Parties, being seised, possessed of, or entitled to any such Lands, or any Estate or Interest therein, labour under any Disability to sell, release, convey, or assign the same, or to contract for the Grant of any Lease of such Lands, either for any Term of Years or for such Periods as the Public Service shall require, the Seventh Section of the Lands Clauses Consolidation Act, 1845 (*England*), and the Seventh Section of the Lands Clauses Consolidation Act, 1845 (*Scotland*), shall apply to the Cases of the Parties so disabled or incapacitated, in whatever Part of the United Kingdom the said Lands may be situate; and the said Sections are hereby respectively made a Part of and incorporated with this Act, and shall be applicable to Parties so seised or entitled as aforesaid in any Part of the United Kingdom; and for the Purpose of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Clauses of the Lands Clauses Acts, shall mean the Person authorized as aforesaid by the Commissioners of the Treasury. Parties seised or entitled to Lands under Disability empowered to sell or convey to Treasury or Customs.

CCCXXXVII. In case any Bodies or other Persons authorized by the Clauses of the Acts lastly herein-before mentioned to sell or demise Lands so marked out as aforesaid shall for the Space of Fourteen Days (next after Notice in Writing, subscribed by such Person authorized as aforesaid shall have been given to the principal Officer or Officers of any such Body, or to such other Persons hereby authorized to contract on behalf of others or interested themselves as aforesaid, or left at his or their usual Place of Abode, if any such can after diligent Inquiry be found, and in case any such Parties shall be absent from the United Kingdom, or cannot be found after diligent Inquiry, left with the Occupier of such Land, or if there be no such Occupier shall be affixed upon some conspicuous Part of such Lands,) refuse to treat or agree, or by reason of Absence shall be prevented from treating or agreeing with such Person authorized as aforesaid, or shall refuse to accept such annual Rent or Sum as shall be offered for the Hire thereof, either for a Time certain or for such Period as the Public Service may require, then and in such Case, or in case of Disagreement between such Bodies or Persons so authorized to sell, release, grant, or demise and the Person so authorized as aforesaid by the said Commissioners of the Treasury, and in case also it shall not be practicable to procure by voluntary Bargain or Sale any other Land situate and required as aforesaid, then and in such Case it shall be lawful for Two or more Justices to put the Officers of Customs in possession of such Lands, and for that Purpose to issue a Warrant under their Hands and Seals requiring Possession to be delivered to such of said Officers as shall be named therein; and such Person so authorized as aforesaid may issue his Warrant to the Sheriff or Sheriffs of the County, Riding, Stewartry, City, or Place wherein such Lands shall be situate to summon a Jury, and every such Sheriff, upon Receipt of such Warrant, shall, in the Manner required by Law, summon a Jury of Twenty-four Common Jurymen to meet at a convenient Time and Place to be appointed by him for that Purpose, such Time not being less than Fourteen nor more than Twenty-one Days after the Receipt of such Warrant, and such Place not being more than Twenty Miles distant from the Lands in Bodies or Persons refusing to treat, or to accept Consideration offered, Justices and others may put Her Majesty's Officers in possession. Justices and others may have a Jury summoned.

Acquisition of Lands, &c.

in question, unless by Consent of the Parties interested, and he shall forthwith give Notice to the Commissioners of Customs of the Time and Place so appointed by him: Provided always, that nothing herein shall be construed to extend to any Garden or Pleasure Ground, or to any Land immediately contiguous to and used as the Curtilage or Homestead of any Dwelling House.

Mode of Proceeding by Jury, &c.

As to the Mode of Proceeding on the Inquiry by the Jury or Juries so summoned as aforesaid:

Incorporation of Lands Clauses Consolidation Act (England and Ireland).

CCCXXXVIII. Where the Lands the Subject of Inquiry shall be situate either in *England* or *Ireland*, the Lands Clauses Consolidation Act, 1845, from Section Forty to Section Sixty-eight inclusively, shall be incorporated with this Act; and for the Purpose of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean the Person authorized as aforesaid by the Commissioners of the Treasury.

Incorporation of Lands Clauses Consolidation Act (Scotland).

CCCXXXIX. Where the Lands the Subject of Inquiry shall be situate in *Scotland*, the Lands Clauses Consolidation Act, 1845 (*Scotland*), from Thirty-eight to Sixty-eight inclusively, shall be incorporated with this Act; and for the Purpose of this Act the Expression "the Promoters of this Undertaking," wherever used in the Lands Clauses Consolidation Act, *Scotland*, shall mean the Person so authorized as aforesaid by the Commissioners of the Treasury.

Compensation to Lessees.

CCCXL. The Jury impannelled as aforesaid shall ascertain the Compensation to be paid for any such Lands, and the Proportion to be paid out of such Compensation to any Lessees or Tenants at Will, or otherwise, of such Lands, and the Proportion so to be paid shall be returned on the Verdict.

Upon delivering up Lands to the Owners all Erections for the Public Service to be removed, making Compensation to Owners.

CCCXLI. In all Cases where Lands shall be taken under the Provisions of this Act for a Term of Years or for such Period as the Public Service shall require, the Commissioners of the Treasury, or any other Person so authorized as aforesaid, at any Time before the Possession of Lands shall be delivered up to the Owner thereof, or other Person acting on his Behalf, shall remove all such Buildings or other Erections which may have been erected thereon for the Public Service, and carry away the Materials thereof, making such Compensation to the Owner or Owners of such Lands or other Person or Persons acting on his Behalf, for the Damage which may have been done thereto or to the Soil thereof by the Erection of any such Buildings, or removing and carrying away the same, or otherwise, as the said Commissioners of the Treasury or other Person authorized as aforesaid shall think reasonable, and if such Owner or Owners, or other Person acting on his Behalf, shall not be willing to accept the Compensation so offered, the said Commissioners of the Treasury or other Person so authorized as aforesaid may require Two Justices of the Peace of the County, Riding, Stewartry, City, or Place to ascertain the Compensation which ought to be made for such Damage, and such Justices shall ascertain the same, and grant a Certificate thereof, and the Amount of Compensation so ascertained and certified shall forthwith be paid by Warrant of the Commissioners of the Treasury to the Person entitled thereto: Provided, that nothing herein shall be construed to extend to alter, prejudice, or affect any Agreement which has or shall be entered into by any such Person authorized as aforesaid with any Owner of such Lands, or other Person acting on his Behalf, in relation to such Buildings or Erections.

In case of Dispute Compensation to be settled by Two Justices.

Act not to affect Agreements between the Treasury and the Owner.

Application of Purchase Money.

As to the Application of Purchase Monies, &c. for Lands purchased or taken from Parties under Disability, &c.:

Money given for Lands belonging to incapacitated Persons, &c. to be paid to the proper Officer of the Exchequer for their Use;

CCCXLII. In all Cases where any Money shall have been or shall be agreed, or shall have been or shall be found by the Verdict of any Jury to be paid for the Use or Possession of Lands taken by virtue of this Act belonging to any Person under any Disability or Incapacity, or not having the absolute Interest therein, the same shall be paid by Warrant of the Commissioners of the Treasury to the proper Officer of the Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively for the Time being for receiving the Monies belonging to the Suitors of the said Court, for the Use of such Person, and such Officer is hereby authorized and required to receive and give a Discharge for such Money, and upon Receipt thereof to sign a Certificate to the Barons of the said Courts of Exchequer respectively, under his Hand, signifying that such Money was received by him for the Use of such Person who shall be named in such Certificate, and the said Certificate shall be filed in the said Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* respectively, as the Case may be, and a Copy thereof, signed by such Officer, shall be read and allowed as Evidence for the Purposes herein-after mentioned, and such Officer is hereby required, upon Receipt of any such Sum of Money as aforesaid, to pay the same into the Bank of *England*, or Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of *Ireland*, as the Case may require, and immediately upon the filing of such Certificate the said Lands shall be vested in or to the Use of Her Majesty, Her Heirs and Successors.

and upon his Certificate of Receipt, Lands may be vested in Her Majesty.

Barons of Exchequer upon Application of Parties interested may order Disposal of Money deposited.

CCCXLIII. Upon the Application by Petition of any Party making claim to the Money so deposited, or any Part thereof, or to the Lands in respect whereof the same shall have been so deposited, or any Part of such Lands, or any Interest in the same, the Barons of the Court of Exchequer at *Westminster*, *Edinburgh*, or *Dublin* may in a summary Way, as to them shall seem fit, order such Money to be invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Interests of the Parties making claim to such Monies or Lands or any Part thereof, and may make such other Order in the Premises as the Court shall deem fit.

On the Death or Removal of Officer of Exchequer, Stocks and Securities

CCCXLIV. Upon the Death, Removal, or Resignation of any such Officer of the said Courts of Exchequer, all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Officer of the Exchequer for the Purposes herein-before mentioned, without any Assignment or Transfer; and all Monies paid in the said Banks respectively in pursuance of this Act, or remaining in the Hands of

any

any such Officer at his Death, Resignation, or Removal, and not vested in the Funds or placed out on Securities, as aforesaid, shall be paid over to the succeeding Officer for the like Purpose for the Time being. shall vest in his Successor.

Costs of Conveyance, &c.

And as the Costs of Conveyances or Leases of Lands under this Act:

Certain Sections of Lands Clauses Consolidation Act incorporated.

CCCXLV. Sections Eighty-one, Eighty-two, and Eighty-three of the Lands Clauses Consolidation Act, 1845, shall be and are hereby incorporated with this Act, so far as the same shall relate to the Conveyance or Demise of Lands in *England* and *Ireland;* and Sections Eighty, Eighty-one, and Eighty-two of the Lands Clauses Consolidation Act (*Scotland*), shall be and are hereby incorporated with this Act, so far as the same shall relate to the Conveyance or Demise of Lands in *Scotland;* the Expression of "the Promoters of the Undertaking," wherever used in the said Acts respectively, to mean the Persons so authorized as aforesaid by the Commissioners of the Treasury.

XII. *Isle of Man.*

AS TO THE ISLE OF MAN.

Isle of Man to be Part of United Kingdom for Purposes of this Act.

CCCXLVI. The *Isle of Man* shall be deemed and taken to be Part of the United Kingdom for all the Purposes of this Act, but nothing herein contained shall prejudice or affect, or be construed in any way directly or indirectly to prejudice or affect, any of the Rights or Privileges legally exercised or enjoyed by the said Isle at the Time of the passing of this Act.

Goods delivered out of Charge of Customs in the Isle of Man not to be brought into Great Britain or Ireland.

CCCXLVII. No Foreign Goods upon which a higher Duty is payable on their Importation into *Great Britain* or *Ireland* than on their Importation into the *Isle of Man* shall, after the same have been cleared and delivered out of Charge of the proper Officer of Customs for Consumption or otherwise in the said Isle, be carried or shipped or be water-borne or be brought to any Quay, Wharf, or other Place to be shipped or water-borne to be carried from the said Isle into *Great Britain* or *Ireland;* nor shall any such Goods which may be brought to the said Isle, though not cleared and delivered as aforesaid, be removed or carried from thence into *Great Britain* or *Ireland* until the same shall have been duly cleared for that Purpose by the proper Officer of Customs, nor (unless reported for Removal in the same Ship and in continuation of the Voyage to some Port in *Great Britain* or *Ireland,*) until sufficient Security by Bond or otherwise shall have been given, in such Manner and on such Terms and Conditions as the Commissioners of Customs may direct, for the due Delivery thereof at some Port or Place in *Great Britain* or *Ireland;* and all Goods carried, brought, shipped, removed, or water-borne to be shipped, removed, or carried contrary hereto shall be forfeited, and every Person who shall carry, ship, bring, remove, or water-bear to be shipped, removed, or carried any Goods contrary hereto, or who shall aid or be concerned therein, shall forfeit Treble the Value of such Goods, or the Sum of One hundred Pounds, at the Election of the Commissioners of Customs.

Goods brought to Isle of Man but not delivered out of Charge of Customs may be brought to Great Britain or Ireland, under Conditions.

Goods, the Growth or Manufacture of Isle of Man, may be imported into Great Britain or Ireland on Certificate, &c.

CCCXLVIII. Any Goods, the Growth of the *Isle of Man,* or there manufactured from Materials the Growth of the said Isle, or from Materials not subject to Duties in *Great Britain* or *Ireland,* or from Materials upon which the Duty has been paid in *Great Britain* or *Ireland* and upon which no Drawback has been subsequently granted, may be brought from the said Isle into *Great Britain* or *Ireland* without Payment of any Duty: Provided always, that such Goods may nevertheless be charged with such Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Sort of Goods the Produce of that Part of the United Kingdom into which they shall be brought, and any Articles, either wholly or in part manufactured in the said Isle from any Materials upon which a higher Duty is payable upon their Importation into the United Kingdom than on their Importation into the *Isle of Man,* may be brought from the said Isle into *Great Britain* or *Ireland* on Payment of the Duty payable on such Goods in that Part of the United Kingdom into which they shall be so brought.

Declaration and Certificate of Growth or Manufacture of Goods from Isle of Man.

CCCXLIX. Before any Goods shall be shipped in the *Isle of Man* to be carried to *Great Britain* or *Ireland,* as the Growth or Produce of that Isle, or as Manufactures of that Isle from Materials the Growth and Produce thereof, or from Materials not subject to Duty in *Great Britain* or *Ireland,* or from Materials upon which the Duties shall have been paid and not drawn back in *Great Britain* or *Ireland,* Proof shall be made by the written Declaration of some competent Person, to the Satisfaction of the Collector or Comptroller of Customs at the Port of Shipment, that such Goods (describing and identifying them) are of such Growth, Produce, or Manufacture, as the Case may be, and in such Declaration shall be stated the Name of the Person by whom such Goods are intended to be shipped, and such Person, at the Time of Shipping, (not being more than One Month after the Date of such Declaration,) shall make and subscribe a Declaration before such Collector or Comptroller, that the Goods to be shipped are the same as are mentioned in such Declaration, and thereupon the Collector or Comptroller shall, on Demand, give to the Master of the Ship in which the Goods are to be exported, a Certificate of such Proof of Produce or of Manufacture, describing the same, and setting forth the Name of the Party and of the Ship and of the Master thereof, and the Destination of the Goods.

Act not to affect Excise Drawbacks.

CCCL. Nothing herein contained shall be deemed or construed to affect the Laws and Regulations now in force respecting Duties and Drawbacks of Excise on Goods removed to the *Isle of Man.*

Stores of Manx Ships.

CCCLI. If any Ship or Boat bound from the *Isle of Man* to *Great Britain* or *Ireland* shall have on board any Stores of Spirits, Tobacco, or Tea for the Use of the Crew exceeding the Quantities specified in the following Table, such Stores, together with the Casks or Packages containing the same, and also the Ship or Boat, shall be forfeited:

TABLE

TABLE.

—	In Ships or decked Vessels.	In open Boat.
Spirits for each Seaman - -	Half a Gallon - - -	One Quart.
Tobacco for each Seaman - -	One Pound - - - -	Half a Pound.
Tea for the whole Crew - -	Two Pounds - - -	One Pound.

Treasury may restrict Imports.

CCCLII. The Commissioners of the Treasury shall and may at any Time, if they see fit, by Order under their Hands, restrict or limit the Importation into the *Isle of Man* of any Foreign Goods to such Quantities *per Annum* and in such Manner as they may deem necessary, and also determine into what Ports in the *Isle of Man* and from what Places such Goods may be imported.

Management of Duties.

Duties to be paid into the Exchequer.

CCCLIII. The Duties of Customs payable on the Importation of Goods into the *Isle of Man* shall be collected, paid, recovered, and accounted for under the Management and Control of the Commissioners of Her Majesty's Customs; and, except the necessary Charges of collecting, recovering, and accounting for the same, the said Duties shall from Time to Time (subject to the Deductions herein-after mentioned) be brought and paid into the Receipt of Her Majesty's Exchequer, distinctly and apart from all other Branches of the Public Revenue, and shall go to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided always, that any of the Collectors of Customs of the said Isle shall retain, and he and they is and are hereby authorized and required, agreeably to such Directions as shall from Time to Time be given for that Purpose by the Commissioners of Her Majesty's Customs, to retain, such Sum or Sums of Money in his or their Hands as may be sufficient to defray the necessary Expenses attending the Government of the said *Isle of Man* and the Administration of Justice there, and other Charges incurred in the said Isle, which have heretofore been or may hereafter be deemed fit and proper Charges to be deducted from and paid out of the Duties of Customs collected in the said *Isle of Man;* and upon the Amount of the said Expenses and Charges being ascertained, the said Commissioners are hereby authorized to direct the same to be paid out of the said Monies so retained to such Person or Persons as may be entitled to receive the same.

Part of Duties may be retained for Expenses of the Government.

Expenses of the Government, and 2,300*l.* per Annum to Harbour Commissioners of Isle of Man, to be paid by Customs.

CCCLIV. The necessary Expenses attending the Government of the *Isle of Man* and the Administration of Justice there, and other Charges incurred in the said Isle, which have heretofore been deemed fit and proper Charges to be deducted from and paid out of the Duties of Customs collected in the said Isle, or which may hereafter be deemed proper Charges, and also the annual Sum of Two thousand three hundred Pounds made payable by an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Ninety-four, Section Twenty-five, to Her Majesty's Receiver General in the said *Isle of Man*, and to be applied for the lawful Purposes of the Harbour Commissioners therein mentioned, shall and may be retained and paid by the Collector of Customs of the said Isle, out of the Duties of Customs collected in the said Isle, as herein-before provided.

Additional Allowance for Public Works in Isle of Man.

CCCLV. In addition to the Deductions from the Customs Duties herein-before provided for, there shall be set aside annually a Sum equal to One Ninth Part of the Amount derived from such Duties, to be applied by the Commissioners of the Treasury in effecting Improvements in the Harbours and other Public Works in the *Isle of Man*, the necessary Repairs and Improvements in the Harbours taking Priority to other Public Works; and it shall be lawful for the Court of Tynwald from Time to Time to determine what Improvements and Public Works shall be so undertaken, the Lieutenant Governor having a Veto upon such Decision.

As to general Orders and Regulations:

General Orders to be printed.

CCCLVI. The Commissioners of Customs shall, as soon as conveniently may be after the Commencement of each Year, cause to be printed all general Orders made by them for the Regulation of the Customs during the preceding Year.

As to the Interpretation of Terms used in this Act:

Interpretation of Terms.

CCCLVII. For the Purposes of this Act,—

"Assistant Barrister" shall, with respect to Matters or Proceedings in the County of *Dublin*, be construed as meaning the Chairman of *Kilmainham*, and with respect to Matters or Proceedings in the City of *Dublin*, be construed as meaning the Recorder of the City of *Dublin:*

"Attorney General" shall include Solicitor General or other Chief Law Officer of the Crown in any of Her Majesty's Possessions abroad where there is no Attorney General:

"*British* Possession" shall include Colony, Plantation, Island, Territory, or Settlement belonging to Her Majesty:

"Channel Islands" shall mean the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark:*

"Collector and Comptroller" generally, wherever any Act, Matter, or Thing shall or may be required by this or any other Act of Parliament to be done by or with the Collector and Comptroller of any Port or Place, the same may be done by or with the Collector or Comptroller or other principal acting Officer of Customs at such Port or Place, and be as valid and effectual as if done by or with any Collector and Comptroller:

"Commissioners of the Treasury" shall mean the Lords Commissioners of Her Majesty's Treasury:
"Commissioners of Customs" shall mean the Commissioners of Her Majesty's Customs:
"County" shall mean and include any City, County of a City, County of a Town, Borough, or other Magisterial Jurisdiction, or any Place or District enumerated in Section Two hundred and seventy-four of this Act, unless there be something in the Subject or Context repugnant to such Construction:
"Drawback" shall include Bounty:
"Her Majesty" shall mean Her Majesty, Her Heirs and Successors:
"Justice" shall mean Justice of the Peace, and include Deemster or any other Magistrate:
"Landing Waiter" shall include any Officer duly authorized to superintend the Landing and Examination of Goods on their Importation:
"Limits of *East India* Company's Charter" shall mean the *Cape of Good Hope* and all Places and Seas Eastward thereof to the Straits of *Magellan*:
"Master" shall mean the Person having or taking the Charge or Command of any Ship:
"Queen's Warehouse" shall mean any Place provided by the Crown for lodging Goods therein for Security of the Customs:
"Seaman" shall include Mate, Mariner, Sailor, or Landsman, being One of the Crew of any Ship:
"Ship" shall mean Ship or Vessel of any Description, unless used to distinguish a Ship from a Sloop or some other Description of Vessel:
"Warehouse" shall mean any Place in which Goods entered to be warehoused may be lodged, kept, and secured.

As to the Repeal of existing Acts:

CCCLVIII. The several Acts and Parts of Acts set forth in Schedule (A.) to this Act annexed are hereby repealed, to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, except as to anything done before the Commencement of this Act, and except so far as relates to any Arrears of Duty or to any Drawback which shall have become due or payable, and except so far as may be necessary for the Purpose of supporting or continuing any Proceeding heretofore taken or to be taken after the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed or any Forfeiture which shall have been incurred before the Commencement of this Act; and all Orders made by Her Majesty in Council, all Bonds taken or Licences granted, and all Things done under the Authority or in pursuance of any of the Acts hereby repealed, shall nevertheless be valid and effectual. Acts set forth in Schedule repealed. Orders, &c. under Acts repealed, valid.

CCCLIX. This Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same. Registration in Royal Courts of Guernsey and Jersey.

CCCLX. This Act shall come into operation on the Day of the passing of this Act; and in citing it in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The Customs Consolidation Act, 1853." Commencement and Short Title of Act.

SCHEDULE (A.) of Acts to be repealed.

Date of Act.	Title of Act.	Extent of Repeal.
6 Geo. 4. c. 41. -	An Act to repeal the Stamp Duties payable in Great Britain and Ireland upon the Transfer of Property in Ships and Vessels, and upon Bonds and Debentures required to be given in relation to the Duties, Drawbacks, and Bounties of Customs or Excise, and to grant other Duties of Stamps on such Bonds and Debentures.	Section 4, so far as relates to Her Majesty's Customs.
8 & 9 Vict. c. 85.	An Act for the Management of the Customs -	The whole Act, except Sections 2 and 3.
8 & 9 Vict. c. 86.	An Act for the general Regulation of the Customs	The whole Act, except Sections 45, 139, and 140, and Section 53, so far as relates to Scotland.
8 & 9 Vict. c. 87.	An Act for the Prevention of Smuggling - -	The whole Act, except Sections 10 and 124.
8 & 9 Vict. c. 90.	An Act for granting Duties of Customs - -	The whole Act.
8 & 9 Vict. c. 91.	An Act for the warehousing of Goods - -	The whole Act, except Section 51.
8 & 9 Vict. c. 92.	An Act to grant Bounties and Allowances of Customs.	The whole Act.

Date of Act.	Title of Act.	Extent of Repeal.
8 & 9 Vict. c. 93.	An Act to regulate the Trade of British Possessions abroad.	The whole Act.
8 & 9 Vict. c. 94.	An Act for the regulating the Trade of the Isle of Man.	The whole Act.
9 & 10 Vict. c. 23.	An Act to alter certain Duties of Customs - -	The whole Act.
9 & 10 Vict. c. 102.	An Act to amend the Laws relating to the Customs	The whole Act.
10 Vict. c. 23. -	An Act to alter certain Duties of Customs - -	The whole Act.
11 & 12 Vict. c. 60.	An Act to alter the Duties payable upon the Importation of Spirits or Strong Waters.	The whole Act.
11 & 12 Vict. c. 97.	An Act to repeal the Duties of Customs upon the Importation of Sugar, and to impose new Duties in lieu thereof.	The whole Act.
12 & 13 Vict. c. 29.	An Act to amend the Laws in force for the Encouragement of British Shipping and Navigation.	The whole Act, except Sections 7, 8, 9, 17, 18, 19, and 20.
12 & 13 Vict. c. 90.	An Act to amend the Laws relating to the Customs	The whole Act, except Sections 41, 42, and 43.
13 & 14 Vict. c. 95.	An Act to amend the Laws relating to the Customs	The whole Act, except Section 14.
14 & 15 Vict. c. 62.	An Act to alter certain Duties of Customs, and to enable the Treasury to regulate the Mode of keeping the Account between the Receiver General of Customs and the Bank of England.	The whole Act.

SCHEDULE (B.)

SCHEDULE (B.) referred to in the foregoing Act.

FORM OF INFORMATION BEFORE JUSTICES OF THE PEACE.

} BE it remembered, That *A.B.*, an Officer of Customs, under the Direction of the Commis-
to wit. } sioners of Customs, informs me, One of Her Majesty's Justices of the Peace in and for the of ,

COUNT 1.

On Sec. 234. That *C.D.* did unship, or was aiding or concerned in unshipping or otherwise dealing with certain Goods, to wit [*here mention the Goods generally*], contrary to Section 234. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners have elected to sue.

COUNT 2.

On Sec. 235. That *C.D.* being [*or* "not being," *as the Case may be,*] a Subject of Her Majesty, was found or discovered to have been on board a Ship or Boat, Part of the Cargo of which was thrown overboard, *or* staved, *or* destroyed, to prevent Seizure, contrary to Section 235. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 3.

On Sec. 235. That *C.D.* being [*or* "not being," *as the Case may be,*] a Subject of Her Majesty, was found or discovered to have been on board a Ship or Boat, contrary to the Section 235. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 4.

On Sec. 236. That *C.D.* was found or discovered to have been on board a Ship or Boat within a Port, Bay, Harbour, River, or Creek of the United Kingdom, [*or* "the Channel Islands," *as the Case may be,*] contrary to Section 236. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds.

COUNT 5.

On Sec. 198. That *C.D.* did make and subscribe a false Declaration or Document, purporting to be [*here state the Nature of the Document generally*], the same being false and untrue, contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds.

COUNT

COUNT 6.

That *C.D.* did untruly answer a certain Question put to him by an Officer of Customs, contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 198.

COUNT 7.

That *C.D.* did counterfeit or falsify [*or* "wilfully use when counterfeited or falsified," *as the Case may be,*] a certain Document purporting to be [*here state the Nature of the Document generally*], contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 198.

COUNT 8.

That *C.D.* did fraudulently alter [*or* counterfeit, *as the Case may be,*] the Seal, Signature, Initials, or Mark of or used by an Officer of Customs, contrary to Section 198. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 198.

COUNT 9.

That a certain Vessel or Boat called the , whereof *C.D.* was Owner, [*or* Master, *as the Case may be,*] was unlawfully used in importing, landing, removing, carrying, or conveying of certain uncustomed or prohibited Goods; to wit, [*here mention generally the Goods,*] contrary to Section 203. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , which the Commissioners of Customs have directed to be sued for in this Case. On Sec. 203.

COUNT 10.

That *C.D.* was driving or conducting a Cart, Waggon, or other Conveyance, and refused to stop, or to allow the Examination thereof, when required in the Queen's Name, contrary to Section 220. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 220.

COUNT 11.

That *C.D.*, an Officer of Police, having detained certain Goods, to wit, [*here mention generally the Goods,*] on Suspicion of their being stolen, neglected to convey the same to the proper Warehouse, [*or* neglected to give Notice thereof to the Commissioners of Customs, *as the Case may be,*] contrary to Section 225. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of Twenty Pounds. On Sec. 225.

COUNT 12.

That *C.D.* obstructed a Person duly employed for the Prevention of Smuggling, contrary to Section 229. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of One hundred Pounds. On Sec. 229.

COUNT 13.

That *C.D.* denied the Possession of certain Foreign Goods, to wit, [*here mention generally the Goods,*] which were afterwards found to be [*or* "to have been," *as the Case may be,*] in his Possession, contrary to Section 229. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods. On Sec. 229.

COUNT 14.

That *C.D.*, an Officer of , did, without reasonable Ground, require a certain Person, to wit, one *E.F.*, to be searched, contrary to Section 231. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of Ten Pounds. On Sec. 231.

COUNT 15.

That *C.D.* was concerned in importing certain prohibited or restricted Goods, to wit, [*here mention generally the Goods,*] contrary to Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue. On Sec. 232.

COUNT 16.

That *C.D.* was concerned in unshipping or otherwise dealing with certain prohibited, restricted, or uncustomed Goods, to wit, [*here mention generally the Goods,*] contrary to Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [or "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue. On Sec. 232.

COUNT 17.

That *C.D.* was concerned in the illegal Removal of certain Goods, to wit, [*here mention generally the Goods,*] from a Warehouse, or otherwise illegally dealing with the same after they had been so removed, contrary On Sec. 232.

SCHEDULE (B.)

contrary to the Provisions of Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 18.

On Sec. 232. That *C.D.* was knowingly concerned in evading Duties of Customs upon or in dealing with certain Goods, to wit, [*here mention generally the Goods,*] with Intent to defraud Her Majesty of the Duties of Customs in respect thereof, contrary to Section 232. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the Goods, [*or* "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 19.

On Sec. 233. That *C.D.* was concerned in the Removal of certain Goods, to wit, [*here mention generally the Goods,*] or otherwise dealing with the same, contrary to Section 233. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods, [or "the Penalty of One hundred Pounds," *as the Case may be,*] for which the Commissioners of Customs have elected to sue.

COUNT 20.

On Sec. 241. That *C.D.* offered certain Goods for Sale, to wit, [*here mention generally the Goods,*] contrary to Section 241. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of , being Treble the Value of the said Goods.

COUNT 21.

On Sec. 247. That *C.D.* was concerned in the assembling of Persons contrary to Section 247. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 22.

On Sec. 247. That *C.D.* obstructed Persons employed for the Prevention of Smuggling, *or* was concerned in the Rescue *or* Attempt at Rescue of seized Goods, *or* in the Destruction *or* Attempt at Destruction thereof, contrary to Section 247. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has become liable to be imprisoned as is therein directed.

COUNT 23.

That certain Goods, to wit, [*here mention generally the Goods,*] were seized on the Day of for being dealt with contrary to Section [*here insert the Section in Figures*] of "The Customs Consolidation Act, 1853," whereby the said Goods have become liable to Forfeiture, and that *C.D.* of has claimed the same.

COUNT 24.

On Sec. 274. That *C.D.* being summoned as a Witness, did neglect or refuse to appear, *or, having appeared,* did refuse to take Oath *or* affirm, *or* give Evidence, *or* answer, contrary to Section 274. of "The Customs Consolidation Act, 1853," whereby the said *C.D.* has forfeited the Sum of

Exhibited to and before me the Day of in the Year of our Lord

Form of Summons on Information.

To [*C.D.*]

to wit. WHEREAS an Information has been exhibited by [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, before me , One of Her Majesty's Justices of the Peace for the of , in the following Form [*here copy the Information*].

This is therefore to require you personally to appear before me, or such other Justice or Justices of the Peace as may be present at , in the of , on the Day of next ensuing, at the Hour of o'Clock in the Forenoon of said Day, to answer the said Information.

Given under my Hand and Seal, at in the of this Day of in the Year of our Lord .

Form

SCHEDULE (B.)

Form of Summons on Information for Condemnation of Seizures.

To of in the of .

to wit. } AN Information having been preferred by [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, before me One of Her Majesty's Justices of the Peace for the of , for the Condemnation of [*here state the Goods*] seized on the Day of in the Year of our Lord , for being dealt with contrary to Section of "The Customs Consolidation Act, 1853," and claimed by you.

This is to require you to appear before me, or such other Justice or Justices of the Peace as may be present at , in the of on the Day of next ensuing, at the Hour of o'Clock in the Forenoon of said Day, to show Cause why the said Goods should not be condemned as forfeited.

Given under my Hand and Seal, at in the of this Day of in the Year of our Lord .

Form of Summons for Witnesses.

To

to wit. } YOU are hereby required personally to be and appear, on the Day of next ensuing, at the Hour of o'Clock in the Forenoon, at in the of , before me, or such other of Her Majesty's Justices of the Peace for the said of as may be then and there present, to give Evidence and testify the Truth, according to your Knowledge, concerning the Facts alleged in a certain Information exhibited against *C.D.* under "The Customs Consolidation Act, 1853," and herein fail not, under the Penalty therein provided.

Given under my Hand and Seal, at in the of this Day of in the Year of our Lord .

Form of Conviction.

to wit. } BE it remembered, That on this Day of in the Year of our Lord , at in the of , *C.D.* is convicted before me [*or* us, *as the Case may be,*] of Her Majesty's Justices of the Peace for the of : For that he the said *C.D.*, within Three Years now last past [*here state the Offence as in the Information*], and [*where the Party has been convicted of an Offence punishable by pecuniary Penalty and Imprisonment in default of Payment,*] I, *or* we, adjudge the said *C.D.* for his said Offence to forfeit and pay the Sum of ; which [*if such be the Case,*] I, *or* we, mitigate to the Sum of ; and if the said Sum of be not forthwith paid, I, *or* we, adjudge the said *C.D.* to be imprisoned in Her Majesty's Gaol at in the of until the same be paid, [*or where it shall have been so adjudicated add, instead of the Words* "until the same be paid," for the Period of Six Months,] unless he shall sooner pay the said Sum of *or* [*where the Party has been convicted of an Offence punishable by Imprisonment with Hard Labour,*] I, *or* we, adjudge the said *C.D.*, for his said Offence [*and where the Party has beeen previously convicted insert here,* "he having been previously convicted,"] to be imprisoned in Her Majesty's House of Correction at in the of , and there kept to Hard Labour for the Period of Months.

Given under Hand and Seal , at in the of this Day of in the Year of our Lord .

Form of Commitment for Nonpayment of a pecuniary Penalty.

to wit. } To [*A.B.*] an Officer of Customs, and to the Gaoler or Keeper of the Gaol at in the of [*C.D.*] having been this Day convicted before me [*or* us, *as the Case may be,*] of Her Majesty's Justices of the Peace in and for the of , upon the Information of [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, of having, within Three Years now last past, [*here state the Offence generally, and the Date thereof,*] I [*or* we, *as the Case may be,*] did adjudge that the said [*C.D.*] had forfeited for his said Offence the Sum of [*adding, if mitigated,*] which I [*or* we, *as the Case may be,*] mitigated to the Sum of , which has not been paid.

This is to command you forthwith to convey the said [*C.D.*] to the Gaol at in the of , and to deliver him into the Custody of the Gaoler *or* Keeper of the said Gaol.

And I [*or* we] the said Justice *or* Justices [*as the Case may be,*] do hereby authorize and require you, the said Gaoler or Keeper of the said Gaol, to receive the said [*C.D.*] into your Custody, and him safely to keep in your said Goal until he shall duly pay the said Sum of or be discharged according to Law [*or, if it be so adjudicated, insert, instead of what follows the Word* "Gaol," for the Period of Six Month, unless he shall sooner pay the said Sum of].

Given under Hand and Seal , at in the of this Day of in the Year of our Lord .

Form

SCHEDULE (B.)

Form of Commitment to Hard Labour.

to wit. } To [*A.B.*] an Officer of Customs, and to the Gaoler or Keeper of the House of Correction at in the of .

C.D. having been this Day duly convicted before me [*or* us, *as the Case may be,*] of Her Majesty's Justices of the Peace for the of upon the Information of [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, of having, within Three Years now last past, [*here state the Offence generally, and Date thereof,*] I [*or* we, *as the Case may be,*] did adjudge that the said [*C.D.*] should for his said Offence [*if previously convicted, say,* "he having been previously convicted,"] be imprisoned in the House of Correction at in the said of , and be there kept to Hard Labour for the Period of Months.

This is to command you forthwith to convey the said [*C.D.*] to the House of Correction at in the of , and to deliver him into the Custody of the Gaoler or Keeper of the said House of Correction, and I [*or* we,] the said Justice *or* Justices, [*as the Case may be,*] do hereby authorize and require you, the said Gaoler or Keeper of the said House of Correction, to receive and take the said [*C.D.*] into your Custody, and him safely to keep to Hard Labour in your said House of Correction for the Period of Months.

Given under this Hand and Seal , at in the of Day of in the Year of our Lord .

Form of Condemnation of seized Goods.

to wit. } BE it remembered, That an Information having been exhibited by [*A.B.*] an Officer of Customs, under the Direction of the Commissioners of Customs, before me , One of Her Majesty's Justices of the Peace for the said of , for the Condemnation of [*here state the Goods,*] for being dealt with contrary to Section of "The Customs Consolidation Act, 1853," whereby the same became liable to Forfeiture, and which said Goods having been claimed by [*C.D.*] of , who was duly summoned to show Cause why the same should not be condemned as forfeited, and the Forfeiture thereof having been duly proved before me, *or* us, [*as the Case may be,*] I, *or* we, [*as the Case may be,*] do adjudge the same to be forfeited, and do condemn the same accordingly.

Given under this Hand and Seal , at in the of Day of in the Year of our Lord .

TABLE OF FEES referred to in the foregoing Act.

In Cases summarily disposed of under Section 239.

	£	s.	d.
Convening Justices in One or more Cases on the same Day	0	2	6
Attendance in each Case of Detention for the same Offence:—			
Where One Person detained	0	5	0
Two ditto	0	7	6
Three or more, ditto	0	10	6

In Cases of Detention and Remand.

Convening Justices in One or more Cases on the same Day	0	2	6
Taking Information of Officer to ground Warrant of Detention against One or more Persons for the same Offence, and Oath	0	2	6
Warrant of Detention for One Defendant only	0	1	6
„ for each additional Defendant	0	0	6
Recognizance for Defendant's Appearance	0	2	6
Convening Justices to hear One or more Cases of Remand on the same Day	0	5	0
Each Summons to Witnesses, when required	0	2	0
Each Information exhibited	0	2	6
Each Witness examined, where Examination does not exceed Two Folios, and Oath	0	1	0
Each additional Folio beyond the Two first	0	0	8
Taking down Prisoner's Reply, if any, to Charge	0	1	0
Recording Conviction or Acquittal	0	2	6
Warrant of Commitment	0	3	0
Copy for Revenue Solicitor	0	1	0
Engrossing Conviction on Parchment to file, and transmitting same to Clerk of Peace	0	6	0

In

In Cases where the Parties are proceeded against by Summons.	£	s.	d.
Convening Justices to receive Information in One or more Cases for the same Day	0	2	6
Each Information exhibited	0	2	6
Summons for Defendant's Appearance	0	2	0
Duplicate	0	1	0
Convening Justices in One or more Cases for Hearing on the same Day	0	5	0
Each Summons for Witnesses	0	2	0
Each Witness examined, where Examination does not exceed Two Folios, and Oath	0	1	0
Every additional Folio beyond the Two first	0	0	8
Taking down Statement, if any, of Party accused	0	1	0
Recording Conviction or Acquittal	0	2	6
Warrant of Commitment	0	3	0
Copy for Revenue Solicitor	0	1	0
Engrossing Conviction on Parchment to file, and transmitting same to Clerk of Peace	0	6	0

GENERAL PROSECUTIONS AT THE INSTANCE OF THE COMMISSIONERS OF CUSTOMS.

In Cases where Parties are brought before the Justices for Offences determinable at Sessions or Assizes.	£	s.	d.
Convening Justices when required	0	2	6
Information and Oath to ground Warrant or Summons	0	2	6
Summons to compel Party's Appearance	0	2	0
Duplicate	0	1	0
Warrant for Apprehension of Offender	0	3	0
Taking Depositions of Witnesses, per Folio	0	0	8
Copies ditto for Revenue Solicitor, when required, per Folio	0	0	4
Warrant of Commitment	0	2	6
Recognizance to prosecute and give Evidence	0	2	6
Recognizance to give Evidence, whatever the Number of Witnesses included therein	0	2	6
Each Notice of Recognizance to prosecute or give Evidence	0	1	0

CAP. CVIII.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*. [20th *August* 1853.]

'WHEREAS an Act was passed in the Session holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law as to Ecclesiastical Jurisdiction in* England, by which it was enacted, that certain of the Provisions therein contained should continue until the First Day of *August* One thousand eight hundred and forty-eight, and, if Parliament were then sitting, until the End of the then Session of Parliament; and such Provisions have been continued by sundry Acts until the First Day of *August* One thousand eight hundred and fifty-three, and to the End of the then next Session of Parliament: And whereas it is expedient that the said Provisions should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisions of the said Act shall continue until the First Day of *August* One thousand eight hundred and fifty-four, and to the End of the then next Session of Parliament.

10 & 11 Vict. c. 98.

Certain Provisions of recited Act further continued.

CAP. CIX.

An Act to continue an Act to amend the Laws relating to Loan Societies. [20th *August* 1853.]

[3 & 4 *Vict.* c. 110. *continued till* 1st *October* 1856, *and to the End of the then next Session.*]

CAP CX.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-three, and to appropriate the Supplies granted in this Session of Parliament. [20th *August* 1853.]

§ I. There shall be applied, for the Service of the Year 1853, the Sum of £10,634,087 2*s.* 4*d.* out of the Consolidated Fund.

II. The Treasury may cause £10,634,087 2*s.* 4*d.* of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of *England* may advance £10,634,087 2*s.* 4*d.* on the Credit of this Act, notwithstanding 5 & 6 *W.* & *M. c.* 20.

VI Bills

§ VI. Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may apply, for the Service of the Year 1853, £355,143 4*s.* 8*d.*, Surplus of Ways and Means.

X. Appropriation of Ways and Means to Services hereafter expressed.—16 & 17 *Vict. c.* 6., 16 & 17 *Vict. c.* 12., 16 & 17 *Vict. c.* 25., and 16 & 17 *Vict. c.* 31.

XI. There shall be issued,

	£100,000	0	0	For Steam Machinery for Naval Purposes, to 5th *April* 1853.	
	73,971	0	0	For Wages for 6,500 additional Seamen and Marines	To 31st *March* 1853.
	1,200	0	0	For Medicines, &c. for ditto	
	37,929	0	0	For Victuals, &c. for ditto	
XII.	7,120,705	0	0	For Navy Services; *viz.*	
	1,736,236	0	0	For Wages to 45,500 Seamen and Marines	*For the Year ending* 31st *March* 1854.
	615,426	0	0	For Victuals, &c. in the Navy	
	137,245	0	0	For Salaries, &c. of the Admiralty Office	
	34,939	0	0	For the Navy Scientific Departments	
	134,230	0	0	For Naval Establishments at home	
	22,764	0	0	For Naval Establishments abroad	
	683,648	0	0	For Wages of Artificers, &c. at home	
	35,566	0	0	For Wages of Artificers, &c. abroad	
	1,023,011	0	0	For Naval Stores, &c.	
	256,948	0	0	For new Works in Naval Establishments	
	26,000	0	0	For Medicines, &c.	
	57,427	0	0	For Naval Miscellaneous Services	
	687,575	0	0	For Naval Half Pay, &c.	
	483,134	0	0	For Military Pensions	
	148,394	0	0	For Civil Pensions	
	152,950	0	0	For Freight of Ships, &c. for Army and Ordnance Services	
	50,000	0	0	For Royal Naval Coast Volunteers	
	835,212	0	0	For Packet Service	
XIII.	7,060,882	0	0	For Army Services; *viz.*	
	3,625,783	0	0	For Forces in United Kingdom and Stations abroad (except the *East Indies*)	From 1st *April* 1853 to 31st *March* 1854.
	162,897	0	0	For General Staff Officers, &c.	
	98,464	0	0	For Allowances to Officers, &c. of public Military Departments	
	16,888	0	0	For Royal Military College	
	18,020	0	0	For Royal Military Asylum, &c.	
	88,000	0	0	For Volunteer Corps	
	20,250	0	0	For Rewards for distinguished Military Services	
	55,000	0	0	For Pay of General Officers	
	50,000	0	0	For Full Pay for Retired Officers	
	358,000	0	0	For Half Pay for Retired Officers	
	34,628	0	0	For Half Pay for Officers of disbanded Foreign Corps, &c.	
	117,637	0	0	For Pensions to Widows	
	79,500	0	0	For Compassionate List, &c.	
	28,149	0	0	For In-Pensioners of *Chelsea* and *Kilmainham* Hospitals	
	1,235,800	0	0	For Out-Pensioners of *Chelsea* Hospital, &c.	
	36,000	0	0	For Superannuations in Military Public Departments	
	511,887	0	0	For Commissariat Department	
	45,239	0	0	For Half Pay of Commissariat Department	
	478,740	0	0	For Militia	
XIV.	70,825	0	0	For Levy Money, &c., for Augmentation of Royal Artillery	For the Year ending 31st *March* 1853.
	5,133	0	0	For Forage for ditto	
	2,700	0	0	For additional Labour on Ammunition	
	14,000	0	0	For Purchase of heavy Iron Ordnance, &c.	

§ XV.	£3,053,567	0	0	For Ordnance Services; *viz.*	
	807,507	0	0	For Pay of Ordnance Military Corps	For the Year ending 31st *March* 1854.
	373,217	0	0	For Commissariat and Barrack Supplies, &c.	
	73,969	0	0	For Expense of Ordnance Office	
	291,657	0	0	For Establishments at home and abroad	
	141,437	0	0	For Wages, &c.	
	371,697	0	0	For Ordnance Stores for Land and Sea Service	
	695,655	0	0	For Works and Repairs	
	127,213	0	0	For Scientific Branch	
	171,215	0	0	For Non-effective Services	
XVI.	200,000	0	0	For the *Kafir* War	
XVII.	17,742,500	0	0	To pay off Exchequer Bills of 1853; and	
	2,000,000	0	0	To discharge Supplies for 1852, or for any preceding Year.	
XVIII.	150,000	0	0	For Purchase of Land at *Kensington*, &c., in 1852–3.	
	80,000	0	0	For Funeral of the Duke of *Wellington*, in 1852-3.	
				CIVIL SERVICES.—*Class* 1.	
XIX.	100,000	0	0	For Contingencies	To 31st *March* 1854.
	119,320	0	0	For Repair of Royal Palaces, &c.	
	62,736	0	0	For Repair of Royal Parks, &c.	
	145,774	0	0	For New Houses of Parliament	
	10,000	0	0	For Comptroller of Stationery Office	
	91,279	0	0	For Holyhead Harbour	
	226,000	0	0	For Harbours of Refuge	
	2,556	0	0	For *Port Patrick* Harbour	
	44,364	7	0	For Public Buildings in Department of Public Works in *Ireland*, &c.	
	11,645	0	0	For *Kingstown* Harbour	
				CIVIL SERVICES.—*Class* 2.	
XX.	91,100	0	0	For Salaries, &c. of Houses of Parliament	
	54,000	0	0	For the Treasury	
	27,100	0	0	For the Home Department	
	69,400	0	0	For the Foreign Department	
	39,175	0	0	For the Colonial Department	
	71,500	0	0	For the Privy Council, Privy Council for Trade, Education Office, &c.	
	2,700	0	0	For Lord Privy Seal	
	23,700	0	0	For Office of Paymaster General	
	6,336	0	0	For Department of Comptroller General of Exchequer	
	17,282	0	0	For Office of Commissioners of Works and Public Buildings	
	22,329	0	0	For Office of Woods, Forests, &c.	
	2,777	0	0	For State Paper Office	
	3,368	0	0	Part Expenses of Ecclesiastical Commissioners	
	214,494	0	0	For Administration of Poor Laws	
	49,531	0	0	For the Mint	
	12,270	0	0	For Public Records	
	15,050	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	1,700	0	0	Civil Charges, *Scotland*, &c.	
	6,424	0	0	For Officers, &c. of Lord Lieutenant of *Ireland*	
	17,134	0	0	For Salaries of Chief Secretary, &c., *Ireland*	
	7,472	0	0	For Paymaster of Civil Services, *Ireland*	
	30,153	0	0	For Board of Public Works, *Ireland*	
	32,000	0	0	For Foreign and Secret Services	
	216,420	0	0	For Stationery, &c. for Public Departments	
				CIVIL SERVICES.—*Class* 3.	
XXI.	16,000	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin	
	17,700	0	0	For Expenses of Sheriffs, Salaries of Officers of the Exchequer, &c.	
	8,830	0	0	For Insolvent Debtors Court	
	107,405	0	0	For Law Expenses, *Scotland*	

	£56,950	0	0	For Criminal Prosecutions and Law Charges, *Ireland*	
	36,000	0	0	For Metropolitan Police, *Dublin*	
	240,000	0	0	For Charges formerly paid out of County Rates	
	16,839	0	0	For General Superintendence of Prisons, &c.	
	160,465	0	0	For Maintenance of Prisoners and Removal of Convicts	
	69,518	0	0	For Transportation of Convicts	
	244,054	0	0	For Convict Establishments in the Colonies	
	407,667	0	0	For Government Prisons, and Convict Establishments at home	
				CIVIL SERVICES.—*Class* 4.	
§ XXII.	260,000	0	0	For Public Education in *Great Britain*	
	182,073	0	0	For Education, *Ireland*	
	44,476	0	0	For Department of Practical Art, &c.	
	6,340	0	0	For Royal *Dublin* Society	
	2,006	0	0	For certain Professors at *Oxford* and *Cambridge*	
	3,955	0	0	For *London* University	
	8,026	0	0	For Grants to *Scottish* Universities	
	300	0	0	For Royal *Irish* Academy	
	300	0	0	For Royal *Hibernian* Academy	
	2,750	0	0	For Royal *Belfast* Academical Institution	
	1,681	0	0	For Queen's University, *Ireland*	
	22,700	0	0	For new Buildings, &c., at *British* Museum	
	1,500	0	0	For Antiquities for *British* Museum	
	4,263	0	0	For National Gallery	To 31st *March* 1854.
	2,200	0	0	For Magnetic Observatories, &c.	
	55,840	0	0	For *British* Museum	
				CIVIL SERVICES.—*Class* 5.	
XXIII.	4,049	0	0	For Civil Establishment of the *Bermudas*	
	7,647	0	0	For Ecclesiastical Establishment, *British North American* Provinces	
	12,151	0	0	For *Indian* Department in *Canada*	
	19,428	0	0	For Salaries of Governors, &c., of *West India* Colonies and *Prince Edward's Island*	
	30,262	0	0	For Salaries, &c. of Stipendiary Justices in *West India* Colonies and the *Mauritius*	
	16,844	0	0	For Civil Establishments, on the *Western* Coast of *Africa*, &c.	
	10,945	0	0	For *St. Helena*	
	5,000	0	0	For *Western Australia*	
	5,090	0	0	For *New Zealand*	
	976	0	0	For *Heligoland*	
	4,750	0	0	For *Falkland Islands*	
	9,200	0	0	For *British* Settlement at *Hong Kong*	
	2,300	0	0	For *Labuan*	
	17,396	0	0	For Colonial Land and Emigration Board, &c.	
	20,000	0	0	For Support of captured Negroes, &c.	
	11,250	0	0	For Commissions for suppressing the Slave Trade	
	148,033	0	0	For the Consular Establishments abroad	
	18,500	0	0	For Missions abroad	
	3,500	0	0	For Salary of Governor of *Jamaica*, in 1853.	
				CIVIL SERVICES.—*Class* 6.	
XXIV.	132,980	0	0	For Superannuations, &c. to Public Officers	To 31st *March* 1854.
	2,967	0	0	For *Toulonese* and *Corsican* Emigrants, &c.	
	2,000	0	0	For National Vaccine Institution, in 1853.	
	325	0	0	For Refuge for Destitute, in 1853.	
	4,280	0	0	For *Polish* Refugees, &c.	To 31st *March* 1854.
	4,469	0	0	To pay Miscellaneous Allowances	
	1,460	0	0	For Foundling Hospital Department, House of Industry, *Dublin*	
	10,290	0	0	For House of Industry, *Dublin*	
	600	0	0	For Female Orphan House, *Dublin*	
	1,350	0	0	For *Westmoreland* Lock Hospital, *Dublin*	

	£ 600	0	0	For Lying-in Hospital, *Dublin*	To 31st *March* 1854.
	945	0	0	For Dr. *Stevens'* Hospital, *Dublin*	
	2,280	0	0	For House of Recovery, &c., *Dublin*	
	390	0	0	For Hospital for Incurables, *Dublin*	
	38,492	0	0	For Protestant Dissenting Ministers, *Ireland*	
	6,537	0	0	For Charitable Allowances, &c., *Ireland*	
				CIVIL SERVICES.—*Class* 7.	
§ XXV.	11,996	0	0	For Expenses of General Board of Health	
	15,087	0	0	For Incumbered Estates Commission, *Ireland*	
	10,930	0	0	For Lighthouses abroad, in 1853.	
	2,000	0	0	For *Menai Straits*, in 1853.	
	2,573	0	0	For Navigation Works in *Ireland* connected with Drainage	To 31st *March* 1854.
	5,820	0	0	For *British* Ambassador's House at *Paris*	
	25,750	0	0	For Shipping Offices and Local Marine Boards, &c.	
	70,600	0	0	For Pensions to Masters and Seamen, &c. under the Merchant Seamen's Fund Act	
	2,175	0	0	For Services in Suppression of Slave Trade	
	900	0	0	For Commission for Publication of Ancient Laws of *Ireland*	
	30,000	0	0	For Commissions to inquire into corrupt Practices at Elections	
	3,723	0	0	For Compensation to Dr. *Reid.*	
	28,000	0	0	For Compensations, &c. payable under the Patent Law Amendment Act	To 31st *March* 1854.
XXVI.	70,000	0	0	For Works at the New Houses of Parliament	
	4,000	0	0	For Fire Mains at *Windsor Castle.*	
	20,000	0	0	For *Buckingham Palace.*	
	32,641	0	0	For *Battersea Park*, to 31st *March* 1854.	
	5,500	0	0	For Completion of Bridge at *Chelsea.*	
	35,000	0	0	For Embankment, &c. between *Vauxhall* and *Battersea Bridges*, &c.	
	4,000	0	0	For Patent of Machine for Postage Labels.	
	5,000	0	0	For Compensation to Sir *W. S. Harris.*	
	30,000	0	0	For Electric Telegraph Wires from *London* to the Continent	To 31st *March* 1854.
	2,500	0	0	For building a Museum for the Royal *Dublin* Society	

XXVII. Supplies to be applied only for the Purposes aforesaid.

XXVIII. Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXIX. Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXX. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXXI. Persons concerned in issuing, paying, and receiving Money for Payment of Half Pay, without the requisite Oaths, indemnified. 15 & 16 *Vict. c.* 82.

XXXII. Half Pay allowed to Officers of the *Manx* Fencibles.

XXXIII. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXXIV. Surplus of Sum by 15 & 16 *Vict. c.* 82. appropriated to Half Pay Officers to be disposed of as Her Majesty shall direct.

XXXV. Widows, &c. claiming Pensions to make required Declaration.

XXXVI. Declarations to be made as specified in 5 & 6 *W.* 4. *c.* 62.

CAP. CXI.

An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes. [20th *August* 1853.]

7 & 8 G 4. c. 75. 9 G. 4. c. 38. 2 & 3 W. 4. c. 127. 3 & 4 W. 4. c. 95. 6 & 7 W. 4. c. 80. 1 & 2 Vict. c. 57. 7 & 8 Vict. c. 79. 11 & 12 Vict. c. 62.

'WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act to appoint Commissioners for carrying into execution several Acts granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, and continuing to His Majesty certain Duties on Personal Estates, Offices, and Pensions in England:* And whereas another Act was passed in the Ninth Year of the Reign of His said Majesty, intituled *An Act for rectifying Mistakes in the Names of the Land Tax Commissioners, and for appointing additional Commissioners, and indemnifying such Persons as have acted without due Authority in the Execution of the Acts therein recited:* And whereas another Act was passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for appointing additional Commissioners to put in execution the Acts for granting an Aid to His Majesty by a Land Tax, and continuing the Duties on Personal Estates, Offices, and Pensions:* And whereas another Act was passed in the Third and Fourth Years of the Reign of His said Majesty, intituled *An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices, and Pensions:* And whereas another Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty, intituled *An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices, and Pensions:* And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to appoint additional Commissioners for executing the Acts granting a Land Tax, and Duties on Personal Estates, Offices, and Pensions:* And whereas another Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes:* And whereas another Act was passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes:* And whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to Her Majesty by a Land Tax in *Great Britain*, and several other Acts for continuing or granting to Her Majesty Rates and Taxes:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Appointment of additional Commissioners.

I. That the several and respective Persons herein-after named shall and may and are hereby empowered and authorized (being duly qualified) to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Shires, Stewartries, and Places of *Great Britain*, herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth; (that is to say,)

[*Here follow the Names of the Commissioners for England, Wales, and Scotland.*]

CAP. CXII.

An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of *Dublin* Metropolis. [20th *August* 1853.]

'WHEREAS it is expedient that the Laws relating to Hackney and Stage Carriages, and Carriages and Horses let for Hire, and Vehicles drawn by Horses or other Beasts of Burden, within the Police District of *Dublin* Metropolis as now by Law defined, should be consolidated and amended, and that the Employment and Use of such Carriages, Horses, and Vehicles as are herein-after more particularly named and described, and the Authority to license, and the Conduct of the Proprietors, Drivers, and Attendants thereof, should be placed under the Regulation and Control of the Commissioners of Police of the Police District of *Dublin* Metropolis:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Acts.

I. From and after the First Day of *January* One thousand eight hundred and fifty-four the several Acts and Portions of Acts set forth in the Schedule (A.) to this Act annexed shall cease and determine and shall be repealed, save so far as the same or any of them may repeal the whole or any Part of any other Act or Acts, and save as to all Rules, Orders, and Regulations, or Byelaws, heretofore made in pursuance or under the Authority of said Acts or any of them, and now remaining in force, all which Rules, Orders, Regulations, and Byelaws shall remain in force until the same shall respectively be altered or repealed under the Authority of this Act, and save as to any Duties, Penalties, or Forfeitures that shall have been incurred or become payable by virtue of the said Acts or any One of them, and as to all other Matters and Things whatsoever which shall have been done or omitted either pursuant to or in violation

violation of the said Acts or any of them prior to the said First Day of *January* One thousand eight hundred and fifty-four.

Acts of One Commissioner valid.

II. All Acts, Matters, and Things whatsoever which the Commissioners of the Metropolitan Police are by this Act required or empowered to execute, do, or perform shall and may be legally executed, done, or performed either by both or by One only of the said Commissioners, and whether both or only One of the said Commissioners shall be present on such Occasion; save and except the making or altering of any General Rules, Orders, Regulations, or Byelaws, and the altering of Licences, Duties, and of Fares of Carriages, under the Provisions herein-after stated, in all which Acts both Commissioners must concur.

After June 1, 1854, Licences granted under 37 G 3. c. 58., &c. to be null and void, save as to those granted for 1854.

III. From and after the First Day of *June* One thousand eight hundred and fifty-four, all Licences theretofore granted to Persons under the Provisions of an Act passed in the Thirty-seventh Year of the Reign of King *George* the Third, Chapter Fifty-eight, and any Act amending the same, for any of the Purposes whatsoever in respect of which Duties are herein-after imposed, shall respectively cease and determine, and be utterly null and void, save as to Licences granted to Drivers and Conductors of Hackney and other public Carriages for the Year One thousand eight hundred and fifty-four, and shall be delivered up to the said Commissioners, together with the Figure or Mark of Distinction belonging thereto: Provided always, that in every Case in which the Time shall not have expired in respect of which the Rent reserved upon any such Licence shall have been paid it shall be lawful to make a Deduction from the Amount of Duty which shall in any such Case be payable under this Act by the same Person, and such Deduction shall be in the same Proportion to the Rent previously paid for the Term of Time unexpired as such Term of Time shall bear to the whole Term for which the said Rent shall have been charged, and all Proprietors of Hackney Carriages whose Licences shall be so delivered up to the said Commissioners shall be *primâ facie* entitled to obtain a Proprietor's Licence under the Provisions of this Act.

Reduction to present Holders of Licences upon which Fines have been paid on obtaining new Licences.

IV. Every Person who shall be possessed of any Licence to keep any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, as in this Act described, granted under any former Act, and which Licence shall be in force on the First Day of *January* One thousand eight hundred and fifty-four, and who shall at any Time within Five Calendar Months next following the said Date apply for a new Licence under the Provisions of this Act, in lieu of such former Licence, and shall have respectively paid up the Rent reserved on such former Licence, and shall have paid all Fines and Forfeitures which may have been incurred by him under or by virtue of any former Act or Acts hereby repealed, shall be entitled, in consideration of the Fine theretofore paid on procuring such former Licence, on their First or First and further Payment of Duty in respect of such new Licence, to a Reduction in the Sum or Sums of Money to be paid equal to a Sum of Money bearing the same Proportion to the Fine paid on procuring such former Licence as the Number of Half Years remaining unexpired of the original Term by such Licence granted bears to the total Number of Half Years contained in such original Term: Provided always, that such Deduction or Deductions shall in no Case be made or allowed except when the new Licence upon which such Reduction of Duty shall be demanded shall be required for a Carriage or other Vehicle of the same Class and Description as the Carriage or other Vehicle described in the former Licence, and unless such former Licence, together with the Figure or Mark of Distinction appertaining thereto, shall be produced and delivered up to the said Commissioners, or to the Officer appointed for that Purpose, or the Non-production of same accounted for to the Satisfaction of the said Commissioners.

Licence Duties to be paid as in Schedule (B.)

V. From and after the First Day of *January* One thousand eight hundred and fifty-four there shall be paid, as herein-after provided, in each and every Year, to the Officer duly appointed for that Purpose, for and in respect of every Licence to be granted under this Act for every Hackney Carriage, Job Carriage, Stage Carriage, Cart, and Job Horse mentioned and described in the Schedule (B.) to this Act annexed, and which shall be deemed a Part of the same, the several annual Duties or Sums of Money set down in Figures against the same respectively.

How Duties are to be applied.

VI. All Duties to be levied under this Act shall be paid to the Receiver for the Time being for the Police District of *Dublin* Metropolis, by all and singular the Person or Persons who shall be appointed to receive the same, at such Time or Times in each and every Year as shall be fixed and appointed by the Commissioners of Police, and shall be by him placed to the same Account and applied to the like Purposes as the other Public Monies of or belonging to the said Police District now received by and paid into the Hands of such Receiver.

The Duties fixed by this Act may be altered or abolished, with the Consent of the Lord Lieutenant or other Chief Governor.

VII. Provided always, That it shall and may be lawful for the said Commissioners, if they shall think proper, from Time to Time, in each and every Year, to alter and diminish or to annul and abolish all or any of the several Duties, Sum or Sums of Money, specified in the said Schedule (B.), or which shall hereafter under this Act be charged as Duties for and upon the respective Hackney and Stage Carriages, Job Carriages, Job Horses, and Carts, as described in the said Schedule, but so as that in case of any Alteration of the said Duties, whether the same be by Diminution or wholly annulling the same, or whether the same shall affect all or any One or more of the said Duties, such Alteration shall be approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and that wherever any of the said Duties shall be altered a Schedule of the new Duties shall, immediately after such Alteration shall have been approved of as aforesaid, be published once in the *Dublin Gazette*, and Three Times in any of the Newspapers published in *Dublin*, within Seven Days next after the Publication of the Schedule last mentioned in the *Dublin Gazette*; and the said last-mentioned Schedule, after the Expiration of such Period of Seven Days, shall be deemed and taken to be a Part of this Act in lieu of so much

much of Schedule (B.) hereunto annexed, as often as any Duties shall be altered, in the Manner herein provided.

Licence to Proprietors to be applied for by Requisition in Writing.

VIII. Before any such Licence as aforesaid shall be granted, under the Provisions of this Act, a Requisition in Writing for the required Licence, in such Form as the said Commissioners shall direct, shall be made and signed by the Proprietor or One of the Proprietors of the Carriage, Cart, or Horse in respect of which such Licence shall be applied for, or, in the Case of a Body Corporate or public Company, by a public Officer thereof; and in every such Requisition there shall be truly specified and set forth whether the Licence shall be required for a Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, and if required for a Job Carriage, whether it is intended the same shall be drawn by One or more than One Horse; and there shall be also truly specified and set forth the Christian Name and Surname of every Person who shall be a Proprietor or Part Proprietor of such Carriage or Cart, Horse or Horses, in respect of which such Licence shall be applied for, or, in the Case of a Body Corporate or public Company, the proper Title thereof, and in the Case of a Partnership the proper Firm thereof, and in every Case the Name of the Place of Residence or Office of Business of such Proprietor, Body Corporate, public Company, or Firm; and should such Licence be required for a Stage Carriage, there shall be set forth the fixed Route or Line of Way by which it is intended such Carriage shall proceed to its Destination; and such Requisition shall be left at such Office or Place as the said Commissioners shall direct, and shall be received as Evidence, and be deemed Proof of all Matters contained therein, as against the Party serving such Requisition; and in case any Person so applying shall wilfully neglect to specify truly in such Requisition any of the Particulars hereby required to be set forth therein, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners to revoke any Licence issued on a false Requisition: Provided always, that nothing herein shall extend to subject any Cart to a Licence on account of its being employed in bringing Hay, Straw, Corn, Vegetables, or Potatoes to Market, or Manure from Town.

Not to apply to certain Carts.

Approval of Commissioners to be endorsed on the Requisition, and Duty paid before Issue of Licence.

IX. Within Ten Days after such Requisition shall have been left at such Office or Place as aforesaid the said Commissioners, unless, in pursuance of the Powers by this Act vested in them in that Behalf, they reject such Application, shall endorse or cause to be endorsed upon such Requisition their Approval of the Application thereby made; and upon Payment of the Amount of Duty chargeable for such Licence the Person applying for such Licence shall be entitled to receive the same from the proper Officer authorized in that Behalf, without further Fee, Reward, or Gratuity, except the Cost of the *Dublin* Plate, to be used in the Case of any Carriage or Cart, or Horse, as herein-after mentioned; and no Licence shall in any Case be issued until the Requisition so endorsed by the Commissioners or other Officer acting on their Behalf shall have been first filed in such Office or Place as the said Commissioners shall appoint.

Commissioners to grant Licences to Proprietors.

X. The said Commissioners shall and may grant Licences, under their Hands, upon the Terms and Conditions and in the Manner and Form herein-after mentioned, to keep, ply, use, or let to Hire any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, within the Limits of this Act; and every such Licence shall take Effect from the Date thereof, and shall continue in force so long as the annual Duty payable thereupon under the Provisions of this Act, to be computed from the First Day of *January* of each Year, shall be paid in manner as herein directed, or until the same shall be voluntarily surrendered by the Party named therein, or otherwise be determined or revoked under the Provisions of this Act; and every such Payment of Duty shall be made at an Office provided for the Purpose by the said Commissioners, in One annual Payment or in Two equal half-yearly Instalments, at a Time or Times or within a Period or Periods to be specified in such Licence as and for such Payment; and such Payment or Payments of the said annual Duty in respect of the Carriage, Cart, or Horse described in the said Licence shall be certified by the Officer duly appointed for that Purpose, whose Certificate thereof shall be received as sufficient Evidence of the Existence or Continuance in force of said Licence: Provided always, that in regard of any such Carriage it shall be lawful for the said Commissioners, if they shall think proper, to refuse to grant any such Licence, or to revoke any such Licence which may have been theretofore granted, in case it shall appear to the said Commissioners, upon Inspection or otherwise, that the Carriage, in respect of which such Licence shall be applied for or granted, or any Horse or Harness used with any such Carriage, is unserviceable or unsafe, or otherwise unfit for public Accommodation or Use, or that the Person applying for or in possession of any Licence is an unfit Person to hold the same by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Breach of the Provisions of this Act, or of the Rules, Orders, or Byelaws made in pursuance thereof; but in all such Cases of Refusal or Revocation the said Commissioners shall endorse upon or annex in Writing to such Licence or the Requisition therefor the Grounds for such Refusal or Revocation: Provided also, that a Licence shall not on any Account be granted to any Person under the Age of Eighteen Years, otherwise than jointly with some Person of full Age who shall be appointed to act as Trustee, Executor, Guardian, or Administrator of the Will or Personal Estate of a Proprietor dying while licensed, and in any such Case the Trustee, Executor, Guardian, or Administrator named in the Licence shall, during the Minority of any Person or Persons named in such Licence with him, be accountable in all respects as if Proprietor of such Carriage, Cart, or Horse: Provided also, that there shall be obtained a separate and distinct Licence for using or letting to Hire every Hackney Carriage, Job Carriage, Stage Carriage, Job Horse, and Cart; but no Licence so obtained shall authorize the Use of any such Carriage or Cart in any Manner contrary to the Import of the Licence appertaining to such Carriage or Cart within the Meaning of this Act: Provided also, that in every Case in which a Licence is to be obtained the proper Duty in respect

Commissioners may refuse or revoke Licences.

of

of the Carriage, Cart, or Horse, to be described therein, shall be first paid, as herein required, and shall be paid in every Year thenceforward, while in force, according to the General Regulations which the said Commissioners of Police shall require to be observed, and which they are by this Act empowered to make for the Purpose, and to prescribe in each Licence: Provided also, that every Licence to be issued under this Act shall be deemed to be an Authority only to the Person or Persons named therein, but that on the Transfer by Sale or otherwise of the Property or Ownership in any Carriage, other than a Hackney Carriage, or in any Job Horse, or Cart, for which a Licence shall be granted, or on the Admission of any Person as a Partner in the Ownership of any such Carriage, Horse, or Cart, it shall be lawful for the said Commissioners to grant, in lieu of such Licence, to any Person or Persons who shall be named in any Requisition to be addressed to them for the Purpose, a Licence to the like Effect; and that whenever it shall be agreed upon to sell or assign any licensed Hackney Carriage, or to give any Person a Share in the Ownership thereof, a Requisition for a Licence, according to such Agreement or Determination, shall be first sent to the said Commissioners, and if they shall consider the Person so proposed as Purchaser, Assignee, or Partner to be a fit Person to be licensed as a Proprietor of a Hackney Carriage, having regard to the Limitations herein made for the Purpose of preventing improper Persons from obtaining Licences, it shall then, but not otherwise, be lawful to grant, in lieu of the Licence for such Carriage then in force, a Licence to the Person or Persons named in the said Requisition; and in every such Case as aforesaid in which the Duty according to any such Licence shall have been paid for the Year or Period then present, the new Licence shall be granted without Payment of any further Duty for such Year or Period: Provided also, that in all Cases it shall be sufficient in any Proceedings under this Act to name the Proprietor or Proprietors actually licensed at the Time, and on Proof thereof such Proceedings shall extend to and include every Person concerned in the Ownership of any Carriage, Cart, or Horse, in the Use, hiring, or plying of which any Offence or Injury shall be committed.

Particulars to be specified in each Licence.

XI. There shall be specified in every such Licence to be granted as aforesaid the following Particulars, or such of them as said Commissioners shall think proper; that is to say, the true Christian Name and Surname of every Person who shall be Proprietor or Part Proprietor of the Carriage, Cart, or Horse in respect of which such Licence shall be granted, or who shall be concerned, either solely, or in Partnership with any other Person, in the keeping, using, or in any way employing such Carriage, Cart, or Horse, except in the Case of a Body Corporate or public Company when it shall be sufficient to name the public Officer thereof, also the Name of the Place or Residence or Office of Business of such Proprietor, with a correct Reference thereto, and the Number and descriptive Words painted or marked on the "*Dublin* Plate" to be delivered with such Licence, and in the Case of every Stage Carriage the Place within the Limits of this Act from which it shall first proceed on each Journey, together with the Place to which every such Stage Carriage shall so proceed, and the Route to the Destination thereof, also the greatest Number of Passengers or Persons to be conveyed by such Stage Carriage, distinguishing (when the same is intended to convey Passengers both Inside and Outside) the Number to be carried Outside from the Number to be carried in the Inside of such Carriage; and in every Licence there shall be specified a Period or Periods of Time, to be fixed by the said Commissioners, within which Payment of Duty shall be made, as herein-before required; and every Licence shall bear Date on the Day and Year during which the same shall be granted, and shall be produced to the said Commissioners at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners to be produced.

Entries of all Licences to be made in a Book to be kept in the Office of the Commissioners, and certified Extracts to be Evidence in all Proceedings for Penalties or otherwise.

XII. The Particulars of every Licence which shall be granted under any of the Provisions of this Act, and of all Endorsements thereupon, shall be entered, in such Manner and Form as the said Commissioners of Police shall direct, in a Book or Books to be kept at the Office of said Commissioners; and in all Courts, and before any Justice, and upon all Occasions whatsoever, an Extract from or a Copy of any of the Entries made or contained in such Book or Books, certified under the Hand of the principal Officer in charge thereof, in Presence of the Person who shall produce and verify the same, shall be received as Evidence and be deemed to be sufficient Proof of all Matters and Things registered and contained in any such Book relating to any such Licence as aforesaid, without requiring the Production of any such Book, or of the original Licence, or of any Requisition, Notice, or other Document upon which any such Entries may be founded, and without any further Proof than the Production of the certified Extract or Copy aforesaid.

Penalty on Persons procuring Licences in a fictitious Name.

XIII. If any Person, for the Purpose of procuring any Licence under any of the Provisions of this Act, shall use or employ any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any Requisition for any such Licence, or in any such Licence, any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any such Requisition or in any such Licence as aforesaid the Name of any Person as being a Proprietor or Part Proprietor of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, who shall not at the Time of the Application for such Licence be in fact such Proprietor or Part Proprietor thereof respectively, the Person so offending shall be guilty of a Misdemeanor, and being convicted thereof he shall forfeit such Sum not exceeding Forty Shillings, or suffer an Imprisonment in the Common Gaol or House of Correction for such Term of Time not exceeding Two Months, and either with or without Hard Labour, as the Court shall think fit and adjudge; and the Licence shall be revoked.

XIV. As

Notice to be given of Change of Place named in Licence and Change to be endorsed.

XIV. As often as the Place named in any Licence to be granted under this Act as the Place of Residence or Office of Business of such Proprietor or Proprietors as aforesaid shall be changed, the Proprietor or One of the Proprietors thereby licensed shall, within Four Days next after such Change, give Notice thereof in Writing, signed by him, to the said Commissioners, and to be delivered at the Office which shall be appointed by them as the Place at which Licences shall be issued; and in such Notice there shall be specified the new Place of Residence or Office of Business of such Proprietor or Proprietors, and such Proprietor shall at the same Time produce such Licence at the said Office, whereupon an Officer duly authorized thereto shall endorse thereon and sign a Memorandum specifying the Particulars of such Change, and in the Case of every Stage Carriage shall in like Manner notify for Endorsement any Change required to be made in the Route of such Carriage to the Destination named therein; and if any Person named in any such Licence as the Proprietor or One of the Proprietors of any such Carriage or other Property as aforesaid shall neglect or omit to give Notice of any such Change, or to produce such Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner herein limited, he shall forfeit a Sum not exceeding Forty Shillings; and if any of the Particulars entered or endorsed upon any such Licence, in pursuance of the Directions of this Act, shall be erased or otherwise defaced, every such Licence shall be wholly void and of none Effect.

Penalty for Neglect, 40*s*.

Commissioners to issue Plates with Licences.

XV. The said Commissioners shall, at the Time of granting a Licence for any such Carriage, Cart, or Job Horse, deliver to the Person or Persons applying for such Licence a numbered Plate, upon which there shall be painted or marked, in such Manner as the said Commissioners shall direct, a Number corresponding with the Number which shall be inserted in such Licence, together with such Letter, Word, or other Device or Devices (if any) as the said Commissioners shall think fit to cause to be painted or marked thereon according to the Nature of the Licence granted; and such Plate shall be known and distinguished from all other Plates, Labels, and Marks required by this Act, or which the said Commissioners are hereby authorized to require, by the Name of the *Dublin* Plate.

A Fee of 1*s*. to be paid for every Dublin Plate.

XVI. There shall be charged upon and in respect of every such Plate to be issued under the Authority of this Act a Sum of One Shilling, to be paid to the Officer duly appointed to issue such Plate, and to be applied by the Receiver of the *Dublin* Metropolitan Police, after Payment of the Expense of such Plate, to the Funds of the Police Establishment.

Plates to be delivered up on Expiration of Licences.

XVII. Whenever any Licence granted under this Act with which a *Dublin* Plate is hereby directed to be delivered shall be revoked by the said Commissioners, or whenever the Amount of Duty payable in respect thereof shall not be duly paid at the Time or within the Period as herein-before required, the Licence so revoked or in respect of which the Duty shall not have been paid as aforesaid, and the *Dublin* Plate corresponding to the Number mentioned therein, shall be delivered up to the said Commissioners; and every Person in whose Possession the Carriage, Cart, or Horse specified in any such Licence shall be who shall neglect or refuse so to deliver up such Plate within Three Days after the Revocation of such Licence, or the Expiration of the Time or Times, Period or Periods in any Year, fixed for the Payment of the Duty in respect thereof, as aforesaid, shall forfeit a Sum not exceeding Forty Shillings.

New Dublin Plates to be delivered in lieu of those defaced or lost.

XVIII. Whenever the Number of any *Dublin* Plate shall become obliterated or defaced, so that the same shall not be distinctly visible and legible, and also whenever any such Plate shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom the Licence relating to any such Plate shall have been granted shall surrender and deliver up such Plate (if he shall have the same in his Possession), and shall produce such Licence to the said Commissioners or their proper Officer, for Endorsement, and such Person shall then be entitled to have a new Plate delivered to him in lieu of the Plate so delivered up, or lost or mislaid, upon the Payment of the Sum of One Shilling for each Plate, and such new Plate may bear the same or a different Number, as to the said Commissioners may seem fit; and in all Cases, in order to allow Time for the Manufacture or procuring of any *Dublin* Plate, it shall and may be lawful for the said Commissioners, in their Discretion, or their proper Officer, on the Payment of the said Sum, and according to the Exigency of the Case, to grant a printed or written Permission to the Person or Persons named in the Licence relating to such *Dublin* Plate to use or ply for Hire without a *Dublin* Plate being affixed thereto, and for such Time as the said Commissioners shall deem requisite, any Carriage, Cart, or Job Horse for which such Plate shall be required: Provided always, that if any Plate which shall have been proved as aforesaid or represented to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Commissioners or their proper Officer; and if any Person into whose Possession any such Plate as last aforesaid shall be or come shall refuse or neglect for the Space of Three Days to deliver up the same to the said Commissioners or their proper Officer, or if any Person licensed under the Authority of this Act shall use the Plate granted to him after the Number thereon shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and it shall be lawful for any Constable or Police Officer, without Warrant, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners shall direct.

Penalty for not delivering up lost Plate when found, or for using a Plate after it has been defaced, 40*s*.

Drivers of Carriages, Carts, &c., without Plates, may be apprehended, and Carriages or Carts may be detained.

XIX. It shall be lawful for any Constable or Officer of the *Dublin* Police, without any Warrant for that Purpose, to apprehend, within the Limits of this Act, the Driver or other Person plying for Hire with or having the Care of any Hackney Carriage, Job or Stage Carriage, Cart, or Job Horse, on which the Plates and Marks required under the Provisions of this Act shall not be affixed, and to convey him before any Justice; and it shall also be lawful for such Constable or Police Officer to drive or take the Carriage, Cart, or Horse not having such Plates and Marks as aforesaid, or any Carriage, Cart, or Horse

which

which shall be subject to a Licence by virtue of this Act which shall be found plying or employed contrary to the Intent and Meaning of this Act, with the Horse or Horses harnessed to such Carriage or Cart, or drawing the same, or to cause the same to be driven or taken to some Livery Stables or other Place of Safety, and there to lodge the same until the Determination of such Justice shall be known, and the Justice before whom such Driver or other Person shall be brought shall hear and determine such Offence; and in case of a Conviction, if the Penalty inflicted, together with the Costs and Expenses, and the Expenses of taking such Carriage or Cart and Horse and Horses to and keeping the same at such Yard, Livery Stables, or other Place shall not be fully paid or discharged within Five Days after such Conviction, such Carriage or Cart and Horse or Horses, and also the Harness used therewith, shall be sold, by Order under the Hand of such Justice, and the Surplus, if any, of the Produce of such Sale shall, after deducting therefrom the said Penalty, Expenses, and Costs, and the Expenses of such Sale, be rendered to the Proprietor of such Carriage or Cart.

Carriages having Dublin Plates to be deemed Hackney, &c., according to the Evidence of Plate.

XX. In any Complaint or other Proceeding for the Recovery of any Penalty incurred under this Act in respect of or with relation to any such Carriage or Cart, if Evidence shall be given that the Carriage or Cart in respect of which or in any Manner relating to which any such Proceeding shall be commenced or prosecuted was seen having thereon any *Dublin* Plate by this Act directed to be fixed upon such Carriage or Cart respectively, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, such Carriage or Cart shall be deemed and taken to be a Hackney Carriage, Stage Carriage, Job Carriage, or Cart, according to the descriptive Letter, Word, or other Device or Devices appearing on such Plate, and such Evidence as aforesaid shall be received as sufficient Proof that such Carriage or Cart was kept for Use or let to Hire as such Carriage or Cart respectively, according to the Purport of the said Plate within the Meaning of this Act; and that in all such Proceedings as aforesaid the Person named or described in the Licence granted with or relating to the Number of the *Dublin* Plate fixed or placed upon such Carriage or Cart, whether such Licence shall be in force or not, shall for the Purposes of this Act be deemed to be the Proprietor of such Carriage or Cart, unless the contrary be proved.

Forgery of any Licence or Dublin Plate a Misdemeanor.

XXI. If any Person shall forge or counterfeit, or shall procure to be forged, counterfeited, or resembled, any Licence to be granted as aforesaid, or any *Dublin* Plate by this Act directed to be provided for the Purpose of being fixed upon Hackney Carriages, Job Carriages, Stage Carriages, Carts, or Job Horses, or if any Person shall wilfully fix or place, or cause or permit or suffer to be fixed or placed, upon any Carriage, Cart, or Job Horse any such forged or counterfeited Plate as aforesaid, or if any Person shall make or cause to be made, sell, or exchange or bestow, or expose to Sale or utter, any such forged or counterfeited Plate, or if any Person shall knowingly, and without any lawful Excuse, the Proof of which shall be on the Person accused, have or be possessed of any such forged or counterfeited Plate, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person in committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and being thereof convicted shall be punished by Imprisonment in the Common Gaol or House of Correction for a Term not exceeding Two Months, and either with or without Hard Labour, as the Court shall think fit; and it shall be lawful for any Constable or Police Officer, without Warrant, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners of Police shall think proper.

Commissioners empowered to recall Dublin Plates for the Purpose of being changed.

XXII. Whenever, in the Opinion of the said Commissioners, it shall be expedient to recall any *Dublin* Plate, for the Purpose of changing the same for any other *Dublin* Plate bearing the same or a different Number, the said Commissioners shall cause Notice to be given to the Person or to any One of the Persons to whom the Licence relating to such Plate shall have been granted, signifying that the said Commissioners do thereby recall such Plate; and the Person or Persons to whom such Licence shall have been granted shall, within One Week after such Notice, deliver up such Plate, and produce the Licence relating to the same, to the said Commissioners, or to their Officer appointed to issue Licences and Plates, and also apply to the said Commissioners for a new Plate, and thereupon the said Commissioners or such Officer shall deliver to the Person so applying for the same, at the Expense of the Applicant, a new *Dublin* Plate, in lieu of the Plate so recalled; and if any new Plate issued under the Provisions of this Act shall bear a Number different from the Number mentioned in the Licence belonging thereto, the said Commissioners or such Officer as aforesaid shall endorse upon such Licence a Memorandum of the granting of such new Plate, with the Number thereof, and from thenceforth such Licence shall be deemed to relate to such new Plate, in the same Manner as if the Number thereof had been originally inserted in the Body of such Licence; and if any Person shall not within One Week after Notice given to him in the Manner herein directed, deliver up the Plate mentioned in such Notice according to the Terms thereof, and produce the Licence relating to such Plate, and apply for a new Plate, and fix such new Plate upon his Carriage or Cart, as the Case may be, in such Place and Manner as the said Commissioners shall direct, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, if they shall think proper, to revoke the Licence to which such Plate shall relate: Provided always, that if it shall appear to the said Commissioners that the Number upon such Plate so delivered up as aforesaid shall have been wilfully obliterated or rendered illegible by any other Means than by regular and proper Use and Wear thereof, it shall be lawful for the said Commissioners to refuse to deliver any Plate in lieu of the plate so surrendered and delivered up as aforesaid, unless the Person applying for the same shall also surrender and deliver up the Licence relating to such surrendered Plate, and shall take out and pay for a new Licence relating to the Plate to be delivered in lieu thereof.

Commissioners to give Notice of Revocation of Licence.

XXIII. Whenever the said Commissioners shall revoke any Licence granted under the Authority of this Act to the Proprietor of any Hackney Carriage, Job or Stage Carriage, Job Horse, or Cart, or the Licence of any Driver or Conductor licensed under this Act, they shall forthwith cause a Notice of such Revocation, in such Form as they shall think fit, and signed by any One of them, to be given to the Person named in such Licence as the Person licensed, or left for him at the Place mentioned in such Licence as the Place of his Abode; and in case he shall have quitted such Place, or the same shall be a false or fictitious Place of Abode, then the said Commissioners shall cause such Notice to be posted up in some public Place at the Office appointed for the Issue of such Licences, which shall be deemed a good and sufficient Notice of such Revocation to all Intents and Purposes.

Plates may be seized where the Licence is discontinued or revoked, or where the same are used without Licence.

XXIV. In any Case where any such Licence shall have been discontinued or revoked, or where any such Licence shall have become null and void, under the Provisions of this Act, and the numbered Plate or Figure in respect of the same shall not have been delivered up to the said Commissioners or their proper Officer, or where any Hackney Carriage, Job or Stage Carriage, Horse, or Cart Plate shall have been recalled by the said Commissioners, and the same shall not have been delivered up as by Law required, and in any Case where any Hackney Carriage or other such Plate shall be in the Possession of or be used by any Person who shall not have a Licence in force relating to the same, it shall be lawful for any Constable to seize and take away any such Plate, wheresoever the same may be found, in order to deliver the same to the said Commissioners; and for the Purpose of seizing and taking away any such Plate, or any forged or counterfeit Plate, it shall be lawful for any such Constable to stop any Carriage or Horse upon which the same may be; and any Person who shall molest, obstruct, or hinder any such Constable in seizing or endeavouring to seize or take away any such Plate shall forfeit the Sum of Five Pounds; and if in any such Case where any such Plate shall be found in the Possession of any Person who shall not have a Licence in force relating to the same it shall appear to the Satisfaction of the said Commissioners that the said Plate is or was so possessed by such Person for the Purpose of being used, or that such licensed Person had parted with the same for the Purpose of being used by any other Person, contrary to the Provisions of this Act, and also in any Case where any Plate shall have been recalled as aforesaid and not delivered up, it shall be lawful for the said Commissioners, if they shall think proper, to revoke the Licence to which such Plate shall relate.

Penalty for obstructing Officer, 5*l*.

Licences may be revoked in certain Cases.

No Person to let to Hire any unlicensed Carriage, &c.

XXV. It shall not be lawful for any Person to use or let to Hire any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, at any Place within the Limits of this Act, unless such Person shall have a Licence in force for the same under the Hands or Hand of the said Commissioners or One of them, nor unless there shall be fixed on such Carriage and Cart, and upon the Harness of every such Job Horse respectively, in such Place and Manner as the said Commissioners shall in relation thereto respectively from Time to Time order and direct, the *Dublin* Plate belonging to or corresponding with every such Licence respectively, and likewise all and every such other Plates, Labels, and Marks as the said Commissioners shall think proper to be fixed, painted, or marked thereon, pursuant to the Provisions hereinafter in that Behalf contained; and if any Person shall use or let to Hire, or shall be concerned, as Proprietor or Part Proprietor, in using or letting to Hire, at any Place within the Limits of this Act, any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or any Job Horse, without having a Licence in force for the same or without having paid the annual Duty for such Licence, in manner as by this Act provided, or without having such Plate fixed as aforesaid, such Person shall forfeit as a Penalty for every such Offence a Sum not exceeding Ten Pounds for every Carriage, Cart, or Horse so used or let to Hire as aforesaid: Provided always, that nothing herein contained shall interfere with the Power herein-before given to the said Commissioners, at their Discretion, to grant a written or printed Permission to any Person to use or ply for Hire any Carriage, Cart, or Horse without a *Dublin* Plate being affixed thereto, where such Permission shall be deemed necessary by the said Commissioners: Provided also, that it shall not be necessary in any Case where any Carriage, and Horse or Horses, are used or let for Hire, that there shall be a Licence for such Carriage or for such Horse or Horses separate and distinct from each other respectively, but that One Licence shall be deemed sufficient to authorize the using and letting for Hire of any such Carriage and Horse or Horses.

Penalty on keeping for Use, or letting to Hire, any Hackney, &c. Carriage, Cart, or Job Horse, without Licence.

Property left in licensed Carriages to be deposited at Police Station.

XXVI. The Proprietor or Driver of every Carriage licensed under the Provisions of this Act, wherein any Property whatever shall be left by any Person hiring or using the same, shall, within Twenty-four Hours next after the same shall have been so left, restore such Property, in the State in which the same shall have been found, to the Owner thereof, or if the Owner cannot be traced within said District, shall convey the Property to the Office of the said Commissioners, or if found in any Carriage usually employed in conveying Passengers to and from the Stations of the *Dublin and Kingstown* Railway outside the City of *Dublin*, thence to the Police Station nearest to the Railway Station at which such Carriage shall take up and set down Passengers, and shall in such Places respectively deposit such Property; and if any Proprietor or Driver shall make any Default herein he shall forfeit a Sum not exceeding Forty Shillings, and such further Sum as shall, in the Judgment of the Justice before whom Complaint shall be made, appear to be a reasonable Compensation for such Property, if the same shall not be restored, and which Compensation shall be recoverable in like Manner as a Penalty under this Act, and be payable to the Owner of the Property detained; and when any such Property shall be found and duly deposited as aforesaid, the Officer receiving the same shall forthwith give an Acknowledgment to the Depositor, and make an Entry and Return thereof, according to the Regulations of the said Commissioners, which they are hereby required to make, for the Custody, Restoration, or Disposal of all such Property; and the Property so deposited shall be returned to the Person who shall prove Ownership to the Satisfaction of the said Commissioners, such Person previously paying all Expenses incurred,

together with such Sum to the Person who shall have been actually driving the Carriage, or shall have been employed in or about it, and, having found the Property, shall deposit the same as herein directed; as with reference to the Value of the Property the said Commissioners shall award: Provided always, that if any Property so found and deposited shall not be claimed by some Person proving Ownership as aforesaid within One Year after the Date of Deposit (the Property having been advertised in such Manner as the said Commissioners may direct), such Property shall be, in default of such Claim within the Time so limited, sold or otherwise disposed of, and the Proceeds thereof paid over to the said Receiver, to be carried to the Account of Monies for defraying the Expenses of the Police Establishment of the said District of *Dublin* Metropolis, after deducting such Sum as the Commissioners may award to the Person who shall have been actually driving the Carriage, or shall have been employed in or about it, and having found the Property shall deposit the same as herein directed: Provided also, that nothing herein shall be deemed to extend to Property found in a Stage Carriage at any Place not within the Limits of this Act.

Commissioners may regulate the Route and Conduct of Persons driving Carriages, Cattle, &c. during the Hours of Divine Service.

XXVII. On the Application of the Minister or Churchwardens of any Church, Chapel, or other Place of Public Worship within the Police District of *Dublin* Metropolis to the said Commissioners, it shall be lawful for the said Commissioners to make Orders for regulating the Route and Conduct of Persons who shall drive any Carriage, Cart, or other Vehicle, within such Parish or Place, during the Hours of Divine Service on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving; and any Orders which shall be so made shall be printed and affixed on or near the Church, Chapel, or Place of Public Worship to which the same shall refer, and in some conspicuous Places leading to and contiguous thereto, and elsewhere, as the said Commissioners shall direct; and every Breach of any such Order shall be deemed a separate Offence.

Commissioners to make Regulations for preventing Obstructions by Carriages, &c. in the Phœnix Park, &c.

XXVIII. It shall be lawful for the said Commissioners from Time to Time and as Occasion may require to make Regulations for the Route to be observed by all Carriages, Carts, or other Vehicles, Horses, and Persons, and for preventing disorderly Conduct, Contention, Obstruction, or accidental or intentional Damage within Her Majesty's Park of the *Phœnix*, or upon the Roads, Thoroughfares, and Passages therein or thereto adjoining, and also to give Directions to the Constables of the said District for keeping Order, and for preventing Obstructions of the Roads and Thoroughfares in the immediate Neighbourhood thereof, and in any Case when the said Roads or Thoroughfares may be thronged, or may be liable to be obstructed, and for preventing disorderly Conduct, Contention, Obstruction, or accidental or intentional Damage in the said Park of the *Phœnix*.

Commissioners may make Regulations for preventing Obstructions in the Streets, &c.

XXIX. It shall be lawful for the said Commissioners from Time to Time and as Occasion shall require to make Regulations for the Route to be observed by all Carriages, Carts, or other Vehicles, or Horses and Persons, and for preventing Obstruction of the Streets and Thoroughfares within the said District, and also to give Directions to the Constables for keeping Order, and for preventing any Obstruction of the Thoroughfares in the immediate Neighbourhood of any Place or Places of public Resort, and in any Case when the Streets or Thoroughfares may be thronged or may be liable to be obstructed.

Proof of Publication of Rules sufficient Notice to all Persons concerned.

XXX. Proof upon Oath that a Copy of any such Regulations made by the Commissioners has been published in any daily Newspaper in the City of *Dublin*, or that such Regulations have been printed and posted in the Vicinity of any public Place to which the same shall refer, previously to the Time fixed for the Observance of same, shall be deemed sufficient Evidence of such Regulations, and of all Persons concerned having Notice thereof.

When Proprietors not liable to Penalties for deviating from Route.

XXXI. No Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence which the Driver of such Stage Carriage shall make by virtue of any Regulations or Direction made or given by the said Commissioners.

Compensation for Hurt or Damages.

XXXII. In every Case where any Hurt or Damage shall have been caused by the Negligence, wilful Misbehaviour, or other Misconduct of the Driver of any Carriage or Vehicle of any Kind whatsoever, or of the Person in charge thereof, or in charge of any Horse within the Limits of this Act, every Person so offending shall further pay such a Sum as shall appear to the Justice to be a reasonable Compensation to the Person so aggrieved or injured, and the Evidence of such Person shall be admitted in proof of the Offence: Provided always, if the Person so aggrieved or injured shall have been the only Witness examined in proof of the Offence, such Sum so ordered as Compensation shall be paid and applied in the same Manner as a Penalty, and in default of Payment of such Penalty and of such Compensation, if ordered, together with the Costs attending such Conviction, immediately or within such Time as such Justice shall appoint, such Justice shall and may commit such Offender to the Common Gaol or House of Correction, to be there imprisoned for any Term not exceeding Two Months, unless such Penalty, together with the Costs and Compensation, if ordered, be sooner paid; and every such Offender shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable, in order to be conveyed before some Justice.

Penalty on Persons acting as Drivers, &c. without having Licence and Badge;

XXXIII. It shall not not be lawful for any Person to act as Driver of any Hackney or other Carriage as aforesaid, or of any Job Horse, or as Driver or Conductor of any Stage Carriage, whether such Person shall or shall not be the Proprietor of such Carriage or Horse within the Limits of this Act, unless in each Case such Person shall have a Licence so to do, and a numbered Badge granted to him under the Authority of this Act and remaining in force; and every Person who shall act as such Driver or Conductor

ductor without such Licence and Badge, and also every Person to whom a Licence and Badge shall have been granted who shall sell or exchange, bestow or transfer, or let upon hire such Licence, or permit any other Person to use or wear such Badge, shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and every Proprietor who shall knowingly suffer any Person not duly licensed under the Authority of this Act to act as Driver of any Hackney or other Carriage as aforesaid, or as Driver or as Conductor of any Stage Carriage of which he shall be the Proprietor, shall for every such Offence forfeit a Sum not exceeding Forty Shillings: Provided always, that nothing herein-before contained shall subject to any Penalty any Proprietor who shall employ any unlicensed Person to act as such Driver or Conductor as aforesaid for any Time not exceeding Twenty-four Hours, or any unlicensed Person who shall be so employed for the said Time, upon Proof being adduced by the Proprietor to the Satisfaction of the Justice before whom such Proprietor, Driver, or Conductor shall be required to attend to answer for such Offences respectively that such Employment was occasioned by unavoidable Necessity; and that every Proprietor who shall so employ such unlicensed Driver or Conductor, and every such unlicensed Driver or Conductor, shall be subject to all the Powers, Provisions, and Proceedings of and under this Act for any Act done by such Driver or Conductor during such Employment in like Manner as if such Driver or Conductor had been duly licensed.

and on Proprietors suffering Persons to act as Drivers or Conductors not being licensed.

Proviso as to Persons being employed temporarily.

Proprietors to be summoned to appear and produce Drivers and their Licences, &c.

XXXIV. When any Complaint, verbal or written, shall be made before any Justice against the Driver of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or of any Job Horse or Horses, or any Person having the Care thereof or plying for Hire therewith respectively, for any Offence committed by him against any of the Provisions of this Act, such Justice shall forthwith summon the Proprietor of such Carriage, Cart, Horse or Horses, and by the said Summons require the said Proprietor personally to be and appear, and to produce such Driver or other Person so complained against, together with the Licence and Badge (if any) theretofore granted to said Driver, to answer such Complaint, and for such Purpose every Proprietor who shall obtain any Licence under this Act, and who shall permit or employ any licensed Person to act as a Driver of any such Carriage or Horse, or as a Conductor of any such Stage Carriage, shall require to be delivered to him and shall retain in his Possession the Licence of such Driver or Conductor while such Driver or Conductor shall remain in his Service; and if any such Proprietor being duly summoned shall neglect or refuse personally to appear, or to produce such Driver or other Person so complained against, together with the said Licence and Badge, according to the Exigency of such Summons, without a reasonable Excuse to be allowed by the Justice before whom he and the said Driver ought to appear according to such Summons, such Proprietor shall forfeit a Sum not exceeding Forty Shillings, and so from Time to Time as often as he shall be so summoned until such Driver or other Person so complained against shall be produced by him to answer such Complaint: Provided always, that if such Proprietor shall neglect or refuse to appear or produce such Driver or other Person so complained against, together with the said Licence and Badge, in obedience to any Summons requiring him so to do, without a reasonable Excuse to be allowed as aforesaid, it shall be lawful for such Justice to proceed to hear and determine the said Complaint in the Absence of the said Proprietor and Driver or other Person complained against, or either of them, and upon Proof of such Offence by the Oath of One or more than One credible Witness to give Judgment against such Proprietor for a Penalty not exceeding Forty Shillings, and thereupon the said Justice is required to cause a Return of the said Judgment to be made forthwith to the said Commissioners, or to a Person duly authorized by them to receive the same.

Justices to determine Disputes between Proprietors and Drivers.

XXXV. In case of any Dispute between the Proprietor of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse kept for Use or let to Hire within the Limits of this Act, and the Driver of any such Carriage, Cart, or Horse, or any Person having the Care thereof, or plying for Hire therewith, respectively, as to any Matter relating to or connected with the Business or Employment of such Driver or Proprietor, then upon Complaint made before any Justice by such Proprietor against such Driver or other Person as aforesaid, or by such Driver or other Person as aforesaid against such Proprietor, such Justice shall inquire into and determine the same, and shall award and order such Compensation, whether the same shall be demanded by way of Wages or otherwise, to be made to either Party as to such Justice shall seem proper; and in case of Nonpayment of the Amount of the Compensation so ordered by such Justice within Seven Days after the same shall be so awarded, such Justice shall cause the same to be levied by Distress and Sale of the Goods of the Party refusing or neglecting to make Payment thereof.

Agreements between Drivers, &c. and Proprietors to be in Writing.

XXXVI. It shall not be lawful either in any Court of Law or before any Justice to enforce the Payment of any Sum of Money claimed from any Driver or Conductor by any Proprietor on account of the Earnings of any Hackney Carriage or other Carriage as aforesaid, or Stage Carriage, or by reason of any Neglect or personal Misconduct of such Driver or Conductor, unless under an Agreement in Writing which shall have been signed by such Driver or Conductor in the Presence of a competent Witness.

Proceedings with respect to Licences on quitting Service.

XXXVII. When any licensed Driver or Conductor shall leave the Service of any Proprietor, such Proprietor shall, upon Demand thereof, return to him his Licence: Provided always, that if the said Proprietor shall have any Complaint against the said Driver or Conductor, it shall be lawful for such Proprietor to retain the Licence for any Time not exceeding Two Days after the Demand thereof, and within that Time to apply to the Police Court of the District in which the said Proprietor shall dwell for a Summons against him; and the said Proprietor at the Time of applying for the Summons shall deposit the Licence with the Clerk of such Police Court or Justice; and in case any Proprietor who, upon Demand thereof, shall have refused or neglected to deliver to any Driver or Conductor his Licence,

Licence, shall not within Two Days, exclusive of *Sunday*, or any Day on which the Police Court shall not sit, apply for such Summons, and deposit the Licence as aforesaid, or shall not appear to prosecute his Complaint at the Time mentioned in the Summons, it shall be lawful for such Driver or Conductor to apply at the same Police Court, or to some Justice as aforesaid, for a Summons against such Proprietor; and upon hearing and deciding the Case the Justice, if he shall think there was no just Cause for detaining the Licence, or that there has been needless Delay on the Part of the Proprietor in bringing the Matter to a Hearing, shall have Power to order the said Proprietor to pay such Compensation to the said Driver or Conductor as the said Justice shall think reasonable, and Payment of such Compensation shall be enforced in the same Manner as any Penalty may be enforced under the Provisions of this Act; and the Justice shall cause the Licence to be delivered to the said Driver or Conductor, unless any Misconduct shall be proved against him by reason whereof the Justice shall think that such Licence shall be revoked or suspended; and so long as any Proprietor shall neglect to apply for such Summons and deposit the Licence after such Demand thereof as aforesaid, any Justice may in like Manner from Time to Time order Compensation to be paid by him to the same Driver or Conductor; and no Proprietor shall, under any Pretence or by virtue of any Claim whatever, retain beyond the Time aforesaid the Licence of his Driver or Conductor.

Driver to deliver a Ticket to Hirer of Carriage.

XXXVIII. Every Driver of a Hackney Carriage within the Limits of this Act shall, on each Occasion when such Carriage shall be hired, deliver, if required, to the Hirer thereof a Card, on which shall be printed, in legible Letters and Figures, the Words "Hackney Carriage," and the Number of the *Dublin* Plate fixed on such Hackney Carriage, or such other Words or Figures as the said Commissioners of Police may direct.

Penalty on Drivers of Hackney Carriages refusing to hire, or exacting more than legal Fare.

XXXIX. If the Driver of any Hackney Carriage shall, on Tender of the legal and proper Fare, refuse to go with any Person desirous of hiring such Carriage to any Place within the Limits of this Act, or to any Place within Ten Statute Miles of the General Post Office in the City of *Dublin*, or shall, when conveying any Person for Hire, occupy more than Ten Minutes in performing the Distance of any One Mile, except by the express Desire of such Person, or in case of Accident or Obstruction, or if the Driver of any Hackney Carriage shall exact or demand for the Hire thereof more than the legal and proper Fare, the Person so offending in any Case shall forfeit for such Offence a Sum not exceeding Forty Shillings.

Hackney Carriages found in any Street to be deemed plying for Hire.

XL. Every Carriage having thereon the *Dublin* Plate required by this Act to be fixed on Hackney Carriages which shall be found standing in any Street or Place within the Limits of this Act, or within Ten Statute Miles of the General Post Office in the City of *Dublin*, having a Horse harnessed thereto, and being equipped for Use, shall, unless actually hired, or unless such Driver have a reasonable Excuse to be allowed by the Justice before whom the Matter shall be brought in question, be deemed to be plying for Hire, although such Hackney Carriage shall not be on any Standing or Place usually appropriated for the Purpose of Hackney Carriages standing or plying for Hire; and the Driver of every such Hackney Carriage which shall not be actually hired shall be obliged and compelled to go with any Person desirous of hiring such Hackney Carriage to any Place within the Limits of this Act, or to any Place within Ten Statute Miles of the General Post Office in the City of *Dublin*; and upon the hearing of any Complaint against the Driver of any such Hackney Carriage who shall refuse Hire on Tender of the legal Fare he shall be obliged to adduce Evidence of having been and of being actually hired at the Time of such Refusal, and in case he shall fail therein he shall forfeit a Sum not exceeding Forty Shillings.

Driver refusing Fare, Penalty 40*s*.

Compensation to be made to Party improperlysummoned for refusing to hire.

XLI. If the Driver of any Hackney Carriage shall in civil and explicit Terms declare to any Person desirous to hire such Hackney Carriage that it is actually hired, and shall afterwards, notwithstanding such Reply, be summoned to answer for his refusal to carry such Person in or upon the said Hackney Carriage, and shall upon the hearing of the Complaint produce sufficient Evidence to prove that such Hackney Carriage had been previously hired by an actual and *bonâ fide* Engagement for a Period of Time then to come, which Engagement could not have been fulfilled if the Carriage had been let to Hire to the Person so complaining, and it shall not appear that the said Driver used uncivil Language, or that he improperly conducted himself towards the Person complaining, or in case such Person so complaining shall not appear at the Time and Place specified in such Summons for the hearing thereof, the Justice before whom such Complaint shall be heard or such Default of Appearance shall be made shall order the Person who shall have summoned such Proprietor or Driver to make to him such Compensation for his Loss of Time in attending to make his Defence to such Complaint as such Justice shall deem reasonable, and in default of Payment thereof within Seven Days after the making of such Order shall cause the same to be levied by Distress and Sale of the Goods of the Person adjudged to owe such Compensation.

Penalty for demanding, in any Case, more than Sum agreed for.

XLII. If the Proprietor of any Hackney Carriage, or any Person usually acting for the Proprietor or the Driver of such Carriage, shall agree beforehand with any Person requiring such Carriage to accept any Sum less than the proper Rate of Fare allowed by Law, and such Proprieter, Person, or Driver shall nevertheless exact or demand subsequently for the said Carriage on such Occasion more than the Sum agreed for, the Proprietor, or if such Exaction or Demand shall be made by the Driver, then the said Driver, shall forfeit a Sum not exceeding Forty Shillings for such Offence.

Agreement to pay to Driver more than legal fare not binding.

XLIII. No Agreement whatever made with the Proprietor or Driver of any Hackney Carriage for the Payment of more than his proper Fare as fixed or limited by Law shall be binding or held to authorize any Overcharge whatsoever; and in case any Person shall be required to pay and shall pay to the

Extra Sum so paid may be recovered.

the Proprietor or Driver of any Hackney Carriage, whether in pursuance of an Agreement or not, any Sum exceeding the proper Fare, the Person paying the same shall be entitled, on Complaint made against such Proprietor or Driver before any Justice, to recover back the Sum paid beyond the proper Fare; and moreover such Proprietor or Driver shall forfeit, as a Penalty for such Exaction, a Sum not exceeding Forty Shillings; and in default of the Repayment thereupon of such Excess of Fare, or of Payment of the said Penalty, the Amount of such Excess and of such Penalty or of both, as the Case may be, shall be levied by Distress and Sale of the Goods of the Proprietor of such Hackney Carriage: Provided always, that if the Exaction in any such Case shall appear to have been made by a Driver he shall be responsible to the Proprietor for the Amount of the Exaction and the Penalty, which shall be recoverable from him in the Manner herein-before provided for Recovery by Proprietors of Penalties paid for Drivers.

Drivers not to charge more than Sum agreed for, when the Distance stated shall be exceeded without Direction.

XLIV. It shall and may be lawful for any Person to require the Driver of any Hackney Carriage to drive such Hackney Carriage for a stated Sum of Money a Distance, in the Discretion of the Driver, the Fare for which shall be the Worth or Value of the Sum so stated, without specifying any Place at which he is to stop; and in case the said Driver shall exceed such Distance without Authority or Direction for so doing, and shall exact or demand more than the Sum for which he was so engaged to drive, he shall forfeit a Sum not exceeding Forty Shillings for such Offence.

Deposit to be made for any Hackney Carriage kept waiting.

XLV. When any Hackney Carriage, hired and taken to any Place, shall be required to be kept there in waiting, it shall be lawful for the Driver to demand and receive a reasonable Sum as a Deposit, over and above the proper Fare for driving to such Place, which Sum so demanded and received shall be accounted for by the Driver when such Hackney Carriage shall be finally discharged; and if any such Driver shall refuse to remain in waiting on Payment of the Fare earned and the Tender of a Deposit sufficient to pay the further Fare for a specified Time of waiting; or shall after receiving a Deposit go away, or permit such Hackney Carriage to be driven or taken away, without the Consent of the Person making such Deposit, before the Expiration of the Time for which the Sum so deposited shall be a sufficient Compensation, according to the Fares then by Law payable, or if any Driver, on the final Discharge of such Hackney Carriage, shall refuse to refund any Portion of such Deposit which may exceed the Fare ultimately payable, in addition to the original Fare paid upon the making of such Deposit, he shall in any of such Cases forfeit a Sum not exceeding Forty Shillings; provided always, that nothing herein contained shall be deemed an Authority to any Person to detain a Hackney Carriage beyond such Period of Time as shall be fixed by the Commissioners of Police in any Rule, Order, or Byelaw to be made under the Direction of this Act.

Carriages may ply on Sundays, and shall be then subject to all the Regulations in force.

XLVI. It shall be lawful for the Proprietor or Driver of any Hackney Carriage which shall be licensed under the Authority of this Act to stand and ply for Hire with such Carriage, and to drive the same, on the Lord's Day, any former Act or Acts to the contrary notwithstanding; and that such Proprietor or Driver who shall so stand and ply for Hire as aforesaid shall be liable and compellable to do the like Work on the Lord's Day as by this Act liable or compellable to do as such Proprietor or Driver on any other Day of the Week.

Persons refusing to pay for any Carriage or Cart, &c., or for Damage, may be committed.

XLVII. If any Person shall refuse or omit to pay the Proprietor or Driver of any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse the Sum justly due for the Hire of such Carriage, Cart, or Horse, or if any Person, either by himself or by the Negligence or Misconduct of any Person in his Employment, shall break, deface, or in any Manner injure any such Carriage or Cart, or the Harness thereof, or shall injure any Horse used with any such Carriage or Cart, or shall injure any Job Horse, in either Case the Person so offending shall, on Conviction before a Justice, forfeit such Sum as to the said Justice shall seem reasonable for any and every such Offence; and it shall be lawful for any Constable of Police, upon a Charge of any such Offence, to apprehend and hold to Bail to appear before a Justice the Person so charged; and upon Proof upon Oath before such Justice of the Nonpayment of the proper Fare, or of any Injury or Loss so suffered through the Negligence or Misconduct of such Person, the said Justice shall adjudge the Sum to be paid, and shall award reasonable Satisfaction to the Party so complaining or injured for his Fare or for the Damage suffered, with Compensation for his Loss of Time in attending to make and establish such Complaint; and if the Sum awarded shall not be thereupon paid, or if the Offender shall not also pay at the same Time the Sum which shall be awarded as Satisfaction to the Owner or Driver, it shall be lawful for such Justice to commit the said Offender to Prison, there to remain for any Time not exceeding Two Calendar Months, unless the Amount of the said Fine and Satisfaction shall be sooner paid; and it shall also be lawful for such Justice, if he shall think fit, to order such Offender to be kept to Hard Labour during such Imprisonment.

Commissioners, with Consent of Recorder of the City of Dublin, may alter Fares of Hackney Carriages.

XLVIII. It shall and may be lawful for the said Commissioners from Time to Time and at all Times hereafter, as often as they shall consider it expedient so to do, to vary and alter each or any of the Rates and Fares now by Law payable for the Use of Hackney Carriages, and to fix and appoint the Rates and Fares to be taken and demanded for the Use of Hackney Carriages to be licensed under this Act, and to increase or diminish the same; provided that every such Alteration, whether by way of Increase or Diminution, shall be approved of by the Recorder of the City of *Dublin*, and shall be published in the Manner herein-before directed with respect to any Alteration which shall be made in the Duties to be taken under this Act.

Commissioners to appoint or alter Places for

XLIX. It shall and may be lawful for the said Commissioners to order and direct the Route of Hackney Carriages, when proceeding from One Stand to another, and from Time to Time to appoint proper Places or Stations within the Limits of this Act, where Hackney Carriages, Stage Carriages, and Carts

Carts licensed for that Purpose may stand for Hire; and from Time to Time to alter any Stands or Stations, and to limit the Number of Hackney Carriages, Stage Carriages, and Carts to stand in each of such Places, and to direct and regulate the Spaces and Intervals to be left between the Carriages and Carts at such Stands and Places, and in all respects to regulate the Manner in which Carriages and Carts shall stand thereat respectively; and it shall also be lawful for the said Commissioners to inspect or cause to be inspected by such Person or Persons as they shall appoint in that Behalf all such Carriages and Carts to be licensed under this Act, and the Horses and Harness employed to draw such Carriages and Carts respectively, at such Times and Places as the said Commissioners shall for that Purpose appoint, and to that End require that all Carriages and Carts, Horses and Harness, to be inspected as aforesaid, shall be produced before them or before such Person or Persons as they shall appoint, at such Times and Places as they shall direct; and in case any Person shall refuse or neglect to obey or comply with any Order or Direction made or given by the said Commissioners in pursuance of the Powers hereby vested in them, every Person so offending shall forfeit a Sum not exceeding Forty Shillings.

Carriage Stands, and limit the Number of Carriages at each.

L. It shall and may be lawful for the said Commissioners from Time to Time and at all Times to make such General Rules, Orders, and Byelaws for the better ordering and regulating of all and singular the Persons, Carriages, Carts, and Horses required to be licensed under this Act, as in the Judgment of the said Commissioners may be required for public Propriety, Safety, Accommodation, or Convenience, and from Time to Time to alter, vary, amend, or repeal all or any of such Rules, Orders, and Byelaws; provided that such Rules, Orders, and Byelaws, when so made or altered, shall not be repugnant to the Provisions of this Act; and it shall and may be lawful for the said Commissioners to fix and ordain therein such reasonable Penalties and Forfeitures as to them may seem fit for all Offences against and Breaches of such Rules, Orders, or Byelaws, and to subject Offenders against same to Imprisonment in the Common Gaol or House of Correction for the Breach of any such Rule, Order, or Byelaw, there to be kept (either with or without Hard Labour) for any Time not exceeding Thirty Days; and it shall and may be lawful for the said Commissioners, in their Discretion, to make void or suspend the Licence or Licences of every Offender who shall be convicted of any Offence against the same, unless the Magistrate before whom such Conviction shall be had against such Offender shall at the Time of such Conviction state in Writing on his Licence that such Punishment as he has adjudged against such Offender shall be "without Prejudice to his Licence:" Provided always, that such new Rules, Orders, and Byelaws, and every Alteration, Amendment, and Repeal of the same, shall be approved of by the Recorder of the City of *Dublin*, and that after such Rules, Orders, and Byelaws, or any Alterations, Amendment, or Repeal of the same, shall have been so made and approved of, the same shall be published in the Manner herein-before directed with respect to any Alterations which shall be made in the Duties to be paid under this Act; and all such Rules, Orders, and Byelaws, and every Alteration, Amendment, and Repeal of the same, when approved of as aforesaid, shall be good and valid, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were particularly mentioned, expressed, and enacted in this present Act.

Commissioners to make Rules for the Regulation of Hackney Carriages and Conduct of Drivers, &c.

LI. Every Driver or Conductor authorized by any Proprietor to act as Driver of any Hackney Carriage as aforesaid, or as Driver or Conductor of any Stage Carriage, who shall suffer any other Person to act as Driver of such Hackney or other Carriage, or as Driver or Conductor of such Stage Carriage, without the Consent of the Proprietor thereof, and also every Person, whether duly licensed or not, who shall act as Driver or as Conductor of any such Carriage without the Consent of the Proprietor thereof, shall forfeit the Sum of Forty Shillings; and every Driver or Conductor charged with such Offence who, when required by any Justice so to do, shall not truly make known the Name and Place of Abode of the Person so suffered by him to act as Driver or Conductor without the Consent of the Proprietor, and also the Number of the Ticket of such Person (if licensed), shall be liable to a further Penalty of Forty Shillings; and it shall be lawful for any Police Constable, without any Warrant for that Purpose, to take into Custody any Person unlawfully acting as a Driver or as a Conductor, and to convey him before any Justice, to be dealt with according to Law, and also, if necessary, to take charge of the Carriage and every Horse in charge of such Person, and to deposit the same in some Place of safe Custody until the same can be applied for by the Proprietor.

Penalty on Person acting as Driver, whether licensed or not, without Consent of Proprietor.

LII. It shall be lawful for the said Commissioners to grant to any Male Person more than Sixteen Years of Age, on producing a satisfactory Certificate of Ability to drive, and of good Character, a Licence to act as Driver of any Hackney Carriage, Stage Carriage, or Job Carriage, or Horse, and also to grant to any such Male Person, upon the Production of a Certificate of good Character, a Licence to act as Conductor of any Stage Carriage; and for every such Licence and for every Renewal thereof there shall be paid the Duty appropriated thereto in the Schedule (B.) to this Act annexed, and there shall be specified in it the proper Name and Surname, Place of Abode, Age, and Description of the Person to whom such Licence shall be granted; and every such Licence shall bear a distinctive Number, and be dated on the Day upon which the same shall be granted, and shall thence continue in force until voluntarily surrendered by the Party named therein, or until otherwise determined or revoked under the Provisions of this Act, and except for the Time (if any) during which the same shall be suspended by the said Commissioners or by any Justice; and in every such Licence there shall be specified a Period within which the same shall while in force be surrendered annually at the Office which the said Commissioners shall appoint, for the Purpose of the same being renewed or re-granted: Provided always, that it shall and may be lawful for the said Commissioners to refuse to grant any such Licence or Renewal thereof, or to revoke any such Licence, in case it shall appear that the Person applying for or in

Commissioners to grant Licence to act as Driver, &c., on Production of Certificate.

What shall be specified in the Licence.

in possession of such Licence is an unfit Person to hold the same, by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Violation of this Act, or the Rules and Regulations or Byelaws relating to Hackney Carriages: Provided also, that it shall not be necessary for the Guard of any of Her Majesty's Mails to obtain a Licence under this Act.

Drivers, &c. applying for Licences to sign Requisition for the same.

LIII. Before any such Licence as last aforesaid shall be granted or renewed a Requisition for the same, in such Form as the said Commissioners shall prescribe for that Purpose, and accompanied (except in Cases of Renewal) with such Certificate as herein-before is required, shall be made and signed by the Person to whom such Licence is requested to be granted, and in every such Requisition there shall be truly specified and set forth the proper Name and Surname and Place of Abode and Age of the Person applying for such Licence, with all such further Particulars as the Commissioners may require; and if any Person applying for, and procuring or attempting to procure, any such Licence as last aforesaid, or any Renewal thereof, shall make or cause to be made any false Representation in any such Requisition as aforesaid, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application for a Licence or Renewal, or if any Person to whom Reference shall be made shall in regard to such Application wilfully or knowingly make any Misrepresentation with the Intention of deceiving the said Commissioners, each and every Person so offending shall forfeit for every such Offence a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, upon Proof of any such Offence, to revoke any Licence which shall have been granted upon any such false Representation; and it shall be also lawful for the said Commissioners to proceed for recovering of such Penalty before any Justice at any Time within One Calendar Month after the Commission of the Offence, or during the Currency of the Licence so improperly obtained.

Persons making false Representations to forfeit 40s., and Licence may be revoked.

Licences may be revoked or suspended by Justices.

LIV. It shall be lawful for any such Justice before whom any Driver or Conductor shall be convicted of any Offence, whether under this Act or any other Act, or under any Rule, Order, or Byelaw duly made by the said Commissioners as herein-before provided, if such Justice, in his Discretion, shall think fit, to revoke the Licence of such Driver or Conductor, and also any other Licence which he shall hold under the Provisions of this Act, or to suspend the same for such Time as the Justice shall think proper; and if any Driver or Conductor complained of shall be adjudged guilty of the Offence alleged against him, the Justice before whom he shall be convicted shall in every Case endorse upon the Licence of such Driver or Conductor the Nature of the Offence and the Penalty or other Punishment which shall be so inflicted; and if the said Licence shall not be produced, on Demand thereof, it shall be lawful for the Justice to detain in Custody such Driver or Conductor until the Proprietor or Person in whose Possession such Licence shall then be shall deliver up the same, or until such Proprietor or Person shall be summoned in manner as herein-before directed; and the Justice shall forthwith send such Licence, and the Badge thereunto belonging, to the Commissioners, who shall cancel such Licence if it has been revoked by the Justice, or if it has been suspended shall at the End of the Time for which it shall have been suspended re-deliver such Licence, with the said Badge, to the Person to whom it was granted.

Abstract of Laws and Badge to be delivered to Drivers, &c. with Licence.

Badge to be worn by Drivers, &c.

Penalty for Neglect, or refusing Inspection of Badge, 40s.

LV. The said Commissioners shall at the Time of granting any such Licence cause to be delivered to the Driver or Conductor to whom the same shall be granted an Abstract of any Law, Byelaw, and Regulations in force specifically relating to such Employment, and of the Penalties for any Misconduct therein, and also such Badge of Distinction as the said Commissioners shall cause to be provided and shall require to be worn; and every such Driver or Conductor shall at all Times during his Employment, and when he shall be required to appear before any Justice, wear such Badge in such Manner as shall be required by any Rule, Order, or Byelaw made in relation thereto, so that the Number thereon shall be distinctly visible and legible; and if any licensed Driver or Conductor shall act as such or shall attend before any Justice, without having and wearing such Badge in manner aforesaid, or shall when thereunto required refuse to produce such Badge for Inspection, or to permit any Person to note the Number thereon, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Licences and Badges to be surrendered on Discontinuance of Licence.

Penalty for wearing a Badge without having a Licence.

LVI. If in any Year any such Licence as last aforesaid shall not be renewed within the Period specified therein for the Purpose, or shall be revoked for any of the Causes herein-before mentioned, the Person to whom such Licence shall have been granted shall deliver up such Licence and the Badge belonging thereto to the said Commissioners, or the Officer appointed by them for that Purpose; and if after such Licence shall have been revoked, or shall not have been renewed in any Year within the Period prescribed for the Purpose, such Person shall use or wear the Badge thereto belonging, or shall neglect or refuse for the Space of Three Days to deliver the same and the Licence to the said Commissioners, or the Officer appointed by them for that Purpose, or if any Person shall use or wear or detain any Badge without being named and described in a Licence in force relating thereto, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and so from Time to Time until such Badge shall be delivered up in manner herein specified; and it shall be lawful for any Constable to seize and take away any Badge so worn unlawfully, wheresoever the same may be found, and thereupon deliver the same to the said Commissioners.

New Badges to be delivered in lieu of defaced or lost Badges.

LVII. Whenever the Number of any Badge shall become obliterated or defaced, so that the same shall not be distinctly visible and legible, and also whenever any Badge shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom the Licence relating to any such Badge shall have been granted shall produce such Licence to the said Commissioners or their proper Officer, and in the Case of a Badge with the Number obliterated or defaced shall at the same Time

Time deliver up such Badge, and such Person shall then be entitled to have a new Badge delivered to him in lieu of the Badge so lost or mislaid or delivered up, upon the Payment of the Sum of Two Shillings, to be applied as aforesaid: Provided always, that if any Badge which shall have been proved as aforesaid to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Commissioners or their proper Officer; and if any Person into whose Possession any such Badge as last aforesaid shall come shall neglect for the Space of Three Days or refuse to deliver up the same to the said Commissioners or their proper Officer, to be disposed of as the said Commissioners may think proper, or if any Person licensed under the Authority of this Act shall use or wear the Badge granted to him after the Number thereon shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, every such Person so offending shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for not delivering up lost Badge when found, or for wearing a Badge after it has been defaced, 40*s*.

LVIII. If any Person shall forge or counterfeit, or shall cause or procure to be forged, counterfeited, or resembled, any Licence or Badge by this Act directed to be provided for each Driver or Conductor as aforesaid, or if any Person shall sell or exchange or expose to Sale, or utter or bestow, any such forged or counterfeited Licence or Badge, or if any Person shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have or be possessed of such forged or counterfeited Licence or Badge, knowing such Licence or Badge to be forged or counterfeited, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and being thereof convicted shall be punished by Imprisonment in the Common Gaol or House of Correction for a Term not exceeding Two Calendar Months, and either with or without Hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Licence or Badge, or for any Constable to seize and take away any such Licence or Badge, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners shall think proper.

Forgery of Licence or Badge, or knowingly uttering a forged Licence or Badge, a Misdemeanor.

LIX. As often as any Driver or Conductor, if licensed under this Act, shall change his Place of Abode, he shall, within Four Days next after such Change, give Notice thereof in Writing signed by him to the said Commissioners, specifying in such Notice his new Place of Abode, and shall at the same Time produce his Licence to the said Commissioners, or to an Officer appointed by them for that Purpose, who shall endorse thereon a Memorandum specifying the Particulars of such Change; and if any such Driver or Conductor shall make any Change as aforesaid, and shall neglect or omit to give Notice of such Change, or to produce his Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner herein limited and directed, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings; and in case any of the Particulars entered or endorsed upon any Licence in pursuance of this Act shall be erased or otherwise defaced, every such Licence shall be wholly void and of none effect.

Notice to be given by Drivers of any Change of Abode to be endorsed on Licence. If not given, to forfeit 40*s*.

LX. It shall not be lawful for any Person to carry about on any Carriage or on Horseback or on Foot, in any Thoroughfare or public Place within the Limits of this Act, to the Obstruction or Annoyance of the Inhabitants or Passengers, any Picture, Placard, Notice, or Advertisement, whether written, printed, or painted upon or posted or attached to any Part of such Carriage, or on any Board or otherwise.

Advertising Vehicles, &c. prohibited.

LXI. All Duties, Penalties, Fines, and Forfeitures imposed by this Act, or which may be incurred under any of the Provisions of this Act, or under any Byelaw, Order, Rule, or Regulation made pursuant thereto, and all and every Sum and Sums of Money whatsoever which may be payable or recoverable thereunder in the Nature of Compensation or Damages, Costs, Expenses, or otherwise, wheresoever the Contract, Offence, Act, or Matter by which the same may have originated or become payable or recoverable shall be committed or done, or have happened or terminated, may be inflicted by or be sued for and recovered before any One or more of the Divisional Justices of the Police District of *Dublin* Metropolis, whether the Subject Matter of the Complaint preferred before him in relation thereto took place within the Limits of this Act or beyond the same; and One or more of the said Justices shall attend for the Purpose of hearing and determining Complaints respecting the Premises at such Place or Places within the said Police District, or for any Division thereof, although the same may not be One of the Divisional Offices of Police for the District, and at such Time or Times, as shall be appointed for the Purpose by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or according to any general Directions to be from Time to Time given by the Chief or Under Secretary to the Lord Lieutenant; and in case of any Dispute between the Hirer and Driver of any Hackney Carriage, the Hirer may require the Driver forthwith to drive to the nearest Metropolitan Police Court, where Complaint may be made to the Magistrate then sitting, who shall hear and determine the same, without requiring any Summons to be issued for that Purpose; and if such Dispute should arise at a Time when the Police Court shall not be open, the Hirer may require the Driver to drive to the nearest Police Station, where the Complaint shall be entered, and Notice given to both Parties that the Matter in Dispute shall be heard by the Magistrate at his next Sitting; and it shall be lawful for any Divisional Justice by whom any Person shall be convicted of any Offence under this Act, or under the Byelaws, Orders, or Regulations made pursuant thereto, to lessen the Penalty or Term of Imprisonment in such Manner as he may think fit.

Infliction of Penalties and Recovery of Fines, &c.

Offences, wheresoever committed, to be cognizable by Divisional Justices.

In case of Disputes the Hirer may require the Driver to drive to a Police Court, &c. or to a Police Station.

Power to mitigate Penalties.

LXII. In every Case where there shall be more than One Proprietor of any Hackney or other Carriage as aforesaid, or Stage Carriage, or Job Horse, or Cart, it shall be sufficient in any Information, Summons, Order,

Providing for Cases where there are more

Proprietors than One.

Order, Conviction, Warrant, or any other Proceeding under the Provisions of this Act, to name One of such Proprietors, without reference to any other or others of them, and in the Case of a Body Corporate or public Company the public Officer thereof, and to describe and proceed against him as if he were sole Proprietor.

Fees to Justices.

LXIII. Such Fees as are contained in the Schedule hereunto annexed marked (E.), and no other or greater Fees, shall be taken by any Justice for any Business done or Proceedings had before him under this Act.

Service of Summons.

LXIV. Any Summons issued by any Justice requiring the Appearance of any Defendant, or of any Witness or other Person with reference to any Information, Complaint, or other Proceeding pending for the Recovery of any Forfeiture, Penalty, or Sum of Money, or otherwise howsoever under this Act, shall be deemed to be well and sufficiently served in case either the Summons or a Copy thereof shall, Forty-eight Hours at least before the Time appointed for the Hearing of the Complaint, or other the Cause of such Summons, be served personally on any such Person as aforesaid, or be left at his usual or last Place of Abode, or at his Counting-house or Office, or other Place of Business, or (in case such Person be a licensed Proprietor of a Hackney Carriage, Job Carriage, Job Horse, Stage Carriage, or Cart,) at the Place registered as aforesaid as the Place of Abode or Business of such Proprietor, as the Case may be; and if such Place cannot be found, or if such Proprietor shall not be known thereat, then such Summons shall be deemed to be well and sufficiently served, if the same or a Copy thereof be fixed up in some conspicuous Place in the public Office or Place appointed for the hearing of Causes under this Act within the said Police District of *Dublin* Metropolis: Provided always, that in all Cases in which the Places of Abode, Counting-house, Office, or other Place of Business of such Proprietor shall be at a greater Distance than Two Miles from the General Post Office, such Proprietor shall be required, prior to the Issue of any Licence to him under this Act, to specify in his Application for the same a Place of Address within the Municipal District of the City of *Dublin*; and every Summons as aforesaid, or a Copy thereof, shall be deemed well and sufficiently served if served personally upon the known or reputed Driver of such Proprietor, or left at the usual Place of Abode of any such Driver, or if left at such Place of Address of such Proprietor, Forty-eight Hours at least before the Time appointed for the hearing of the Complaint or other Cause of Summons.

Informants or Complainants not disqualified from being Witnesses.

Respondents also competent.

LXV. Upon the Trial or Hearing of any Information or Complaint exhibited or made under any of the Provisions of this Act, or under any Rule, Order, or Byelaw made in pursuance thereof, any Informant or Complainant or other Person shall be deemed and is hereby declared to be a competent Witness, notwithstanding that he may be entitled to any Part of any pecuniary Penalty or to any pecuniary Compensation or Reward on the Conviction of any Offender upon any such Information or Complaint, or liable to any Police Rate or Tax; provided nevertheless, that it shall also be lawful to and for the Divisional Justice by and before whom any Information or Complaint is to be determined, if in his Discretion he shall think fit so to do, to admit the Respondent or Party accused in any such Case to be examined upon Oath, and give Evidence touching the said Complaint and the Matters relating thereto.

Penalty on Witnesses neglecting to attend or refusing to give Evidence.

LXVI. If any Person who shall be summoned as a Witness to give Evidence before a Justice touching the Matters alleged in or relating to any Information, Complaint, or other Proceeding depending before such Justice under the Authority of this Act, shall neglect or refuse to appear before such Justice at the Time and Place to be for that Purpose appointed, without a reasonable Excuse, to be allowed by such Justice, or if any Person so summoned shall appear and refuse to be examined and give Evidence before such Justice touching the Matters aforesaid, every Person so offending shall forfeit a Sum not exceeding Forty Shillings; and if any such Witness or any Complainant shall make any Statement in Evidence which shall be proved to be untrue, and to be a wilful and known Misrepresentation of the Circumstances or Occurrences connected with the Complaint, Information, or other Proceeding depending before such Justice, it shall be lawful for the said Justice to commit the Person so offending to Prison for any Period not exceeding Two Calendar Months, with or without Hard Labour, as the said Justice shall direct: Provided always, that nothing herein contained shall prevent a Prosecution for Perjury against any such Witness or Complainant, if such Justice shall so direct; and if any Complainant, Witness, Defendant, or other Person shall, by any disrespectful or disorderly Conduct before the said Justice, in the Use of violent, abusive, or indecorous Language, to whomsoever applied, or of any Imprecation, Threat, or slanderous Imputation, or of any menacing Gesture, or of any Act, Gesture, or Language tending to provoke a Breach of the Peace, or of any other Means of Disturbance or Disorder, it shall be lawful for the said Justice to inflict for every such Offence a Fine not exceeding Forty Shillings, and in default of immediate Payment thereof to commit the Person so offending to Prison for any Period not exceeding Seven Days.

Justices empowered to award Compensation to Persons for Loss of Time in attending to answer unfounded Complaints.

LXVII. If any Person shall be summoned or brought before any Justice to answer any Complaint made against him by any Person, other than a Police Officer or Constable, touching or concerning any Offence committed or alleged to have been committed by the Person so summoned or brought before such Justice against the Provisions of this Act, or any Byelaw, Order, Rule, or Regulation made pursuant thereto, and such Complaint or Information shall afterwards be withdrawn, or quashed, or dismissed, or if the Defendant shall be acquitted of the Offence charged against him, it shall be lawful for the said Justice, if he shall think fit, to order and award that the Person making such Complaint shall pay to the Defendant such Costs for making or preparing for his Defence, and also such Compensation

sation for the Loss of his Time, and for the Time of his Witnesses (if any), in attending the said Justice, touching or concerning such Complaint or Information, as to the said Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded it shall be lawful for the said Justice to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the Sum so awarded, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, with such Costs as aforesaid, cannot be found, then it shall be lawful for such Justice to commit such Person to the Common Gaol or House of Correction for any Time not exceeding Two Calendar Months, unless the Sum so awarded, together with all Costs and Expenses, shall be sooner paid and satisfied.

Penalty on false Oaths.

LXVIII. If any Person or Persons who shall take any Oath in pursuance of this Act shall wilfully swear falsely therein, and shall be thereof lawfully convicted, by Verdict or Confession, any such Person so offending shall for any such Offence incur and suffer such Penalties, Pains, and Disabilities as Persons convicted of wilful and corrupt Perjury are or shall be liable to by any Law then in force in *Ireland;* and if any Person or Persons shall procure or suborn any other Person to take such false Oath, and shall be thereof convicted, by Verdict or Confession, (whether the Person having taken such false Oath shall be previously convicted or not,) any such Person so procuring or suborning shall for every such Offence incur and suffer such Penalties, Forfeitures, Pains, and Disabilities as Persons convicted of Subornation of Perjury are or shall be liable to by any Law then in force in *Ireland.*

Appeal.

LXIX. In case any Person or Persons who shall be refused a Licence, or whose Licence shall be revoked under the Provisions of this Act, or against whom any Information or Complaint shall have been exhibited under this Act, shall feel aggrieved by such Refusal or Revocation, or by the Judgment given upon such Information or Complaint, where such Judgment shall be for the Payment of any penal or other Sum exceeding Twenty Shillings, or for any Term of Imprisonment exceeding One Month, but in no other Case, it shall be lawful for such Person or Persons, upon giving such Notice as herein-after mentioned, to appeal therefrom to the Recorder of the City of *Dublin* at his next Sessions, or if there be not One Week between the Time of such Refusal, Revocation, or Adjudication and the next Sessions, then to the next succeeding Sessions after the Expiration of such Week to be holden in and for the said County of the City of *Dublin;* and it shall be lawful for the said Recorder to hear, adjudge, and finally determine such Appeal; and if upon any such Appeal any Defect in Form shall be found in any Part of such Proceedings, every such Defect of Form shall and may thereupon be immediately rectified and amended by Order of such Recorder, anything in this or any other Act or Acts of Parliament to the contrary notwithstanding: Provided always, that such Refusal or Revocation of any such Licence shall be valid until the final Decision of any such Appeal.

Defects of Form cured upon Appeal.

No Appeal allowed unless Notice thereof given.

LXX. No such Appeal as aforesaid shall be allowed unless the Party or Parties Appellant shall, within Forty-eight Hours after such Refusal or Revocation, or the giving of the Judgment appealed against, give Notice in Writing of such Appeal to the Secretary of the said Commissioners or to the Clerk of the Justice from whose Judgment such Appeal shall be made, and shall in due Time lodge such Notice at the Office or with the Clerk of the Peace at such General or Quarter Sessions as aforesaid respectively at which such Appeal is to be finally adjudged and determined.

Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal.

LXXI. No Appeal shall stay or prevent the Execution of any Warrant or Process on any Conviction, unless the Party convicted shall before the convicting Justice or Justices enter into a Recognizance, with Two sufficient Sureties, in a Sum equal to double the Amount of the Penalty or Penalties in which the said Party shall have been convicted, and of the Costs awarded, if any, which Recognizance shall be conditioned that the Party so appealing shall personally appear at the proper General Quarter Sessions, and abide the Judgment of the Court thereupon, and pay such Costs, if any, as shall be by the Court awarded, which Recognizance such Justice or Justices is and are hereby authorized to require and take of the Party convicted entering into such Recognizance; and the Justice who shall take such Recognizances is also hereby required to bind the Person who shall make the Charge on which such Judgment shall have been given in a Recognizance conditioned that he shall appear at such General or Quarter Sessions aforesaid, then and there to give Evidence against the Person so charged, and to in like Manner bind any other Person who shall have any Knowledge of the Circumstances of such Offence; and every such Witness, on producing a Certificate of his being so bound over under the Hand of such Justice, shall be allowed Compensation for his Time and Trouble and Expenses in attending such Appeal, which Compensation shall be paid by the Treasurer of the County in like Manner as in Cases of Felony, according to and under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and sixteen: Provided always, that in case such Appeal shall be dismissed and such Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be paid by the Appellant or Appellants, and the Recognizance or Recognizances so entered into as aforesaid shall be estreated, unless such Expenses are so paid by such Appellant or Appellants; and it shall not be necessary, at the hearing of such Appeal, to return or produce to the Court of Quarter Sessions any Record of the Conviction of the Defendant or Appellant before any Divisional Justice, but it shall be deemed sufficient for the Clerk of the convicting Justice to attend at such Court of Quarter Sessions, and produce the Book containing the Entry of such Conviction; and such Clerk shall enter in such Book the Judgment of said Court of Quarter Sessions in reference to such Appeal, and thereupon such Judgment shall be held to be final and conclusive between the Parties to such Appeal.

LXXII. Upon

Court of Quarter Sessions, on Appeal, to examine only the Evidence before given, &c.

LXXII. Upon every such Appeal as aforesaid it shall be lawful for the Court of General or Quarter Sessions to re-hear upon Oath the Merits of the Case whereon the original Judgment appealed against shall have been given, and to reverse or confirm in the whole or in part the Judgment appealed against, or to give such new or different Judgment as they in their Discretion shall in that Behalf think fit; and such Court shall in such new or different Judgment have the same Power of mitigating as is herein-before by this Act given to Justices in Judgments given by them: Provided always, that it shall be lawful for such Court as aforesaid, at its Discretion, to state specially the Facts of any Case on which such Appeal shall be made, for the Opinion of Her Majesty's Court of Queen's Bench in *Ireland*.

Court to adjudge Costs in case of Dismissal or Abandonment of Appeal.

LXXIII. When any Appeal under this Act shall be dismissed, or the Adjudication appealed against shall be affirmed, or such Appeal shall be abandoned, it shall be lawful for the Court to which such Appeal shall have been made or intended to be made to adjudge and order that the Party appealing shall pay such reasonable Costs as shall in the Opinion of such Court be meet, to be recovered in like Manner as the Penalties given by this Act are recoverable.

In what Manner Goods distrained shall be sold.

LXXIV. In all Cases where any Goods or Chattels distrained or otherwise seized or taken under any of the Provisions of this Act shall be sold for the Purposes thereof, the same shall be sold by public Auction, and Notice of the Time and Place of such Sale be given to the Owner of such Goods or Chattels, or left at his last known Place of Abode or of Business, Five Days at the least prior to such Sale: Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at any earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods and Chattels according to such Consent; provided also, that if the Owner of such Goods or Chattels shall at any Time before Sale thereof pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which shall by such Warrant or Process be required to be levied or raised by the Sale of such Goods or Chattels, together with all reasonable Costs and Expenses incurred, no Sale of such Goods or Chattels shall be made.

Justices may issue Warrants to apprehend in certain Cases.

LXXV. It shall be lawful for any Justice, upon any Complaint being lodged before him under the Provisions of this Act against the Proprietor or Driver of any Hackney Carriage, Job Carriage, Stage Carriage, Job Horse, or Cart, to issue a Warrant for the Apprehension of such Proprietor or Driver, or a Summons for his Appearance to be examined touching the said Complaint, or to answer the same, as to such Justice shall seem fit.

Persons obstructing the Execution of this Act to be committed until duly discharged.

LXXVI. If any Person or Persons whatsoever shall assault, molest, resist, or obstruct the said Commissioners, Divisional Justices, or any of them, or any Person acting under the Authority of them or any of them, in the Execution of his or their Duty under this Act, it shall and may be lawful for such Commissioners, Divisional Justice or Justices, or Persons so acting under his or their Authority, and for all and every Person or Persons acting in his or their Aid and Assistance, to arrest all and every Person or Persons so offending, and him, her, or them to convey before any One of the said Divisional Justices, or, if apprehended in the Night-time, to lodge him, her, or them in the Station House or other Place for safe Custody until the Morning, and then to carry and convey such Person or Persons before any One or more of the said Divisional Justices; and such Justice or Justices shall and may, if upon due Examination he or they shall find Cause, commit every such Person to Gaol, there to remain until he, she, or they shall be delivered by due Course of Law.

Distribution of Penalties.

LXXVII. All pecuniary Penalties which shall be recovered before any Justice under the Provisions of this Act shall respectively be divided and distributed in manner following; (that is to say), One Moiety thereof to the said Receiver of the said Police District of *Dublin* Metropolis, to be placed by him to the Account of the Public Monies of the Revenue of the Metropolitan Police District, and to be applied accordingly, and the other Moiety thereof to the Person who shall give Information of the Offence and prosecute the Offender: Provided nevertheless, that in case the Person who shall so give Information and prosecute shall be at the Time of the Commission of the Offence, or of the hearing of the Complaint, employed in the *Dublin* Metropolitan Police Service, the whole Penalty so forfeited shall be paid to the said Receiver for the Purposes aforesaid.

Limitation of Actions.

LXXVIII. Any Action or Prosecution which shall be brought or commenced against any Person for anything done in pursuance or under the Authority of this Act shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the District, County, or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action, and the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and the Defendant in such Action may plead the General Issue, and give this Act and any other Matter or Thing in Evidence at any Trial to be had thereupon; and if the Cause of Action shall appear to arise from any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amends shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; or if a Verdict shall pass for the Defendant, or if the Plaintiff shall become nonsuited, or shall discontinue any such Action, or if, on Demurrer or otherwise, Judgment shall be given

given against the Plaintiff, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suits in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall signify his Approbation of the Action, and of the Verdict obtained thereupon.

Security to be given by Officers, &c. employed under this Act.

LXXIX. Every Officer employed under the said Commissioners who in the Execution of his Duty shall be engaged in the Receipt of Money payable in pursuance of this Act shall, in respect of any Money to be received by him under this Act, and any other Act in the Execution of which he shall be employed, give Security in such Amount as the said Commissioners, with the Approval of the said Chief or Under Secretary, shall direct, in like Manner and Form as is required to be given by each Clerk of Petty Sessions under the Provisions of "The Petty Sessions (*Ireland*) Act, 1851."

Interpretation of certain Words in this Act.

LXXX. And be it enacted, That the Words and Expressions herein-after mentioned shall in this Act and the Schedules thereto annexed (except where the Nature of the Provisions or the Context of the Act shall exclude such Construction) be interpreted as follows; that is to say, the Words "Commissioners of Police" shall be understood to mean the Justices of the Police District of *Dublin* Metropolis for the Time being, appointed by virtue of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis;* the Word "Justice" shall be understood to mean any of the Divisional Justices duly appointed for the Police District of *Dublin* Metropolis; the Word "Gaol" shall include any House of Correction or Bridewell, or other legal Place of Imprisonment within the Police District of *Dublin* Metropolis; the Word "Oath" shall include Affirmation or solemn Declaration, as the Case may be; the Words "Hackney Carriage" shall include every Carriage for Passengers (except a Stage Carriage, or a Carriage drawn or impelled by the Power of Steam or otherwise than by Animal Power,) which shall be used for the Purpose of standing or plying for Hire in any Street or Road or any Place within the Limits of this Act; the Words "Job Carriage" shall include every Hearse and Mourning Coach, and also every Carriage which shall not ply publicly for Hire, or stand for the soliciting of Passengers, but shall be let out to Hire for the Purpose of conveying from or to any Place within the Limits of this Act to or from any Place within or beyond the said Limits any Person or Persons engaging the same by the Hour, Day, or otherwise by way of Job; the Words "Stage Carriage" shall include every Stage Carriage, Car, Omnibus, or other Carriage conveying Passengers at separate and distinct Fares between Places within the Limits of this Act, and also such as shall ply in like Manner between any of the said Places and any Place Ten Miles beyond the said Limits, except Carriages drawn or impelled by the Power of Steam or otherwise than by Animal Power, and shall also include every Carriage or other Vehicle, whether plying for Hire or not, which shall be used for public Accommodation, in conveying any Person from or to the Terminus of any Railway within the Limits of this Act to or from any Hotel, Coach Office, Caravan Office, Steam Packet, Steam Packet Office, or Railway Terminus, or other Place or Places whatsoever within or beyond the said Limits; and the Words "Limits of this Act" shall include every Place within the Police District of *Dublin* Metropolis as the same now is or shall hereafter be by Law defined; the Words "Job Horse" shall include every Horse let out for Hire, singly or otherwise, in the way of Job to draw any Carriage for the carrying of Persons from or to any Place within the Limits of this Act to or from any Place within or beyond the said Limits, such Carriage not being a Hackney, Job, Post, or Stage Carriage; the Word "Cart" shall include every Car, Cart, Dray, Caravan, or other Vehicle drawn by any Horse or other Beast of Burden, and not exclusively employed on the Line of any Railway or Tramroad, or intended for the carrying of any Person except the Driver, which shall be used or let out for Hire by any Body Corporate, Company, or Person whatsoever within the Limits of this Act, for the Land Carriage, Delivery, or Sale of any Goods, Wares, Produce, Manufacture, Utensils, Machinery, Matter, Commodity, or Thing, save and except Carts employed in bringing Hay, Corn, Straw, Vegetables, or Potatoes to Market, or Manure from Town; the Word "Proprietor" shall include every Person who shall either solely, or in Partnership with any other Person, be Owner of or concerned in using or letting to Hire any Hackney, Job, or Stage Carriage or Cart, or Job Horse; "Driver" shall include Proprietor or any Person engaged at the Time in driving a Hackney, Job, Stage Carriage, Cart, or Job Horse; the Word "Horse" shall include every Mare or Gelding, Mule, Ass, or other Beast of Burden or Draught; and every Word importing the Singular Number or the Masculine Gender only shall extend and be applied to several Persons and Things as well as to One Person or Thing, and *vice versâ*, and to Males as well as Females, and to Bodies Corporate as well as Individuals: Provided always, that nothing in this Act shall extend or be construed to extend to the imposing of any Duty in respect of any Mail Carriage or Cart employed exclusively in the Service of the General Post Office, and solely for the Purpose of conveying Mails or Letter Carriers actually on Duty, or of any Cart which shall be the Property of and be employed exclusively in the immediate Service of any Committee duly appointed by the Corporation of the Borough of *Dublin* for the Management of the paving, cleaning, watering, and lighting of the Streets, Lanes, and Avenues of *Dublin*, or of any Commissioners or public Bodies which now are or hereafter may be by Law duly authorized for the Management of the paving, cleaning, watering, and lighting the Streets, Lanes, Roads, and Avenues of any Town, District, or Place within the Limits of this Act, or of any Cart or other Carriage belonging to or for the exclusive public Use of any Department of Her Majesty's Service.

6 & 7 W. 4. c. 29.

LXXXI. In

Short Title.

LXXXI. In citing this Act in other Acts of Parliament, or in legal Instruments or any Proceedings, it shall be sufficient to use the Expression "The *Dublin* Carriage Act, 1853."

Forms to be prepared by Commissioners.

LXXXII. The said Commissioners of the Metropolitan Police shall prepare and adopt Forms of Summonses, Warrants, Convictions, and other Proceedings, which, when so prepared and adopted, shall be as valid in Law as if specially set forth in this Act.

Misnomers not to affect the Execution of the Act.

LXXXIII. No Misnomer or inaccurate Description in the Schedules to this Act annexed, any Byelaw, Rule, or Order, shall prevent or in anywise affect the Operation thereof; but this Act, and every such Byelaw, Rule, and Order, shall apply and be enforced as fully and effectually to all Intents and Purposes as if the Subject of such Misnomer or Misdescription had been correctly named and described in such Schedule, Byelaw, Rule, or Order, provided the same be designated to common Intent and Understanding.

Commencement of Act.

LXXXIV. This Act shall commence and take effect from and after the First Day of *January* One thousand eight undred and fifty-four.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

ACTS AND PARTS OF ACTS REPEALED.

Date of Act.	Title.	Extent of Repeal.
37 Geo. III. c. 58. -	An Act for amending and reducing into One Act of Parliament the Laws relating to Hackney and other Carriages plying in the City of Dublin, its Suburbs and Liberties, and within Seven Miles thereof.	The whole.
39 Geo. III. c. 56. -	An Act to amend an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intituled "An Act for the more effectually preserving the Peace within the City of Dublin and the District of the Metropolis, and establishing a Parochial Watch in the said City;" and also to amend One other Act passed in the Thirty-sixth Year of the Reign of His late Majesty King George the Third, intituled "An Act to explain and amend an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intituled 'An Act for the more effectually preserving the Peace within the City of Dublin and the District of the Metropolis, and establishing a Parochial Watch in the said City,' and for remedying the Abuses committed by Pawnbrokers within the District of the Metropolis or Three Miles thereof."	Sections 24 and 25, which amend and explain the said Act of the Thirty-seventh Year of the Reign of King George III.
40 Geo. III. c. 62. -	An Act for amending and making perpetual the several Laws for regulating the Watch in the District of the Metropolis, and for granting a further Duty upon Pawnbrokers.	Section 4, which enables Informers under the said Act of the Thirty-seventh Year of the Reign of King George III. to be competent Witnesses.

Date of Act.	Title.	Extent of Repeal.
44 Geo. III. c. 22. - Local. Declared to be a Public Act.	An Act for the better defraying the Charges for preserving the Peace within the City of Dublin, and establishing a Parochial Watch therein.	Sections 4, 5, and 6, whereby Power is given to the Superintendent Magistrate for the said District to license Persons who shall own, keep, or drive any Cart or other Vehicle used in the Business of Persons keeping Dairies, and to make Regulations for the Observance of all Persons leading or driving Carts or other Vehicles within the said District, and impose, inflict, and levy Fines for Breaches of the Regulations so established.
48 Geo. III. c. 140. -	An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	Sections 60, 61, 62, and 63, whereby Power is given, amongst other things, to the Divisional Justices of the Castle Division of said District to issue and sign Licences theretofore exercised by the Superintendent Magistrate under the said Act passed in the Thirty-seventh Year of the Reign of King George III., so far as relates to any Vehicle described in or coming within the Provisions of this Act.
5 Geo. IV. c. 102. -	An Act to amend an Act of the Forty-eighth Year of the Reign of His late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	Section 21, whereby Power is given to the Divisional Justices of the said Castle Division of said District, or any of them, to make Rules and Regulations for the Stands of Hackney Carriages and the Conduct of Drivers of any Carriages and Horses within said District.
4 & 5 Wm. IV. c. 90. Local. Declared to be a Public Act.	An Act for paving, watching, lighting, regulating, and otherwise improving the Town of Kingstown in the County of Dublin.	Section 129, enabling the Commissioners in said Act mentioned, from Time to Time, to appoint proper Places in the Town of Kingstown and the Limits thereof, as defined by said Act, where Hackney Carriages may stand and ply for Hire, and to make such Orders regulating the Number of such Hackney Carriages to stand in such Places respectively, and the Distances at which they shall stand from each other, and the Times at and during which they may stand and ply for Hire, and such other Orders and Regulations for the better ordering and regulating the said Hackney Carriages, and the Drivers or other the Person or Persons having the Management thereof respectively, as to such Commissioners shall seem proper, and from Time to Time to alter, amend, or repeal such Rules, Orders, and Regulations, and to make others in the Room thereof.

Date of Act.	Title.	Extent of Repeal.
6 & 7 Wm. IV. c. 117. Local. Declared to be a Public Act.	An Act to amend several Acts relating to the Harbour of Kingstown.	Section 37.—That Portion thereof which empowers the Commissioners of Kingstown Harbour to regulate, amongst other Matters and Things, all public Vehicles and Conveyances frequenting the Piers, Wharfs, and Quays of said Harbour, and the Drivers of same.
Ibid.	Ibid.	Section 43.—That Portion thereof whereby the said Commissioners are invested with all the Powers and Authorities whatsoever for the managing and punishing of Persons having Charge of Coaches, Cars, Carriages, Carts, Drays, or any other Vehicle whatsoever licensed by the Superintendent Magistrate for the Preservation of the Peace within the District of the City of Dublin, or other Person or Persons qualified for that Purpose in the City of Dublin, which are contained in the said Act passed in the Thirty-seventh Year of the Reign of King George III., or which are contained in any other Act or Acts of Parliament in force in Ireland relative to Coaches, Cars, Carriages, Carts, Drays, or any other Vehicles plying in the City of Dublin, its Suburbs, Liberties, and Environs.
Ibid.	Ibid.	Section 47.—That Portion thereof which empowers the said Commissioners to make Byelaws, Rules, Orders, and Regulations for regulating the Conduct and Direction of all Persons who shall frequent the Piers, Wharfs, and Quays of the said Harbour, with Coaches, Cars, Carriages, Carts, Drays, or other Vehicles, and ply the same for Hire.
1 Vict. c. 25. -	An Act to make more effectual Provisions relating to the Police in the District of Dublin Metropolis.	Section 23.—To prevent negligent or wilful Misbehaviour of Drivers of Carriages in the Streets or Highways.
1 & 2 Vict. c. 36. - Local. Declared to be a Public Act.	An Act to make further Provisions, and to amend the Acts relating to the Harbour of Kingstown and the Port and Harbour of Dublin.	Section 11.—That Portion thereof which enables the said Commissioners of Kingstown Harbour from Time to Time to make, alter, or vary Rules, Byelaws, and Regulations as to them may seem fit and expedient, for regulating the Conduct and Direction of all Persons who shall frequent the Piers, Wharfs, and Quays of the said Harbour, with Coaches, Cars, Carriages, Carts, Drays, or other Vehicles, and ply the same for Hire.

Date of Act.	Title.	Extent of Repeal.
2 & 3 Vict. c.78. -	An Act to make further Provisions relating to the Police in the District of Dublin Metropolis.	Section 12, whereby the Divisional Justices of the Police District of Dublin Metropolis are empowered to exercise all such Rights, Powers, Privileges, Jurisdictions, and Authorities as might theretofore be exercised by the Divisional Justices of the Castle Division in relation to Hackney and other Carriages, or the Owners and Drivers thereof, with respect to Offences by them committed.
5 Vict. s. 2. c. 24.	An Act for improving the Dublin Police.	Sections 11, 12, and 13.
11 & 12 Vict. c. 113.	An Act for the further Amendment of the Acts relating to the Dublin Police.	The whole, with the Exception of Sections 1, 2, and 3.

SCHEDULE (B.)

CONTAINING THE DUTIES IMPOSED BY THIS ACT.

For and in respect of every Licence for a Hackney Carriage used or let to Hire within the Limits of this Act, for every such Licence - - -	£1 4s.
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of this Act, and to be drawn by Two or more Horses, for every such Licence - - - - - - - - - -	£8
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of this Act, and to be drawn by One Horse only, for every such Licence - - - - - - - - - -	£5
For and in respect of every Licence for a Stage Carriage used or which shall ply within the Limits of this Act, for every such Licence - - -	£8
For and in respect of every Licence for a Job Horse used or let to Hire within the Limits of this Act, without a Carriage, whether such Horse shall be used or let otherwise or not, for every such Licence - - - -	£2
For and in respect of every Licence for a Cart or Dray used or let to Hire within the Limits of this Act, for every such Licence - - - -	12s.
For and in respect of every Licence to authorize any Person to act as Driver of any Hackney Carriage, or of any Job Carriage or Horse, or as Driver or Conductor of any Stage Carriage within the Limits of this Act, for every such Licence in the First Year thereof - - - - - -	s. d. 2 6
And in every succeeding Year, For and upon every Renewal of such Licence - - - -	1 0

SCHEDULE (C.)

Containing FORMS of LICENCES under this ACT.

No. 1.

By the Commissioners of Police of the Police District of Dublin Metropolis.

Licence for a

No.

IN pursuance of the Powers vested in the Commissioners of Police of the Police District of Dublin Metropolis by an Act of Parliament passed in the Session of Parliament holden in the Years of the Reign of Her present Majesty, intituled [*here insert the Short Title of the Act*], I, the undersigned, being One of the said Commissioners, do hereby grant this Licence, together with a Plate as a Mark of Distinction corresponding in Number therewith, to of in the of Dublin, the said Licence to remain in force (unless revoked or otherwise determined under the Provi-

sions of the said Act) for such Period as the said shall continue to pay the yearly Sum of being the annual Duty to be paid in respect thereof, the said Sum to be paid in [*here insert the Number of Payments*], that is to say [*here insert Periods for Payment of Duty*], in every successive Year, or in default of such Payment this Licence to be null and void and of no Effect; and this Licence shall be produced to the said Commissioners, or One of them, at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners, or any One of them, to be produced, and shall be subject to such Laws as are now or hereafter shall be in force for the better Regulation of and the Drivers thereof, and also all such other Rules, Orders, and Byelaws as are now in force or hereafter may be made by the Commissioners of Police for the Time being.

Given under my Hand, this Day of One thousand eight hundred and fifty .

SCHEDULE (C.)

Containing Forms of Licences under this Act.

No. 2.

☞ This Licence, together with the Badge relating thereto, must be delivered up, if not renewed between the Day of and the Day of

Driver *or* Conductor of [*as the Case may be*].

No.

and Victoria, Cap.

Description.			Licence
Age		Years.	to of to act as Driver of licensed Carriages [*or* Conductor of Stage Carriages, *as the Case may be*,] within the Limits of the Dublin Police Metropolitan District, wearing the Badge No. [*here insert the Manner of wearing Badge.*]
Height	Feet	Inches.	
Eyes			
Hair			
Complexion			

Dated Day of 185 .

Metropolitan Police Office, Dublin.

Commissioner.

Form of Endorsement of Change of Abode.

Date.	Memorandum of Change of Abode:		Entered at the Office.
	From	To	

SCHEDULE (E.)

Table of Fees receivable under this Act.

	s.	d.
For every Summons	1	0
For every Warrant against the Person	1	0
For every Warrant of Distress	2	0
For every Recognizance to prosecute Appeal	2	6
For every Affidavit or Declaration if prepared by Declarant	0	6
For every Affidavit or Declaration if prepared in Office	1	0

CAP. CXIII.

An Act to amend the Procedure in the Superior Courts of Common Law in *Ireland*.

[20th *August* 1853.]

'WHEREAS it is expedient to simplify and amend the Course of Procedure as to the Process, Practice, Pleadings, and Evidence in the Superior Courts of Common Law in *Ireland*, so as to 'make the same less dilatory and expensive, and to prevent substantial Justice from being defeated by 'reason of the Variety of Forms of Action, and the Technicalities and Prolixity of Pleadings, and the 'unnecessary Length of Records, and to consolidate the Provisions of several Statutes and Rules of 'Court relating to such Proceedings:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

I. The Provisions of this Act shall come into operation on the First Day of *January* One thousand eight hundred and fifty-four.

Short Title of Act.

II. In citing this Act in any Instrument, Document, Pleading, Proceeding, or Act of Parliament, it shall be sufficient Designation to use the Expression "The Common Law Procedure Amendment Act (*Ireland*), 1853."

Repeal of former Acts.

III. From and after the Commencement of this Act, the several Acts and Parts of Acts set forth in the Schedule A. to this Act annexed, so far as the said Acts or Parts of any Act relate to Personal Actions or Actions of Ejectment in the Superior Courts of Law in *Ireland*, and no further or otherwise, and to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, are hereby repealed, except as to anything done before the Commencement of this Act, and except so far as may be necessary for the Purpose of supporting and continuing any Proceeding heretofore taken upon any Action brought before the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed before the Commencement of this Act.

With respect to the Interpretation of Words in this Act:

Interpretation of Terms.

IV. In the Construction of this Act the Word "Court" shall be understood to mean any One of the Superior Courts of Common Law at *Dublin* in which any Action is brought; and the Word "Judge" shall be understood to mean a Judge or Baron of any of the said Courts; and the Word "Master" shall be understood to mean a Master of any of the said Courts; and the Word "Action" shall be understood to mean any Personal Action brought in any of the said Courts; and no Part of the United Kingdom of *Great Britain* and *Ireland*, nor the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, or *Sark*, nor any Islands adjacent to any of them, being Part of the Dominions of Her Majesty, shall be deemed to be "beyond the Seas" within the Meaning of this Act; and the Word "County" shall be taken to extend to and include, where necessary and consistent, any City, County of a City, or County of a Town or City, and County of any Place, as the Case may be; and the Word "Party" or "Person" shall extend to and include any Corporation or other public Body; and the Word "Affidavit" shall include an Affirmation or Declaration made by any Person who is empowered to give Evidence by Affirmation or Declaration in lieu of Oath; and no Provision requiring the Affidavit of or any Act to be done by the Attorney, or the Signature of Attorney or Counsel, or Service on the Attorney, shall apply to Cases where the Plaintiff or Defendant shall sue or defend in Person, but all such Acts shall be done by and Notices given to the Party so suing or defending in Person; and wherever in this Act, in describing or referring to any Person or Party, Matter or Thing, any Word importing the Singular Number or Masculine Gender is used, the same shall be understood to include and shall be applicable to several Persons and Parties as well as One Person or Party, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Matters and Things as well as One Matter or Thing, unless it otherwise be provided, or there be something in the Subject or Context repugnant to such Construction.

Form of Action and Commencement.

With respect to the Forms of Action, and the Manner of commencing them:

Special Forms of Personal Actions abolished.

V. The special Forms of Personal Actions heretofore used shall not be necessary, and it shall be sufficient in the Summons and Plaint hereinafter mentioned to state a Cause or Ground of Action good in Substance, according to the Provisions of this Act, without framing the Statement in any particular Form, as formerly used or known, such as of Assumpsit, Account, Debt, Covenant, Detinue, Trespass, Trespass on the Case, Trover, or Replevin.

One Form of Personal Action and Action of Ejectment.

VI. The Right to recover any Debt or Damages or Personal Chattel, in respect of any Matter of Contract or of Tort, or Taking or Detention, which might have been heretofore the Subject of any Action of Debt, Covenant, Assumpsit, Account, Trespass, Trespass on the Case, Trover, Replevin, or Detinue, shall and may be enforced in an Action to be called a "Personal Action;" and all Actions of "Ejectment" shall henceforth be commenced and prosecuted in the Manner herein-after provided.

Court to have like Jurisdiction as heretofore.

VII. The Court, or any Judge thereof, shall have and exercise, in and about any Matter brought before such Court or Judge, in any such Personal Action or Action of Ejectment, under the Provisions of this Act, the same Jurisdiction, Power, Authority, and Discretion, to all Intents and Purposes, as such Court or Judge could have exercised in an Action for the same Purpose instituted in the Manner heretofore used; and all Orders and Judgments of the said Court or Judge may be enforced by the same Process, and shall be subject to Review by a Court of Error, in the same Manner in all respects, except as herein provided, as if the same had been made in an Action instituted as heretofore used.

Actions to be commenced by Writ of Summons and Plaint.

VIII. All such Personal Actions, whether brought by or against any Person entitled to the Privilege of Peerage or of Parliament, or of the Court in which the Action shall be brought, or of any other Court, or to any other Privilege, or by or against any Corporation or incorporated Body or Company, or by or against any other Persons, shall be commenced by a Writ of Summons and Plaint, according to the Form marked No. 1. in the Schedule B. to this Act annexed, and which shall be called a "Writ of Summons and Plaint," and shall be authenticated by the Common Seal of the said Superior Courts, to be thereunto set by the Clerk of the Writs, who shall not be required to sign such Writ, but shall enter the Particulars thereof in the Book to be kept for that Purpose, at the Time of sealing thereof, and such Writ shall bear Date of the Day on which it shall be sealed, and may be sued out at any Time, notwithstanding any Privilege.

Residence and Description of Parties to be mentioned in Writ.

IX. In every such Writ of Summons and Plaint, and Copy thereof, the Names of the Plaintiff and Defendant, the Place of Residence of the Plaintiff, and the Place of Residence or supposed Residence or last known Residence of the Defendant, and such Designation or Description of the Parties respectively as the Plaintiff or his Attorney may be able to give, shall be mentioned, and such Writ shall contain the Names of all the Defendants, and shall not contain the Name or Names of any Defendant or Defendants in more Actions than One.

Form of Plaint.

X. Such Summons and Plaint shall contain a true and succinct Statement of the Plaintiff's Cause or Causes of Action, and if the Plaintiff shall sue, or the Defendant be sued, otherwise than in his own Right, shall also state the Character in which and the Title by which he sues, or in respect of which the Defendant is sued, and shall also state the Relief which the Plaintiff requires, and the Venue or County in which he proposes to have any Issues in Fact tried.

Particulars of Demand and Credits to be endorsed.

XI. The Particulars of the Plaintiff's Demand, where the same shall be a liquidated or Money Demand, and of all Credits to which the Defendant may be entitled, and of the Balance, if any, claimed by the Plaintiff, shall be endorsed on the Summons and Plaint, and on the Copies thereof for Service, unless a detailed Statement of the said Particulars shall have been furnished to the Defendant previously, in which Case it shall be sufficient to make reference to the Statement so furnished, and to mention the Balance claimed to be due on Foot thereof, or unless the said Demand shall consist of so many Items or Particulars that they cannot be conveniently endorsed thereon, in which Case the Plaintiff shall cause Particulars engrossed on Parchment to be annexed to said Summons and Plaint, and Copies thereof, on Parchment or Paper, to be annexed to the Copies of such Summons and Plaint intended for Service, to be incorporated therewith by proper Reference, and shall cause the same to be served on the Defendant, together with the Summons and Plaint, and such Endorsement or Paper annexed shall be considered as Particulars of Demand, and no further or other Particulars need be delivered, unless ordered by the Court or a Judge.

Writ to be endorsed with Name and Abode of Attorney, or of Plaintiff in Person.

XII. Every Writ of Summons and Plaint shall contain or be endorsed with the Name and Place of Abode of the Attorney actually suing out the same, and in case no Attorney shall be employed to issue the Writ, then it shall contain or be endorsed with a Memorandum expressing that the same has been sued out by the Plaintiff in Person, mentioning the City, Town, or Parish, and also the Name of the Street and Number (if any) of the House of such Plaintiff's Residence, and also, in case the said Plaintiff shall not reside in the City of *Dublin*, mentioning some Place in the said City at which the Debt may be paid, and all Notices and other Proceedings in the Cause may be served.

Attorney, on Demand, to declare whether Writ issued by his Authority, and to declare Name and Abode of Plaintiff.

XIII. Every Attorney whose Name shall be mentioned in or endorsed on any Writ of Summons and Plaint issued by Authority of this Act shall, on Demand in Writing made by or on behalf of any Defendant, declare forthwith whether such Writ has been issued by him or with his Authority or Privity, and if he shall answer in the Affirmative, then he shall also, in case the Court or a Judge shall so order, declare in Writing, within a Time to be allowed by such Court or Judge, the Profession, Occupation, or Quality, and Place of Abode of the Plaintiff, on pain of being guilty of a Contempt of the Court into which such Writ shall be returnable; and if such Attorney shall declare that the Writ was not issued by him or with his Authority or Privity, all Proceedings upon the same shall be stayed, and all further Proceedings taken thereupon, without Leave of the Court or a Judge, shall be deemed irregular, and may be set aside accordingly.

Duplicates of Plaint.

XIV. One Duplicate or more of such Summons and Plaint shall be sealed with the Seal of the said Superior Courts, by the said Clerk of the Writs, on Application of the Plaintiff or his Attorney.

Writs for Commencement of Actions to be issued in rotation for the several Courts.

XV. All Writs of Summons and Plaint for the Commencement of Actions in the said Courts shall, by the Clerk of the Writs, be entered and appropriated to the several Superior Courts of Law in rotation by Twenty-fives, that is to say, the First Twenty-five for the Queen's Bench, the Second Twenty-five for the Common Pleas, and the Third Twenty-five for the Exchequer, and so on in continuous Rotation of Twenty-fives for the several Courts, so as to produce and keep up an equal Distribution of such Writs; and all subsequent Proceedings in any Action so commenced shall be had and taken in the Court to which the said Writ shall be in the Course of Rotation appropriated, and shall be the Business of the said Court and the Offices thereof: Provided always, that no Objection on the Ground of any Privilege possessed or claimed by any Defendant to be sued in any particular Court shall be valid in any such Action.

No Objection on ground of Privilege to be valid.

No Writ of Summons to be invalid on account of verbal

XVI. No Writ of Summons and Plaint issued under the Authority of this Act, or Copy thereof, shall be treated or considered as invalid on account of any verbal or technical Error or Omission in the same, or in any Endorsement on the same; and it shall be lawful for the said Superior Courts of Law respectively, or any Judge thereof, to decide and determine, on any Application respecting such Error

or

or Omission, what is a verbal or technical Error or Omission in any such Writ or Copy, and to amend or authorize the Amendment thereof, or to set aside the same as irregular; but all Errors or Omissions which have not a manifest Tendency to mislead the opposite Party shall in all Cases be deemed merely verbal or technical. or technical Error or Omission.

'And whereas the Disuse of the technical Forms of Action heretofore used may give rise to Doubts 'respecting the Validity of Warrants of Attorney and other Writings wherein Reference is made to such 'Forms of Action, and also as to the Operation of Statutes of Limitation and other Statutes wherein 'Actions are described or referred to by the like technical Forms; and it is expedient that such Doubts 'should be precluded by express Enactment:' Be it therefore enacted as follows: *To prevent Doubts from Abolition of Forms of Action.*

XVII. Nothing in this Act contained shall interfere with or affect the Provisions of any Act relating to the Arrest of any Defendant on Mesne Process or before Judgment. Arrest on Mesne Process.

XVIII. Warrants of Attorney and other legal Documents of every kind, wherein Reference is made to any particular Form of Action, may be acted upon and enforced by signing Judgment or otherwise, in the Form or Manner authorized by this Act, instead of the Form and Manner agreed upon between the Parties thereto. Warrants of Attorney and other Writings to remain in force.

XIX. All Statutes relating to Actions, or the Pleadings or other Proceedings therein, or preliminary to the bringing of the same, not hereby repealed, or inconsistent with the Provisions of this Act, shall apply and be in force with reference to Actions brought after the Commencement of this Act, notwithstanding that such Actions or the Causes thereof may be described or expressed therein by reference to any particular Form of Action hereby abolished, or that some particular Form or Cause of Action be required to be specified or contained in the said Pleading or Proceeding. Statutes relating to Actions to remain in force.

With respect to the Period of Limitation within which Personal Actions shall be brought: *Limitation of Action.*

XX. All Actions for Rent upon an Indenture of Demise, all Actions upon any Bond or other Specialty, or upon any Judgment, Statute Staple, Statute Merchant, or Recognizance, shall be commenced and sued within Twenty Years after the Cause of such Actions or Suits, or the Recovery of such Judgment, but not after; all Actions grounded upon any Lending or Contract, expressed or implied, without Specialty, or upon any Award, where the Submission is not by Specialty, or for any Money levied on Fieri facias; all Actions of Account or for not accounting, other than for such Accounts as concern the Trade of Merchandise between Merchant and Merchant, their Factors or Servants; all Actions for direct Injuries to Real or Personal Property; Actions for the taking away, Detention, or Conversion of Property, Goods, and Chattels; Actions for Libel, malicious Prosecution and Arrest, Seduction, Criminal Conversation; and Actions for all other Causes which would heretofore have been brought in the Form of Action called Trespass on the Case, except as herein-after excepted, shall be commenced and sued within Six Years after the Cause of such Actions, but not after; and all Actions for Assault, Menace, Battery, Wounding, and Imprisonment shall be commenced and sued within Four Years after the Cause of such Actions, but not after; and all Actions for Words, and for Penalties, Damages, or Sums of Money given to the Party grieved, by any Statute now or hereafter to be in force, shall be commenced and sued within Two Years after the Words spoken or the Cause of such Action or Suit, but not after; and with respect to every Cause of Action not herein specifically provided for, being the Subject Matter of a Personal Action, such Actions in respect thereof shall be brought within the same Period of Limitation now applicable thereto, notwithstanding that such Cause of Action may be described or expressed in such Statutes by reference to any particular Form of Action: Provided that nothing in this Act contained shall alter the Period of Limitation of any Action given by any Statute where the Time for bringing such Action is or shall be by any Statute specially limited. Limitation of certain Actions.

XXI. If in any of the said Actions Judgment be given for the Plaintiff, and the same be reversed by Error, or a Verdict pass, or upon Judgment by Default, Damages be assessed for the Plaintiff, and upon Matter alleged in Arrest of Judgment the Judgment be given against the Plaintiff that he take nothing by his Plaint, in all such Cases the Party Plaintiff, his Heirs, Executors, or Administrators, as the Case shall require, may commence a new Action or Suit from Time to Time within the Period of Limitation herein-before provided for in such Action, or within a Year after such Judgment reversed or Judgment given against the Plaintiff, and not after. Limitation after Judgment arrested or reversed.

XXII. If any Person that is or shall be entitled to any such Action is or shall be at the Time of any such Cause of Action accrued within the Age of Twenty-one Years, a Married Woman, of unsound Mind, or beyond the Seas, then such Person shall be at liberty to bring the same Action, so as he commence the same within such Time after the Cessation of such Disability or his Return from beyond the Seas, as other Persons having no such Impediment should, according to the Provisions of this Act, have done; and if any Person or Persons against whom there shall be any such Cause of Action is or shall be at the Time such Cause of Action accrued beyond the Seas, then the Person entitled to any such Cause of Action shall be at liberty to bring the same against such Person, within such Time as is before limited, after the Return of such Person from beyond the Seas. Remedy for Disabilities.

XXIII. If any Acknowledgment shall have been or shall be made, either by Writing signed by the Party liable by virtue of any Indenture, Specialty, Judgment, Statute Staple, or Statute Merchant, or Recognizance, or his Agent, or by part Payment or part Satisfaction on account of any Principal or Interest being then due thereon, it shall be lawful for the Person entitled to bring his Action for the Money remaining unpaid, and so acknowledged to be due, within Twenty Years after such Acknowledgment by Writing, or part Payment or part Satisfaction as aforesaid, or in case the Person entitled shall at the Time After Acknowledgment or part Payment on account of Specialty, Judgment, Recognizance, &c.

Time of such Acknowledgment be under such Disability as aforesaid, or the Party making such Acknowledgment be at the Time of making the same beyond the Seas, then within Twenty Years after such Disability shall have ceased as aforesaid, or the Party shall have returned from beyond the Seas, as the Case may be; and the Plaintiff in any such Action on any Indenture, Specialty, Judgment, Statute Staple, or Statute Merchant, or Recognizance, may rely on such Acknowledgment, and that such Action was brought within the Time aforesaid, in answer to a Plea of this Statute.

After Acknowledgment or part Payment in respect of Liabilities on Simple Contract.

XXIV. In Actions grounded upon any Simple Contract no Acknowledgment or Promise shall be deemed sufficient Evidence of a new or continuing Contract, whereby to take any Case out of the Operation of the Provisions of this Act in relation to the Limitation of Actions, or to deprive any Party of the Benefit thereof, unless such Acknowledgment or Promise shall be made or contained by or in some Writing to be signed by the Party chargeable thereby; and where there shall be Two or more Joint Contractors, or Executors or Administrators of any Contractor, no such Joint Contractor, Executor, or Administrator shall lose the Benefit of this Act so as to be chargeable in respect or by reason only of any written Acknowledgment or Promise made and signed by any other or others of them: Provided always, that nothing herein contained shall alter or take away or lessen the Effect of any Payment of any Principal or Interest made by any Person whomsoever.

Indorsement of Payment not to take Case out of Statute.

XXV. No Endorsement or Memorandum of any Payment written or made upon any Promissory Note, Bill of Exchange, or other Writing, by or on behalf of the Party to whom such Payment shall be made, shall be deemed sufficient Proof of such Payment so as to take the Case out of the Operation of the Provisions of this Act in relation to the Limitation of Actions.

As to Debts alleged by way of Set-off.

XXVI. This Act shall be deemed and taken to apply to the Case of any Debt alleged by way of Set-off on the Part of any Defendant.

Memorandums not to require Stamps.

XXVII. No Memorandum or other Writing made necessary by this Act shall be deemed to be an Agreement within the Meaning of any Statute relating to the Duties on Stamps.

Continuance of Writs.

With respect to the Duration and Continuance of Writs to prevent the Operation of any Statute of Limitation:

Renewal of Writs of Summons to save the Statute of Limitation, and for other Purposes.

XXVIII. No Writ of Summons and Plaint shall be in force for the Purpose of Service for more than Six Calendar Months from the Day of the Date thereof, including the Day of such Date; but if any Defendant therein named shall not have been served therewith, the original or duplicate Writ of Summons and Plaint may be renewed at any Time before its Expiration for Six Calendar Months from the Date of such Renewal, and so from Time to Time during the Currency of the renewed Writ, by being marked with the Common Seal of the Superior Courts, with a Memorandum, signed or initialed by the Officer, of the Date of the Day, Month and Year of such Renewal: Provided always, that no Writ of Summons and Plaint so renewed shall be available to prevent the Operation of any Statute whereby the Time for the Commencement of the Action may be limited, unless such Renewal shall be had by Leave of the Court or a Judge on an Affidavit to satisfy the said Court or a Judge that reasonable Diligence was used to effect Service thereof.

Renewal of Writs issued before this Act.

XXIX. Where any Writ of Summons shall have been issued in any Action before and shall be in force at the Commencement of this Act, such Writ may, at any Time before the Expiration thereof, be renewed under the Provisions of and in the Manner directed by this Act; and where any Writ of Summons, or Capias ad respondendum issued in continuation of a preceding Writ, according to the Provisions of an Act passed in a Session of Parliament holden in the Third and Fourth Years of the Reign of Her Majesty the Queen, shall be in force and unexpired, or where One Calendar Month next after the Expiration thereof shall not have elapsed at the Commencement of this Act, such continuing Writ may, without being returned non est inventus, or entered of Record, according to the Provisions of the said Act of Her Majesty the Queen, be filed in the proper Office of the Court within One Calendar Month next after the Expiration of such Writ, or within Twenty Days after the Commencement of this Act; and the original Writ of Summons or Capias in such Action may thereupon, but within the same Period of One Month next after the Expiration of the continuing Writ, or within Twenty Days after the Commencement of this Act, be renewed, under the Provisions of and in the Manner directed by this Act; and every such Writ shall after such Renewal have the same Duration and Effect for all Purposes, and shall, if necessary, be subsequently renewed, in the same Manner as if it had originally issued under the Authority of this Act.

Production of renewed Writ Evidence of Commencement of Action.

XXX. The Production of the Writ of Summons and Plaint, purporting to be marked with the Common Seal of the said Superior Courts, and initialed by the said Officer, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed, and of the Commencement of the Action as of the First Date of such renewed Writ, for all Purposes whatsoever.

Service of Writs.

With respect to the Service of such Writs of Summons and Plaint:

Writ may be served in any County.

XXXI. The Writ of Summons and Plaint may be served in any Place or County in which the Defendant may be found within the Jurisdiction of the Court, and not out of said Jurisdiction, unless by an Order of the Court or Judge; and the Person serving the same is hereby required, on the Day of such Service, or at latest on the Day next after, to endorse on the Writ the Place and Day of the Month and Week of the Service thereof, otherwise the Plaintiff shall not be at liberty, in case of no Appearance and Defence, to proceed under this Act; and every Affidavit of Service of such Writ shall mention the Day on which such Endorsement was made.

Service of Summons in ordinary Cases.

XXXII. Service of any Writ of Summons and Plaint on the Defendant shall be effected either by Delivery of a Copy of such Writ to the Defendant in Person, if it be reasonably practicable, and in other Cases,

Cases, and where it shall appear by the Affidavit of Service herein-after mentioned that such Defendant is personally within the Jurisdiction, and that due and reasonable Diligence has been exercised in endeavouring to effect such Personal Service, and without Effect, in such Case it shall be sufficient to make Service of such Writ by leaving such Copy at the Defendant's House or Place of Residence, or at his Office, Warehouse, Counting-House, Shop, Factory, or Place of Business, with the Wife, Child, Father, Mother, Brother, or Sister of the Defendant, or with any Servant or Clerk of the Defendant, (the Person with whom such Copy shall be left being of the Age of Sixteen Years or upwards,) and showing to such Person the Original or duplicate Original of such Summons and Plaint.

Service on Corporations.

XXXIII. Service of any such Writ of Summons and Plaint issued against a Corporation Aggregate may be effected either by Delivery of a Copy of such Writ to the Mayor or other Head Officer in Person, or to the Town Clerk, Treasurer, or Secretary of such Corporation; and Service of any such Writ issued against the Inhabitants of a Barony, Half Barony, or other like District may be effected by Delivery of such Copy to the Acting High Constable thereof, or any One of the Acting High Constables thereof, in Person; and Service of any such Writ issued against the Inhabitants of any County or any City or Town, or the Inhabitants of any Franchise, Liberty, City, Town, or Place, not being Part of a Barony or other like District, may be effected by Delivery of a Copy thereof to some Peace Officer or other known and responsible Officer thereof, in Person; and if any such Defendants shall not appear and take Defence according to the Exigency of such Writ, in due Time after such Service thereof, upon Affidavit made as herein-after provided of such personal Service of such Writ, and of the Publication of the Notice herein-after provided, it shall be lawful for the Plaintiff to proceed thereon as is herein-after provided: Provided always, that in all such Cases a sufficient Notice of the issuing of the Writ shall be given in the *Dublin Gazette*, and in One of the local Newspapers of the County, City, or District in which the Defendant or Defendants, or the Officer or Agent to be served, shall reside, the Days for filing an Appearance and Defence to run in such Cases from the Day of the Publication of such Notice in the Gazette or Newspaper, whichever shall be the latest.

Courts may direct Substitution of Service.

XXXIV. In case it shall be made to appear by Affidavit, to the Satisfaction of the Court in which the Action is attached, or, in Vacation, of any Judge of any of the said Courts, that any Defendant in any Summons and Plaint, the Cause of Action in respect of which the same shall have issued having arisen within the Jurisdiction of the Court, has not been served with the Writ of Summons and Plaint in the Manner herein-before prescribed, and has not, according to the Exigency thereof, appeared and taken Defence to the Action, and that due and proper Means were used to serve such Writ in the Manner aforesaid, or that such Defendant is out of the Jurisdiction of the Court, and can be properly served through or upon any Agent or Representative, or any Manager of the Real or Personal Estate of such Defendant within such Jurisdiction, or has removed to avoid Service, or on any other good and sufficient Grounds, it shall be lawful, upon an Application made at any Time while the said Writ shall be in force, for such Court or Judge to authorize such Substitution of Service through the Post Office, or in such Manner and with such Extension of Time for Service and Defence as to them or him shall seem fit; and the Taxing Officer shall allow reasonable Costs on such Proceedings for substituting Service or effecting such Service as the Court shall have directed or deemed good; and in default of an Appearance and Defence by such Defendant in due Time it shall be lawful for the Plaintiff to proceed thereon as is herein-after provided.

Affidavit of Service of Process.

XXXV. An Affidavit of the Service of the Writ of Summons and Plaint in the Manner herein-before prescribed, or in the Manner directed by any such Order for Liberty to substitute Service as aforesaid, shall be made and filed in the Office of the Pleadings Assistant of the Court in which the Action shall be depending, in case it shall become necessary to mark Judgment by Default.

Affidavits in certain Cases may be sworn before a Consul.

XXXVI. Any Affidavit to be used in any of the said Courts may be sworn before any Consul General, Consul, Vice-Consul, or Consular Agent for the Time being appointed by Her Majesty at any Foreign Port or Place; and every Affidavit so sworn by virtue of this Act may be used and shall be admitted in Evidence, saving all just Exceptions, provided it purport to be signed by such Consul General, Consul, Vice-Consul, or Consular Agent, upon Proof of the official Character of the Person appearing to have signed the same; provided, that if any Person shall forge the Signature of any such Affidavit, or shall use or tender in Evidence any such Affidavit with a false or counterfeit Signature thereto, knowing the same to be false and counterfeit, he shall be guilty of Felony, and shall, upon Conviction, be liable to Transportation for Seven Years, or to Imprisonment for any Term not exceeding Three Years nor less than One Year, with Hard Labour; and every Person who shall be charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County or Place in which he shall be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County or Place in which the principal Offender may be tried; provided also, that if any Person shall wilfully and corruptly make a false Affidavit before such Consul General, Consul, Vice-Consul, or Consular Agent, every Person so offending shall be deemed and taken to be guilty of Perjury, in like Manner as if such false Affidavit had been made in *Ireland* before competent Authority, and shall and may be dealt with, indicted, tried, and if convicted, sentenced, and his Offence may be laid and charged to have been committed, in any County or Place in which he shall be apprehended or be in Custody, as if his Offence had been actually committed in that County or Place.

With

Filing of Plaint.

With respect to the Filing of the Summons and Plaint:

Filing Plaint.

XXXVII. The original or duplicate Summons and Plaint, or a Copy thereof and of the Endorsements thereon, and of the said Particulars, certified by the Attorney for the Plaintiff to be a correct Copy, shall, in order to enforce a Defence thereto within the Period of Time in such Writ mentioned, Four Days at least before the Time for Pleading thereto has expired, be filed with the Pleadings Assistant of the Court in which the Action shall be depending, and such Document shall be deemed to be a Pleading of the Plaintiff, and in lieu and stead of a Declaration; provided, however, that no Summons and Plaint, or Duplicate or Copy, shall be filed as a Pleading, unless the same shall be on Parchment, and sufficiently legible, and in a fit State and Form to be received as a Pleading of the Court; provided also, that in case such Summons and Plaint shall not be filed within the Time aforesaid, it shall be sufficient, for the Purpose of enforcing a Defence thereto after the Filing of the same, to give Notice of the Filing to the Defendant, and such Defendant shall have Eight Days from the Service of such Notice to file his Defence thereto; but in no Case shall the Plaintiff be at liberty to proceed to enforce a Defence after the Expiration of Six Months from the Service of such Summons and Plaint.

Rule for Costs of not filing Summons and Plaint.

XXXVIII. In case the Plaintiff shall neglect to file the original or duplicate Summons and Plaint, or Copy thereof, within Two Months after the Service thereof on the Defendant, unless the Time for filing such Summons and Plaint shall have been extended, such Defendant may, on an Affidavit of the Service thereof and a Certificate of no Summons and Plaint, or Copy, filed, enter a Rule that the Plaintiff do file his Summons and Plaint within Four Days after the Service thereof, or pay to the Defendant such Sum as shall be fixed by the Taxing Officer, subject to the Approval of the Three Chief Judges of the said Courts, as and for his Costs occasioned by being served with such Summons and Plaint, and such Order shall be in lieu and stead and have the Effect of a Judgment of Non Pros for not declaring; and in case the Plaintiff shall, after the Entry of such Rule, file his Summons and Plaint, or Copy, he shall pay to the Defendant his Costs occasioned thereby, upon Demand, not exceeding the Sum of One Pound, or in default thereof the Defendant may obtain a Rule for the Payment of such Sum and the Costs of such Rule.

Appearance and Defence.

With respect to the Appearance and Defence to the Summons and Plaint:

Appearance and Defence to be filed together.

XXXIX. The Defendant may, within the Time specified in the said Summons and Plaint, or within Eight Days from the Service of the Notice of filing the said Summons and Plaint in manner aforesaid, or at any Time before Judgment, or within such Time as the Court or a Judge may permit, file with the Pleadings Assistant an Appearance and Defence or Demurrer to the said Writ of Summons and Plaint; and such Defence may be according to the Form No. 2. in the Schedule B. to this Act annexed, and shall contain at Foot thereof the Name and registered Residence of the Defendant's Attorney, where the same is pleaded by Attorney, and where it is pleaded in Person the Residence of the Defendant, and in case such Residence shall not be in the City of *Dublin*, shall specify by the Name of the Street and Number of the House some Place within the said City whereat all Notices and Papers relating to the Suit may be served and delivered for the Defendant.

Defence by way of Set-off.

XL. In any Case in which there are mutual Debts between the Plaintiff and Defendant, or if either Party sue or be sued as Executor or Administrator where there are mutual Debts between the Testator or Intestate and either Party, One Debt may be set off against the other, and such Matter may be pleaded in bar of the Action, or of the further Maintenance thereof, or so much of the Debt as it covers, and the Account upon which it became due shall be alleged as in a Summons and Plaint for the same Debt.

Particulars of Set-off to be endorsed.

XLI. In case the Defence shall insist upon any Payment or Set-off, the full Particulars of the same shall be endorsed on the said Defence and on the Copies for Service, unless they are so many that they cannot be conveniently introduced therein, in which Case they shall be annexed thereto and incorporated therewith by a proper Reference.

Rule to plead abolished.

XLII. No Rule to plead shall be necessary, and the Requisition to plead contained in the Summons and Plaint shall be sufficient for that Purpose.

Time for pleading, where Defendant is within Jurisdiction, to be Twelve Days.

XLIII. Where the Defendant is within the Jurisdiction, the Time for Appearance and Defence to the Summons and Plaint shall be Twelve clear Days from the Days of the Service thereof, exclusive of Holidays, or Eight Days from the Service of a Notice of filing the Summons and Plaint, whichever Period shall last expire, unless the Court or a Judge shall extend the Time; and the Days for appearing to said Summons and Plaint shall run as well in Vacation as in Term Time, excepting the Days from the First Day of *August* to the Twentieth Day of *October* inclusive.

Time for pleading after Amendment.

XLIV. Where an Amendment of any Summons and Plaint hereby directed to serve as a Declaration is allowed, no new Requisition to plead thereto shall be necessary, but the Defendant shall be bound to plead to the amended Pleading within the Time specified in the original Requisition, or within Two Days after Notice of the Amendment, whichever shall last expire, unless otherwise ordered by the Court or a Judge; and in case the amended Summons and Plaint had been pleaded to before Amendment, and is not pleaded to *de novo* within Two Days after Notice of the Amendment, or such other Time as the Court or a Judge shall allow, the Defence originally pleaded thereto shall stand and be considered as pleaded in answer to such amended Summons and Plaint.

Copies to be served.

XLV. Notice of filing such Defence, together with a correct Copy thereof, shall be served on the Plaintiff's Attorney, or on such Plaintiff in case no Attorney shall be employed, and such Defence shall be considered as filed as on the Day on which such Notice and Copy shall be served, pursuant to the Provisions of this Act.

XLVI. The

Further Particulars.

XLVI. The Court or a Judge may, in any Case, by an Order made on Motion, direct a further or more detailed Particular of the Items of Demand or Credits referred to in any Summons and Plaint, or of any Payments or Set-off referred to in any Defence, to be furnished; and in any Action for an Injury to Person or Property, the Court or a Judge may order Plans of the Place in which the Injury is alleged to have been committed, or as to which any Justification is pleaded, to be given or exchanged between the Parties; and the Court or a Judge may extend the Time for pleading or making up the Issue, in consequence of the Necessity of such Particulars or further Particulars, on such Terms as shall appear to be just; and where any Party shall require to amend his Particulars, he shall apply to the Court or a Judge for the Purpose.

Inspection and Examination of Premises or Chattels may be ordered by the Court on behalf of either Party.

XLVII. In any Case in which it shall appear to the Court or Judge that it would be necessary, for the Purpose of ascertaining the Truth of any Matter in dispute between the Parties in the Action, that an Inspection or Examination of any Premises or Chattels in the Possession or Power of either Party, and in respect of which or some Right or Injury connected with which the said Action shall be brought, should be had by the opposite Party, his Attorney, Agent, Witnesses, or by the Jury, it shall be lawful for such Court or Judge to order that the Party in whose Possession or Power the same shall be shall permit an Inspection and Examination of the said Premises or Chattels by the Jury, or by such Person or Persons on behalf of the Party applying, and at such Times and under such Regulations, as to the said Court or Judge shall seem fit.

Form of Pleading.

With respect to the general Form and Character of Pleadings:

No Pleading after Defence.

XLVIII. There shall be no further Pleading after the Defence, except a Demurrer to the Defence or a Replication to a Defence of Set-off or Plea of Matter occurring subsequently to the Commencement of the Action, unless by the special Leave of the Court or a Judge on an Application to allow such further Pleading, which shall only be allowed in case the real Question or Questions, whether of Fact or Law, between the Parties cannot conveniently be raised and put in Issue by the Amendment of the previous Pleadings.

Replication and subsequent Pleadings.

XLIX. Every Replication and subsequent Pleading shall be pleaded, and Notice of the Filing, with a Copy thereof, shall be served, and the Particulars of any Payments relied upon shall be endorsed or annexed thereto in a similar Manner to that herein-before prescribed in respect of the Defence, so far as the same shall be applicable thereto.

Appointing next Friend for Plaintiff being a Minor or Lunatic.

L. In any Case in which the Plaintiff shall be a Minor or Lunatic, and before the filing of the Summons and Plaint as a Pleading, a Consent in Writing, signed by some fit and proper Person, to act as next Friend to such Minor or Lunatic, together with an Affidavit to verify the Signature of such Person, shall be lodged in the Office of the Clerk of the Rules, who shall thereupon enter a Rule that such Person shall be at liberty to sue as next Friend for such Minor or Lunatic, and the Name of such next Friend shall be mentioned in the said Summons and Plaint as next Friend to said Minor or Lunatic: Provided always, that the Court or a Judge shall and may alter or discharge such Rule in case it shall seem necessary or proper.

Appointing a Guardian for Defendant being a Minor or Lunatic.

LI. In any Case in which a Defendant served with any Summons and Plaint shall be a Minor or Lunatic, the like Proceeding shall be taken to appoint a Guardian to defend for such Minor or Lunatic before filing any Defence or Demurrer, and the Name of the Person so appointed shall be mentioned in the Defence as Guardian to such Minor or Lunatic.

Security for Costs, when and how to be obtained.

LII. Any Defendant served with any Writ of Summons and Plaint in any Action shall thereupon be deemed to be in Court for the Purpose of making Application to the Court or a Judge to compel the Plaintiff to give Security for Costs, and for other like Purposes: Provided that no Order for Security for Costs shall be made by reason of any Plaintiff being resident out of the Jurisdiction of the Court, at the Instance of any Defendant, unless upon a satisfactory Affidavit that such Defendant has a Defence upon the Merits.

Forms in Schedule may be adopted.

LIII. The Forms of Pleading contained in the Schedule C. to this Act annexed shall be sufficient in the Cases to which they apply, and these and the like Forms may be used, with such Modifications as may be necessary to meet the Facts of the Case; but nothing herein contained shall render it erroneous or irregular to depart from the Letter of such Forms, so long as the Substance is expressed without Prolixity.

Different Causes of Action may be joined, but separate Trials may be ordered.

LIV. Causes of Action, of whatever Kind, (except in Ejectment,) may be joined in the same Summons and Plaint, provided they be by and against the same Parties and in the same Rights, except as hereinafter mentioned; but the Court or a Judge shall have Power to prevent the Trial of different Causes together, if such Trial would be inexpedient, and to order separate Records to be made up and separate Trials had.

Joinder of Claims by Husband and Wife, with Claims in right of Husband.

LV. In any Action brought by Husband and Wife for any Cause of Action accruing in respect of the Wife and in respect of which she is necessarily joined as Co-Plaintiff, it shall be lawful for the Husband to add thereto Claims in his own Right, and separate Actions brought in respect of such Claims, if in the same Court, may be consolidated, if the Court or a Judge shall think fit; provided that in the Case of the Death of either Plaintiff such Suit, so far only as relates to the Causes of Action, if any, which do not survive, shall abate.

Form and Nature of Defence and subsequent Pleadings.

LVI. The Defence and Replication and subsequent Pleadings, if any, shall state all Facts which constitute the Ground of the Defence or Reply in ordinary Language, and without Repetition, and as concisely as is possible consistent with Clearness; and if such Defence or subsequent Pleading is only applicable

applicable to a Portion of the preceding Pleading, the Portion to which it is applicable shall be shortly referred to.

Several Matters may be pleaded at any Stage of the Pleadings.

LVII. The Plaintiff in any Action may, by Leave of the Court or a Judge, plead in answer to the Defence or the subsequent Pleading of the Defendant as many several Matters as he shall think necessary to sustain his Action; and the Defendant in any Action may, by Leave of the Court or a Judge, plead in answer to the Summons and Plaint or other subsequent Pleading of the Plaintiff as many several Matters as he shall think necessary for his Defence, upon an Affidavit of the Party making such Application or his Attorney, if required by the Court or a Judge, to the effect that he is advised and believes that he has just Ground to traverse the several Matters proposed to be traversed by him, and that the several Matters sought to be pleaded as aforesaid by way of Confession and Avoidance are respectively true in Substance and in Fact.

Certain Defences may be pleaded together without Leave.

LVIII. The following Defences, or any Two or more of them, may be pleaded together as of course, without Leave of the Court or a Judge; that is to say, a Defence denying any Contract or Debt alleged in the Declaration, a Defence of Tender as to Part, a Defence of the Statute of Limitations, Set-off Bankruptcy of the Defendant, Discharge under an Insolvent Act, Plenè administravit, Plenè administravit præter, Infancy, Coverture, Payment, Accord and Satisfaction, Release, a Denial that the Property an Injury to which is complained of is the Plaintiff's, Leave and Licence, Son assault demesne, and any other Pleas which the Judges of the said Superior Courts, or any Eight or more of them, of whom the Chief Judges of the said Courts shall be Three, shall by any Rule or Order to be from Time to Time by them made in Term or Vacation order or direct.

Double Pleas and Demurrer.

LIX. The Defendant may, by Leave of the Court or a Judge, plead and demur, or the Plaintiff may reply and demur, to the same Portion of the Summons and Plaint or Defence at the same Time upon an Affidavit by the Party pleading, or his Attorney, if required by the Court or a Judge, that he is advised and believes all the Objections raised by Demurrer are good and valid Objections in Law, and it shall be in the Discretion of the Court or a Judge to direct which Issue, whether of Fact or Law, shall be first disposed of.

Costs of several Issues.

LX. The Costs of every Issue, whether of Fact or Law, shall follow the Finding or Judgment upon such Issue, and be adjudged to the successful Party, whatever may be the Result of the other Issues; and the Costs of all Issues found for the Defendant shall be deducted from the Plaintiff's Costs, if the Defendant shall proceed with due Diligence to tax the same; and the Costs of all Issues found for the Plaintiff shall be deducted from the Defendant's Costs, if the Plaintiff shall proceed with due Diligence to tax the same; and if said Costs so to be deducted shall not in either Case be taxed in Time for the Purpose of deducting the same from the Costs of the opposite Party they shall be separately recoverable by Execution, when taxed and ascertained.

Forms and Fictions abolished.

LXI. No useless Form or Fiction, such as Express Colour or Special Traverse, shall be used, nor shall it be necessary to allege any Matter that need not be proved, regard being had to the Substance and Ground of the Action or Defence.

Venue to be stated only in Margin of Summons and Plaint.

LXII. The Venue in any Personal Action may, except as herein-after stated, be laid in any County which the Plaintiff thinks proper, and the Name of such County shall be stated in the Margin of the Summons, and shall be taken to be the Venue intended by the Plaintiff, and no Venue shall be stated in the Body of the Summons or in any subsequent Pleading; provided it shall be lawful for the Court or a Judge to order such Venue to be changed by an Amendment of such Summons and Plaint to any other County or County of a City or Town in which the Trial can be more conveniently or properly had, on special Grounds only, and not merely because the Cause of Action accrued in any particular Place or County.

Setting out of Deeds in Pleading.

LXIII. It shall not be necessary for any Party, in his Summons and Plaint or Defence or other Pleading, to set forth more of any Deed or Document than such Parts thereof as are material to his Action or Defence, or the Purport and Effect thereof; and it shall not be necessary to make Profert of such Deed or Document, and if Profert be made it shall not entitle the opposite Party to crave Oyer of or to set out upon Oyer such Deed or other Document.

Production, Inspection, and Copy of Deeds

LXIV. When any Party shall rely on any Deed or Document, or any Portion thereof, in his Pleading, the said Deed or Document shall be produced upon every Trial and Argument in the Cause, unless its Nonproduction can be satisfactorily excused; and in default thereof it shall be lawful for the Court or Judge before whom such Trial or Argument shall be had to exclude the said Party so in default from all Benefit or Advantage of the said Deed or Document, or to make such Order for the Postponement of the Trial or Argument, and the Payment of the Costs occasioned by the said Postponement, as shall seem to be just; and the opposite Party shall be at liberty, by Notice in Writing, to demand of the Party so relying on the said Deed or Document an Inspection or Copy, or both an Inspection and Copy of the same, including the Names of the Witnesses by whom it was attested, if any, and any Endorsement or Defeasance thereon, and the Production of it for the Purpose of its being stamped, if necessary, and also the Production, Inspection, or Copy of any other Deed or Instrument whereof Inspection could be obtained by a Bill of Discovery; and such Copy, when furnished, shall be certified to be a correct Copy by the Attorney furnishing the same; and in case such Copy shall not be delivered, or such Inspection or Production shall not be granted, the Party demanding the same shall be at liberty to apply to the Court or a Judge for an Order for such Copy or Inspection or Production, or Copy and Inspection and Production, as such Judge shall think fit, but such Demand, Notice, or Order shall in no Case operate as a Stay of Proceedings, except when a special Order shall be made by a Judge to that Effect.

LXV. In

Summons and Plaint for Libel or Slander.

LXV. In Actions of Libel and Slander the Plaintiff shall be at liberty to aver that the Words or Matter complained of were used in a defamatory Sense, specifying such alleged defamatory Sense, without any prefatory Averment to show how such Words or Matter were used in that Sense.

Performance of Conditions precedent may be averred generally.

LXVI. The Plaintiff or Defendant in any Action may aver Performance of Conditions precedent generally, and the Defendant shall not deny such Averment generally, but shall specify in his Pleading the Condition or Conditions precedent the Performance of which he intends to contest.

The Process or Adjudication of an inferior Jurisdiction may be pleaded generally.

LXVII. In pleading any Process, Decree, Judgment, or Adjudication of a Court or Officer of special or inferior Jurisdiction it shall not be necessary for the Party pleading or relying on such Process or Adjudication to state in his pleading the Facts or Matters conferring Jurisdiction on such Court or Officer to entertain the Question, or issue such Process, or make such Adjudication, but the same respectively may be stated in such pleading to have been duly entertained or made by such Court or Officer; and if such Statement be controverted, the Party so pleading or relying on such Process, Decree, Judgment, or Adjudication shall on the Trial establish by Proof the Facts and Matters necessary to confer Jurisdiction on such Court or Officer to entertain the Question, or issue such Process, or make such Adjudication so pleaded as aforesaid.

Facts not traversed admitted.

Character of Assignees to be taken as admitted, unless denied.

LXVIII. All Facts stated in any Summons and Plaint, and not denied in the Defence, shall be deemed to be admitted for the Purpose of the Suit; and in Actions by and against Assignees of a Bankrupt or Insolvent Debtor, or Executors or Administrators, or Persons authorized by Act of Parliament to sue or be sued as nominal Parties, the Character in which the Plaintiff or Defendant is stated to sue or be sued shall not in any Case be considered as in Issue, unless specially denied.

General Issue by Statute abolished.

LXIX. So much of any Act of Parliament as entitles or permits any Person to plead the General Issue only, and to give special Matter in Evidence, without pleading the same, is hereby repealed, except as to pending Actions: Provided always, that in any Case in which a Defendant by any Act of Parliament is now enabled to plead a Plea of Tender or other Matter, together with a Plea of the General Issue, such Defendant may plead the like Matter separately or with any Defence under this Act.

Defence by way of Denial to traverse some particular Fact.

Defences which admit a Contract in Fact.

LXX. In Actions upon Contract, every Defence by way of Denial must traverse some One or more than One material Matter of Fact, as, for instance, the drawing, or making, or endorsing, or accepting, or presenting, or Notice of Dishonour of a Bill or Note; and every Defence which admits a Contract in Fact, but relies upon Matter of Avoidance or Discharge, or Illegality on the Ground of Fraud or otherwise, as, for instance, Infancy, Coverture, Release, Payment or Performance, Illegality of Consideration, either by Statute or Common Law, drawing, endorsing, accepting Bills or Notes by way of Accommodation, Set-off, mutual Credit, Misrepresentation, Concealment, Deviation, shall be so expressly pleaded.

Pleas in Actions for Wrongs.

LXXI. In Actions for Wrongs, Defences by way of Denial shall take issue on some One or more than One material Matter of Fact alleged in the Summons and Plaint; and all Defences which admit the Matter complained of, but rely on Matter of Avoidance, Excuse, or Justification, shall be so expressly pleaded.

Defence of Matter subsequent to Action.

LXXII. A Defence arising after the Commencement of the Action shall be pleaded according to the Fact; and any Defence which does not state whether the Matter therein relied upon arose before or after Action shall be deemed to be a Defence of Matter arising before Action.

Defence of Matter subsequent to last Pleading, how to be pleaded.

LXXIII. In Cases in which a Plea Puis darrein continuance has heretofore been pleadable in Banco or at Nisi Prius, the same Defence may be pleaded with an Allegation that the Matter arose after the last Pleading, and such Defence may, when necessary, be pleaded at Nisi Prius; but no such Defence shall be allowed unless accompanied by an Affidavit stating that the Matter thereof arose within Eight Days next before the pleading of such Defence, unless the Court or a Judge shall otherwise order.

Payment not to be proved in Reduction of Amount.

LXXIV. Payment, whether before Action brought or when made into Court, shall not in any Case be allowed to be given in Evidence in reduction of the Amount to be recovered without being pleaded.

Payment of Money into Court.

LXXV. Any Defendant, in any Personal Action whatsoever, except Actions for Assault and Battery, false Imprisonment, Libel, Slander, malicious Arrest or Prosecution, Criminal Conversation, or debauching the Plaintiff's Daughter or Servant, and in any Proceeding by Scire facias or Writ of Revivor to have Execution of any Judgment, may pay into Court a Sum of Money by way of Compensation or Amends, or in discharge of the Plaintiff's Demand, or upon any Defence of Tender; and such Payment shall be made by lodging the Money in the Bank of *Ireland* on behalf of the Defendant who shall make such Lodgment, with the Privity of the Master of the Court, and to the Credit of the Cause; and such Master, on the Certificate of such Lodgment being delivered to him, shall give a Receipt for the Amount in the Margin of the Defence.

Drawing Money so lodged.

LXXVI. At any Time before Verdict or Judgment for the Defendant, or peremptory Order for Payment of Costs for not proceeding to Trial, the Plaintiff may, in any Case in which Money has been lodged in Court in discharge of the Plaintiff's Demand, or on a Defence of Tender, apply to the Master of the Court to draw on the Bank of *Ireland* in favour of the Plaintiff for the Sum lodged by the Defendant; and the said Master, on being satisfied by Affidavit or otherwise that a Verdict or Judgment, or peremptory Order for such Payment as aforesaid, for the Defendant has not been had, shall thereupon draw accordingly; but after Verdict or Judgment or peremptory Order aforesaid for the Defendant, the Money shall remain in Court to answer the Defendant's Costs, and the Plaintiff shall not be at liberty to draw the same unless by Order of the Court on Motion.

Taxation of Costs where Money accepted in full Satisfaction.

LXXVII. In case the Plaintiff shall accept the Amount lodged in full Satisfaction of his Demand, the Receipt for the Money given to the Master shall state that it has been so accepted, and the Plaintiff's Costs of Suit shall be taxed and ascertained by the proper Officer; and in case of Nonpayment thereof within

within Forty-eight Hours after Taxation and Demand the Plaintiff shall be at liberty to enter a peremptory Order for Payment of his Costs of Suit so taxed, and for such further Sum as shall be fixed by the Taxing Officer, subject to the Approval of the Three Chief Judges of the said Courts, as and for his Costs of obtaining such Order.

Issue to try Sufficiency of Payment when declined.

LXXVIII. In case the Plaintiff declines to accept the Sum paid into Court to satisfy the Claim of the Plaintiff in respect of the Matter to which the Plea is pleaded, the Sufficiency of the Payment shall be tried upon the Issue raised for that Purpose by the said Defence, and in case of such Issue being found for the Defendant the Defendant shall be entitled to Judgment and his Costs of Suit.

Certain Defences not objectionable.

LXXIX. Any Defence which shall be good in Substance shall not be objectionable on the Ground of its treating the Summons and Plaint as framed either for a Breach of Contract or for a Wrong.

With respect to Objections to Pleadings for formal and other Matters:

Objections by Demurrer.

Objections by Demurrer.

LXXX. Either Party may object by Demurrer to the Pleading of the opposite Party, for that such Pleading does not set forth sufficient Ground of Action, Defence, or Reply, as the Case may be; and every such Demurrer shall state concisely and explicitly the legal Points or Objections to be relied on, and may be according to the Form No. 3. in the Schedule B. to this Act annexed; and to such Demurrer there shall be no further Pleading.

Pleadings good in Substance sufficient.

LXXXI. No Objection by way of General or Special Demurrer for formal Matter only shall be allowed, and no Pleading shall be deemed insufficient for any Defect which could heretofore be objected to only by Special Demurrer; and wherever Issue shall be joined on any Demurrer the Court shall proceed and give Judgment according to the very Right of the Cause, without regarding any Imperfection, Omission, Defect in or Lack of Form; and every Summons and Plaint and Defence or other Pleading which shall, with reasonable Clearness and Distinctness, state all such Matters of Fact as are necessary to ground the Action, Defence, or Reply, as the Case may be, shall be sufficient, and it shall not be necessary that such Matters shall be stated in any technical or formal Language or Manner.

Judgment on Demurrer final.

LXXXII. Judgment on Demurrer for the Defendant, and also for the Plaintiff, in all Cases in which the Action is for a liquidated or Money Demand, shall be final, unless the Court shall give Liberty to amend the Pleading demurred to, or to plead *de novo* on the Argument of the Demurrer, or by any subsequent Order.

Pleadings framed to embarrass may be amended.

LXXXIII. If any Pleading or Demurrer be so framed as to prejudice, embarrass, or delay the fair Trial of the Action, the opposite Party may apply to the Court or a Judge to strike out or amend such Pleading, and the Court or a Judge shall make such Order respecting the same, and also respecting the Costs of the Application, as to such Court or Judge shall seem fit.

Joinder of Parties.

With respect to the Joinder of Parties to Actions:

Nonjoinder or Misjoinder of Parties.

LXXXIV. No Plea in Abatement for the Nonjoinder of any Person as a Party, Plaintiff or Defendant, shall be filed without the Leave of the Court, but such Defect, or the Misjoinder or Misnomer of any Party, may be pointed out by either Party by Notice before the Trial, and such Notice may be followed by a summary Application to the Court or a Judge in respect thereof; upon which Application the said Court or a Judge may make such Order therein, and touching the Costs thereof, as shall seem to be just.

Amendment before Trial of Nonjoinder or Misjoinder of Plaintiff.

LXXXV. It shall be lawful for the Court or a Judge, at any Time before the Trial, to order that any Person or Persons not joined as Plaintiff or Plaintiffs in the Action shall be so joined, or that any Person originally joined as Plaintiff shall be struck out of the Pleadings in the Action, if it shall appear to such Court or Judge that Injustice will not be done by such Amendment, and that the Person to be added consents, either in Person or by Writing under his or her Hand, to be so joined, or that the Person to be struck out was originally introduced without his or her Consent, or that he or she consents in the Manner aforesaid to be so struck out; and such Amendment shall be made upon such Terms as to the Amendment of the Pleadings, Postponement of the Trial, and otherwise, as to the Court or Judge shall seem proper; and when any such Amendment shall have been thereby made, the Liability of any Person who shall have been made Co-Plaintiff shall, subject to any Order to the contrary, be the same as if such Person had been originally joined in such Action.

Amendment at Trial.

LXXXVI. In case it shall appear at the Trial of any Action that there has been a Misjoinder of Plaintiffs, or that some Person or Persons not joined as Plaintiff or Plaintiffs ought to have been so joined, and the Defendant shall not at or before the Time of Pleading have given Notice in Writing that he objects to such Misjoinder or Nonjoinder, specifying therein the Name or Names of such Person or Persons, such Misjoinder or Nonjoinder may be amended by the Court or the Judge or presiding Officer at the Trial, by an Order endorsed on the Abstract of Nisi Prius or Writ of Inquiry, signed by any Member of the Court, or by the said Judge or Officer, if it shall appear to such Court, Judge, or Officer that such Misjoinder or Nonjoinder was not for the Purpose of obtaining an undue Advantage, and that Injustice will not be done by such Amendment, and that the Person or Persons to be added consent, either in Person or by Writing under his, her, or their Hand or Hands, to be so joined, or that the Person or Persons to be struck out were originally introduced without his, her, or their Consent, or that such Person or Persons consent in manner aforesaid to be so struck out in the Manner aforesaid; and such Amendment shall be made upon such Terms as the Court, Judge, or Officer shall think proper; and when any such Amendment shall be made the Liability of any Person or Persons who shall be added as a Co-Plaintiff or Co-Plaintiffs shall, subject to any Order to the contrary, be the same as if such Person or Persons had been originally joined in such Action.

LXXXVII. In

Upon Notice of Nonjoinder of Plaintiffs, Proceedings may be amended.

LXXXVII. In case such Notice be given by the Defendant of the Nonjoinder of a Person as Co-Plaintiff, the Plaintiff shall be at liberty to enter a Side-bar Order, to amend the Summons and Plaint, and other Proceedings, by adding the Name or Names of the Person or Persons named in such Notice, and to proceed in the Action, on Payment of the Costs of and occasioned by such Amendment only; and in such Case the Defendant shall be at liberty to plead *de novo* when he has pleaded already, and shall have Four Days from the Service of the Notice of such Amendment for the Purpose of pleading as aforesaid.

Proceedings when Nonjoinder of Defendant objected to.

LXXXVIII. Upon any Objection for Nonjoinder of a Defendant being taken by Plea in Abatement, or by Motion to the Court in consequence of such Nonjoinder, it shall be competent to the Plaintiff to show that such Person so omitted is not a necessary Party, or is not resident within the Jurisdiction of the Court, or has been discharged by Bankruptcy or Insolvency, or that the Statute of Limitations would be a Bar to any Action against him.

Upon Notice of Nonjoinder of Defendants Proceedings may be amended.

LXXXIX. In any Action on Contract where the Nonjoinder of any Person or Persons as a Co-Defendant or Co-Defendants has been objected to by Notice or Plea in Abatement, the Plaintiff shall be at liberty to enter a Side-bar Order to amend the Writ of Summons and Plaint by adding the Name or Names of the Person or Persons named in such Notice as Joint Contractors, and to serve the amended Writ upon the Person or Persons so named in such Notice, and to proceed against the original Defendant or Defendants, and the Person or Persons so named in such Notice, provided that the Date of such Amendment shall, as between the Person or Persons so named in such Notice and the Plaintiff, be considered for all Purposes as the Commencement of the Action.

Subsequent Proceedings against the Persons named in a Notice for Nonjoinder of Defendant.

XC. In all Cases after such Notice of Objection or Plea in Abatement in respect of the Nonjoinder of a Party as Defendant, and Amendment in pursuance thereof, if it shall appear upon the Trial of the Action that the Person or Persons so named in such Notice was or were jointly liable with the original Defendant or Defendants, the original Defendant or Defendants shall be entitled, as against the Plaintiff, to the Costs of such Notice and Amendment; but if at such Trial it shall appear that the original Defendant or any of the original Defendants is or are liable, but that One or more of the Persons named in such Notice is or are not liable as a contracting Party or Parties, the Plaintiff shall nevertheless be entitled to Judgment against the other Defendant or Defendants who shall appear to be liable, and every Defendant who is not so liable shall have Judgment, and shall be entitled to his Costs as against the Plaintiff, who shall be allowed the same, together with the Costs of the Notice and Amendment, as Costs in the Cause against the original Defendant or Defendants who shall have so objected to the Nonjoinder of such Person: Provided always, that any such Defendant who shall have so objected shall be at liberty on the Trial to adduce Evidence of the Liability of the Defendants named by him in such Notice.

Misjoinder of Defendants may be amended before or at the Trial.

XCI. It shall be lawful for the Court or a Judge in the Case of the Joinder of too many Defendants in any Action on Contract, at any Time before the Trial, to order that the Name or Names of One or more of such Defendants be struck out, if it shall appear to such Court or Judge that Injustice will not be done by such Amendment; and the Amendment shall be made upon such Terms as the Court or Judge by whom such Amendment is made shall think proper; and in case it shall appear at the Trial of any Action on Contract that there has been a Misjoinder of Defendants, such Misjoinder may be amended, as a Variance, at the Trial, in like Manner as the Misjoinder of Plaintiffs has been herein-before authorized to be amended, and upon such Terms as the Court, or Judge or other presiding Officer, by whom such Amendment is made, shall think proper.

Special Cases.

And for the Determination of Questions raised by Consent without pleading, be it enacted as follows:

Questions of Law raised by Consent without pleading.

XCII. The Parties may, after Writ issued, and at any Stage of the Proceedings before Judgment, by Consent and Order of a Judge, state any Question or Questions of Law in a Special Case for the Opinion of the Court, without any further Pleading.

Agreement as to Error and Payment of Money and Costs, according to Judgment upon Special Case.

XCIII. The Parties may, if they think fit, enter into an Agreement in Writing, which shall not be subject to any Stamp Duty, and which shall be embodied in the said or any subsequent Order, that Error may or may not be brought upon the Judgment of the Court on such Special Case, and that upon the Judgment of the Court being given in the Affirmative or Negative of the Question or Questions of Law raised by such Special Case, a Sum of Money, fixed by the Parties, or to be ascertained by the Court, or in such Manner as the Court may direct, shall be paid by One of such Parties to the other of them, either with or without Costs of the Action, such Agreement to be filed in the Master's Office within Ten Days after the making thereof; and the Judgment of the Court may be entered for such Sum as shall be so agreed or ascertained, with or without Costs, as the Case may be, and Execution may issue upon such Judgment forthwith, unless otherwise agreed, or unless stayed by Proceedings in Error.

Proceedings in Error upon Special Case.

XCIV. In case it is not agreed that Error may not be brought upon the Judgment of the Court upon such Special Case, either Party may take such Judgment into a Court of Error, in the same Manner, and with all such Proceedings and Consequences, as to Bail, Costs, Restitution, and otherwise, as in the Case of Error brought upon an ordinary Judgment, and the Court of Error before which such Judgment shall be brought shall have the same Power to proceed and give Judgment upon the Question or Questions of Law raised by the Special Case as the Court in which the original Judgment shall have been given.

Costs to follow the Event unless otherwise agreed.

XCV. In case no Agreement shall be entered into as to the Costs in any such Special Case, the Costs shall follow the Event, and be recovered by the successful Party, who shall have Execution for the same. With

Judgment by Default.

With respect to Judgment by Default and to Judgment on Demurrer for the Plaintiff, and the Mode of ascertaining the Amount to be recovered thereupon:

Final Judgment may be marked where Demand liquidated.

XCVI. No Rule to compute shall be necessary or used; but where the Plaintiff's Claim is for a Debt or liquidated Demand in Money, with or without Interest, arising upon a Contract, express or implied, in default of such Defence or Demurrer filed within the Time aforesaid by the Defendant, it shall be lawful for the Plaintiff, on filing an Affidavit of the Service of the Writ of Summons and Plaint in the Manner herein-before prescribed, or of such substituted Service as may be authorized as aforesaid, and of the Notice of filing the Summons and Plaint, if any, and Certificate of no Defence filed, to sign final Judgment in the Form No. 4. in the Schedule B. to this Act annexed, on which Judgment no Proceeding in Error shall lie, for any Principal Sum not exceeding the Sum claimed by the said Writ, with legal Interest thereon, and a Sum for Costs, to be fixed by the Taxing Master of the said Superior Courts, subject to the Approval of the Lord Chief Justice of the Queen's Bench, and the other Two Chief Judges of the said Courts, unless the Plaintiff claims more than such fixed Sum, in which Case the Costs shall be taxed in the ordinary Way; but no Costs of such Taxation shall be allowed unless the Costs so taxed shall exceed the Sum so settled and approved of; and the Plaintiff may, upon such Judgment, issue Execution: Provided always, that it shall be lawful for the Court or a Judge to let in the Defendant to defend upon such Terms as to such Court or Judge shall seem proper.

Where only some of the Defendants take Defence.

XCVII. In any Action brought against Two or more Defendants, where the Claim is for a Debt or liquidated Demand in Money, with or without Interest, as last aforesaid, if One or more of such Defendants only shall appear to defend or demur, and another or others of them shall not appear to defend or demur, it shall be lawful for the Plaintiff to sign Judgment against such Defendant or Defendants only as shall not have appeared to defend or demur, and before Issue joined against the other Defendant or Defendants to issue Execution thereupon, in which Case he shall be taken to have abandoned his Action against the Defendant or Defendants who shall have defended or demurred; or the Plaintiff may, before issuing such Execution, proceed against such Defendant or Defendants as shall have filed a Defence or Demurrer, stating, by way of Suggestion, the Judgment obtained against the other Defendant or Defendants who shall not have filed a Defence or Demurrer, in which Case the Judgment so obtained against the Defendant or Defendants who shall not have taken Defence or demurred shall operate and take effect in like Manner as a Judgment by Default obtained before the Commencement of this Act against One or more of several Defendants in an Action of Debt before the Commencement of this Act.

Inquiry of Damages before the Master, where the Claim is Matter of Calculation.

XCVIII. In default of such Defence or Demurrer filed as aforesaid, and in case of Judgment for the Plaintiff on Demurrer, where the Plaintiff's Claim is not for a Debt or liquidated Demand in Money, but it shall appear to the Court or a Judge that the Amount of Damages sought to be recovered by the Plaintiff, although not liquidated in its Nature, is substantially a Matter of Calculation, it shall not be necessary to issue a Writ of Inquiry, but the Court or a Judge may direct that the Amount for which final Judgment is to be signed shall be ascertained by the Master of the Court on Affidavit or by oral Evidence and the Attendance of Witnesses; and the Production of Documents before such Master may be compelled by Subpœna, in the same Manner as before a Jury upon a Writ of Inquiry; and it shall be lawful for such Master to adjourn the Inquiry from Time to Time as Occasion may require: Provided always, that in case the said Master upon any such Reference shall think it proper to have any Fact controverted on the Reference tried by a Jury, in such Case the said Master may sign a Requisition to that Effect, entitled in the Cause, and direct the same to be delivered to the Sheriff of the County of the City of *Dublin* Two Days before the Time when such Jury shall be required, and the Jurors shall be summoned and taken from the List of Persons liable to serve as Jurors in the County of the City of *Dublin*, and the Sheriff shall cause so many of the Jurors as in his Opinion he shall deem sufficient to be summoned, but not less than Six, and such Persons shall attend, and either Party shall be entitled to his lawful Challenge against all or any of the said Jurors, and a Jury consisting of not less than Three shall be returned to try such Fact or Facts as shall seem doubtful to such Master, who shall proceed to make his Report on the Verdict of such Jury as he shall see fit, and such Jury shall be sworn and paid as a Common Jury at Nisi Prius; and the Master shall endorse upon the Rule or Order for referring the Amount of Damages to him the Amount found by him, and shall deliver the Rule or Order, with such Endorsement, to the Plaintiff, and such and the like Proceedings may thereupon be had as to Taxation of Costs, signing Judgment, and staying the signing thereof, and otherwise, as upon the Finding of a Jury upon a Writ of Inquiry.

Master shall examine the Affidavits of Service.

XCIX. It shall be the Duty of the Master of the Court, before he permits any such Judgment by Default to be marked, to see that a proper Affidavit of the Service of the Writ of Summons and Plaint has been filed, and that according to such Affidavit Service of such Writ has been effected in the Manner prescribed by this Act, or in the Manner substituted by the Order of the Court or a Judge as aforesaid.

Ordinary Writ of Inquiry in other Cases.

C. In Default of such Defence or Demurrer, and in case of Judgment for the Plaintiff on Demurrer, when the Plaintiff's Demand is not for a Debt or liquidated Sum in Money, and where the Amount of Damages sought to be recovered cannot be calculated as aforesaid, it shall be lawful for the Plaintiff to issue a Writ of Inquiry to the Sheriff of the proper County, or other Person thereunto lawfully authorized, and such Inquiry shall be holden at the Chief Town in the County, or such other Place as shall be agreed on between the Sheriff and the Party delivering the Writ to him, who shall have Ten Days Notice in Writing of the Time and Place of holding such Inquiry; and Notice of the holding of such

such Inquiry shall also be given by the Plaintiff to the Defendant, or if Judgment be given on Demurrer to his Attorney, Ten Days before the holding of same; and the said Writ of Inquiry may be made returnable and be returned on any Day certain in Term or in Vacation, to be named in such Writ, and upon the Return thereof, and without any Rule for Judgment thereon, the Costs may be taxed and Judgment signed and Execution issued forthwith, unless the Sheriff or other Officer before whom such Writ shall be executed shall certify under his Hand upon such Writ that Judgment ought not to be signed until the Defendant or Plaintiff shall have had an Opportunity to apply to the Court to set aside the Execution of such Writ of Inquiry, or unless One of the Judges of the said Superior Courts of Law shall think fit to order the Judgment to be stayed until a Day to be named in such Order; provided that where a Writ of Inquiry shall have been sped before a Judge, the Proceedings from the Finding to issuing Execution shall be the same as in the Case of ordinary Trials at Nisi Prius.

Inquiries may be holden before Master of the Court when Venue in Dublin.

CI. It shall be lawful for the Court or a Judge, in any Case in which the Venue in the Action shall be laid in the County or County of the City of *Dublin*, instead of a Writ of Inquiry to the Sheriff to ascertain the Amount of Damages, to direct that the Amount for which final Judgment shall be marked shall be ascertained by the Master of the Court, and thereupon such Damages shall be ascertained by the Master in like Manner as such Damages have been heretofore ascertained under Writ of Inquiry by the Sheriff; and for such Purpose it shall be the Duty of the Sheriff to summon Jurors to attend before the said Masters, who shall have the like Jurisdiction and Authority as have been heretofore exercised by Sheriffs in holding such Inquiries: Provided always, that whenever there is any such Trial by Jury Six Jurymen shall be impannelled and sworn as Occasion shall require to give their Verdict according to the Evidence, and the Verdict of the said Jurymen shall, if unanimous, be sufficient; and it shall be lawful for the Master to adjourn such Inquiry from Time to Time as Occasion may require; and the Master shall endorse on the Rule or Order of Reference the Finding of the said Jury, and shall deliver the same to the Plaintiff, and such and the like Proceedings may thereupon be had as to Taxation of Costs, signing Judgment, and otherwise, as upon a Finding of a Jury upon a Writ of Inquiry to the Sheriff.

Issues and Abstract for Nisi Prius.

With respect to the Settlement of the Issues and Abstract for Nisi Prius:

Abstract of Issues for Nisi Prius to be settled by a Judge.

CII. After Defence or last subsequent Pleading filed, and together with the Notice of Trial, the Plaintiff's Attorney shall furnish to the Defendant's Attorney a Draft of the Abstract of the Pleadings and of the Issues in Fact to be tried at Nisi Prius, according to the Form No. 5. in the Schedule B. to this Act annexed; and in case the Defendant shall not return the same, approved of, within Four Days from the Delivery thereof, the Plaintiff may take out a Summons to settle the same before a Judge, who shall, subject to an Appeal to the Court, settle the same, and shall have Power to adjudicate on the Costs of such Settlement; and such Abstract, so agreed upon or settled, shall be lodged with the Pleadings Assistant of the Court, and an Engrossment of such Abstract, so agreed on or settled, and prepared by the Plaintiff's Attorney, shall be in place of the Record of Nisi Prius, and the Postea and all other Proceedings at the Trial shall be endorsed thereon, and shall be returnable in the like Manner as heretofore in respect of the Nisi Prius Record.

Time for Notice of Trial and Inquiry.

CIII. Ten Days Notice of Trial or Inquiry shall be given, and shall be sufficient in all Cases, whether at Bar or Nisi Prius, in Town or Country, unless otherwise ordered by the Court or a Judge; and the Expression "Short Notice of Trial" in any Order or Consent shall be taken to mean Four Days.

Notice of Countermand.

CIV. A Countermand of Notice of Trial or Inquiry may be given Four Days before the Time mentioned in the Notice, unless Short Notice of Trial or Inquiry has been given, and then Two Days before the Time mentioned in the Notice of Trial or Inquiry, unless otherwise ordered by the Court or a Judge, or by Consent.

Costs of the Day.

CV. A Rule for Costs of the Day for not proceeding to Trial or Inquiry pursuant to Notice, or not countermanding in sufficient Time, may be drawn up on Affidavit, without Motion, at any Time within One Month after the Day of Trial or Inquiry fixed by the Notice of Trial or Inquiry, and if such Rule be not entered within said Period such Costs shall be Costs in the Cause; provided however that such Rule shall, so long as it remains in force, be an Answer to any Application in respect of any Default in proceeding to Trial.

Default in going to Trial.

With respect to Default in not proceeding to Trial:

Order for Costs for not proceeding to Trial.

CVI. The Plaintiff shall proceed to Trial within Three Terms from that in which, or the Vacation of which, the Defence or other subsequent Pleading is filed; and in default thereof the Defendant may enter a Rule that the Plaintiff do proceed to Trial at the Assizes or Sittings next after the Expiration of Twenty Days from the Service of such Rule, and that in default the Defendant shall be dismissed with his Costs of the Suit; and if the Plaintiff neglects to proceed to Trial in pursuance thereof, the Defendant, on filing an Affidavit of the Service of such Rule, and that the Plaintiff has failed to proceed to Trial in pursuance thereof, may enter a peremptory Order for the Payment of his Costs of the Suit, which Order shall be in lieu and shall have the Effect of a Judgment as in case of a Nonsuit; and the Defendant on producing such Order shall have the Pleadings in the Cause removed into the Office of the Master of the Court for the Purpose of having Execution thereon, and shall have Execution accordingly; provided, however, that the Court or a Judge shall have Power to extend the Time for proceeding to Trial, with or without Terms.

CVII. Nothing

Defendant's Right to try upon Default of the Plaintiff.

CVII. Nothing herein contained shall affect the Right of a Defendant to take down a Cause for Trial, after Default by the Plaintiff to proceed to Trial as aforesaid; and it shall be lawful for the Defendant, after such Default, to proceed to have the Abstract of the Issues settled in the same Manner as the Plaintiff might have done.

Notice of Trial by Defendant.

CVIII. When a Defendant shall be entitled to go to Trial as aforesaid, he may proceed without any Rule or Order for that Purpose, and the same Notice of Trial shall be given as in ordinary Cases, and if Abstracts are entered for Trial both by the Plaintiff and the Defendant, the Defendant's Abstract shall be treated as standing next in order after the Plaintiff's Abstract in the List of Causes, and the Trial of the Cause may take place accordingly.

Jury Process.

With respect to Juries and Jury Process:

Precept by Judges to summon Jurors for Civil as well as Criminal Trials.

CIX. No Jury Process shall be necessary or used in any Action; but the Precept issued by the Judges of Assize to the Sheriff to summon Jurors for the Assizes shall direct that the Jurors be summoned for the Trial of all Issues, whether civil or criminal, which may come on for Trial at the Assizes, and the Jurors shall thereupon be summoned in like Manner as at present.

A printed Panel to be prepared, and annexed to the Abstract.

CX. A printed Panel of the Jurors summoned shall, Seven Days before the Commission Day, be made by the Sheriff, and kept in the Office of the Returning Officer in *Dublin* for Inspection; and a printed Copy of such Panel on Parchment shall be delivered by the Sheriff to any Party requiring the same, on Payment of a Fee of One Shilling, and such Copy shall be annexed to the Abstract for Nisi Prius.

Sheriffs of Dublin to summon Common Jurors, and prepare a Panel to be annexed to the Abstract.

CXI. The Sheriffs of the County and County of the City of *Dublin* respectively shall, pursuant to a Precept under the Hand of a Judge of any of the said Superior Courts, and without any other Authority, summon a sufficient Number of Common Jurors for the Trial of all Issues in the Superior Courts of Common Law and the Consolidated Nisi Prius Court in like Manner as before this Act; and Seven Days before the First Day of each Sittings a printed Panel of the Jurors so summoned for the Trial of Causes at such Sittings shall be made by such Sheriff, and kept in his Office for public Inspection; and a printed Copy of such Panel shall be delivered by the said Sheriff to any Party requiring the same, on Payment of a Fee of One Shilling, and a Copy on Parchment shall be annexed to the Abstract for Nisi Prius; and the said Precept shall and may be in like Form as the Precept issued by the Judges of Assize, and One thereof shall suffice for each Term and after Sittings, and for all the Superior Courts and the said Consolidated Nisi Prius Court; and it shall be the Duty of the said Sheriffs respectively to apply for and procure such Precept to be issued in sufficient Time before each Term to enable them to summon the Persons in manner aforesaid; and it shall be lawful for the several Courts or any Judge thereof at any Time to issue such Precept or Precepts to summon Jurors for disposing of the Business pending in such Courts and in the Consolidated Nisi Prius Court, and to direct the Time and Place for which such Jurors shall be summoned, and all such other Matters as to such Court or Judge shall seem requisite.

Special Jurors summoned to try all Special Jury Cases.

CXII. The Precept issued by the Judges of Assize, and by the Judge of any of the said Superior Courts for Cases in the County and City of *Dublin*, as aforesaid, shall direct the Sheriff to summon a sufficient Number of Special Jurymen to be mentioned therein, not exceeding in Country Cases Forty-eight in all, to try the Special Jury Causes at the Assizes, or in the several Superior Courts of Common Law in *Dublin* respectively; and the Persons summoned in pursuance of such Precept shall be the Jury for trying the Special Jury Causes at the Assizes or after Sittings respectively, subject to such Right of Challenge as the Parties are now by Law entitled to in the like Cases, and subject to the like Liability as to the Payment of the Costs of obtaining such Special Jury; and a printed Panel of the Special Jurors so summoned shall be made, kept, delivered, and annexed to the Abstract of Nisi Prius, in like Time and Manner and upon the same Terms as herein-before provided with reference to the Panel of Common Jurors; and upon the Trial the Special Jury shall be balloted for and called in the Order in which they shall be drawn from the Box, in the same Manner as Common Jurors; provided that the Court or a Judge, in such Case as they or he may think fit, may order that a Special Jury be struck according to the present Practice, and such Order shall be a sufficient Warrant for striking such Special Jury, and making a Panel thereof for the Trial of the particular Cause.

Mode of obtaining a Special Jury.

CXIII. The Plaintiff in any Action, except for the Replevin of Goods, shall be entitled to have the Cause tried by a Special Jury, upon giving Notice in Writing to the Defendant at such Time as would be necessary for a Notice of Trial of his Intention that the Cause shall be so tried, and the Plaintiff in an Action for the Replevin of Goods, and the Defendant in other Cases, shall be so entitled, on giving the like Notice, within Six Days before the First Day of the Assizes or after Sittings respectively; provided that the Court or a Judge may at any Time order that a Cause shall be tried by a Special Jury, upon such Terms as they or he shall think fit.

Remedy for Delay by Notice of Trial by Special Jury.

CXIV. Where the Defendant in any Case, or Plaintiff in an Action for the Replevin of Goods, gives Notice of his Intention to try the Cause by a Special Jury, the Court or a Judge, if satisfied that such Notice is given for the Purpose of Delay, may order that the Cause be tried by a Common Jury, or make such other Order as to the Trial of the Cause as such Court or Judge shall think fit.

Notice to Sheriff of Trial by Special Jury.

CXV. Where Notice has been given to try by Special Jury, either Party may, Six Days before the First Day of the Sittings in *Dublin*, or Commission Day of the Assizes, give Notice to the Sheriff that such Action is to be tried by a Special Jury; and in case no such Notice be given, or the Notice has not been given in sufficient Time, no Special Jury need be summoned or attend, and the Cause may be tried by a Common Jury, unless otherwise ordered by the Court or a Judge.

CXVI. A Writ

View to be by Rule.

CXVI. A Writ or Clause of View shall not be necessary or used, but whether the View is to be had by a Common or Special Jury it shall be sufficient to obtain a Rule of the Court or a Judge's Order directing a View to be had, and directing the Sheriff to have Six or more of the Jurors named in the Panel chosen by Consent, or, if the Parties cannot agree, nominated by the proper Officer of the Court at the Place in question some convenient Time before the Trial; and the Viewers shall have the Place shown to them by Two Persons to be named in the Order, and to be appointed by the Court or a Judge; and the Sheriff, upon Request, shall deliver to either Party the Names of the Viewers, and shall also return their Names to the Registrar, for the Purpose of their being called as Jurymen upon the Trial.

Proceedings before Jurors so returned same as before this Act.

CXVII. The Jurors whose Names are contained in such Panel as aforesaid shall be the Jurors to try the Causes at the Assizes and Sittings for which they shall be summoned respectively; and all such Proceedings may be had and taken before such Juries in like Manner and with the like Consequences in all respects as before or in respect of any Jury summoned in pursuance of any Writ or Writs of Venire facias juratores, Distingas juratores or Habeas corpora juratorum, before this Act, and also in respect of Persons summoned to appear upon such Juries, and in the event of an insufficient Attendance of Persons summoned and competent to act as Jurors.

Evidence.

With respect to Matters of Evidence and the Admission of Documents, be it enacted as follows:

Admission of Documents.

CXVIII. Either Party may call on the other Party, by Notice, to admit any Document, or a Copy thereof, saving all just Exceptions; and in case of Refusal or Neglect to admit within a reasonable Time, the Costs of proving the Document or Copy shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless at the Trial the Judge shall certify that the Refusal to admit was reasonable; and no Costs of proving any Document or Copy shall be allowed unless such Notice be given, except in Cases where the Omission to give the Notice is, in the Opinion of the Taxing Officer, a Saving of Expense.

Proof of Admissions.

CXIX. An Affidavit of the Attorney in the Cause, or his Clerk, of the due Signature of any Admissions, made in pursuance of such Notice, and annexed to the Affidavit, shall be in all Cases sufficient Evidence of such Admissions.

Proof of Notice to produce.

CXX. An Affidavit of the Attorney in the Cause, or his Clerk, of the Service of any Notice to produce, in respect of which Notice to admit shall have been given, and of the Time when it was served, with a Copy of such Notice annexed to such Affidavit, shall be sufficient Evidence of the Service of the Original of such Notice, and of the Time when it was served.

Bills of Exceptions.

With respect to Bills of Exception, be it enacted as follows:

Bill of Exceptions not to set forth Pleadings.

CXXI. Every Bill of Exceptions may be according to the Form No. 6. in the Schedule B. to this Act annexed; and it shall be lawful, by Consent of the Parties, or Order of the Judge, to incorporate any Deed or Document therewith, by an appropriate Reference to such Deed or Document, without setting forth the same.

Judgment.

With respect to the Form and Manner of entering Judgment:

Judgment not to be arrested on technical Grounds.

CXXII. No Judgment shall be arrested or stayed or reversed by reason of any Imperfection, Omission, Defect in or Lack of Form in any Summons and Plaint, Defence, or other Pleading or Proceeding, nor by reason that the Venue is misplaced, or the Trial had in a wrong County or Place, nor by reason of any Misnomer of any of the Jurors who tried the Case in Name, Surname, or Addition, so as it appear to the Court to be the same Man that was meant to be returned, nor by reason that the Plaintiff or Defendant, being under the Age of Twenty-one Years, did sue or defend by Attorney.

Entry of Judgment on the Roll unnecessary for Execution.

CXXIII. It shall not be necessary, before issuing Execution upon any Judgment under the Authority of this Act, to enter the Proceedings upon any Roll, but on producing, and lodging with the proper Officer, a Certificate of the Name, Description, and Address of the Parties, an Entry shall be made in the Judgment Book, signed by the Master, shortly stating the Nature of the Judgment, and thereupon the Costs shall be taxed, and Execution issued, according to the Practice heretofore used, and the Effect of every such Entry of a Judgment shall be the same as that of a Judgment in an Action in the Form heretofore used; and such Entry in the said Judgment Book shall contain a Reference to the Number of the Roll on which such Judgment shall be enrolled, and shall contain a Column in which any Satisfaction of the said Judgment may be afterwards entered, if necessary.

When Judgment to be made up, Summary of Pleadings to be lodged, and Judgment marked thereon.

CXXIV. When it shall be required to sign any Judgment, the Attorney requiring the same shall deliver to the proper Officer a correct Summary or Recital of the Proceedings, briefly stating the several Pleadings, and the Nature thereof, written fairly on Parchment, and signed by the Attorney, and thereupon the Officer shall take off from the Pleadings File the several Pleadings in the Cause in which such Judgment shall be required to be made up, and shall place them, together with the said Summary prefixed, in consecutive Order upon the File of Judgments, in the Manner now used, or as may be hereafter directed by any General Order of the Judges, there to be kept as the permanent Records of the Court, and shall upon the said Summary give the proper Award of Judgment; and it shall in all Cases of enrolling Judgments be sufficient to place on the Roll a correct Copy of the said Summary or Recital of the Proceedings according to Fact, together with the Award of Judgment in proper Form, with a Reference to the original Pleadings on the Judgment File, whereby the same may be immediately found and inspected; and no Judgment so enrolled under the Authority of this Act shall be liable to be disturbed on the Ground of Error, on account of any Omissions hereby authorized: Provided always, that

that if it shall be deemed necessary, for the Prosecution of any Proceeding in Error or for any other Purpose, it shall be lawful for the Court to order that the whole or any Part of the Pleadings shall be transcribed upon the Roll, and the same shall be transcribed by the proper Officer accordingly.

Judgment without Distinction between Debt or Damages.

CXXV. In all Actions where the Plaintiff recovers a Sum of Money, the Amount which he is entitled to may be awarded to him by the Judgment generally, without any Distinction being therein made as to whether such Sum is recovered by way of a Debt or Damages.

Award of Costs in vexatious Actions.

CXXVI. In all Actions for a Trespass on Lands or Tenements, Assault and Battery, or for Slander, the Plaintiff in such Action, in case the Jury shall find the Damages to be under the Value of Forty Shillings, shall not recover or obtain more Costs of Suit than the Damages so found shall amount unto, unless the Judge at the Trial shall certify under his Hand, on the Back of the Abstract for Nisi Prius, that the Assault and Battery was sufficiently proved by the Plaintiff against the Defendant, or that the Freehold or Title of the Land mentioned in the Plaint was chiefly in question, or that the Trespass was voluntary or malicious.

Execution.

With respect to Execution:

Execution after Trial.

CXXVII. A Plaintiff or Defendant, having obtained a Verdict or Nonsuit in a Cause tried out of Term, shall be entitled, without any Rule on the Postea or Inquisition, to mark Judgment and to issue Execution in Fourteen Days, and in a Cause tried in Term in Four Days, unless the Judge who tries the Cause, or some other Judge, or the Court, shall order Execution to issue at an earlier or later Period, with or without Terms; and it shall be lawful for the said Judge before whom the Trial has been had, or any other Judge, or the Court, to make such Order accordingly: Provided that, notwithstanding any Judgment signed or recorded or Execution issued by virtue of this Act, it shall be lawful for the Court in which such Action shall have been brought to order such Judgment to be vacated, and Execution to be stayed or set aside, and to enter an Arrest of Judgment, or grant a new Trial or new Writ of Inquiry, as Justice may appear to require, and thereupon the Party affected by such Execution shall be restored to all he may have lost thereby in such Manner as upon the Reversal of a Judgment by a Proceeding in Error, or otherwise as the Court may think fit to direct.

Execution may issue to any County.

CXXVIII. Any Writ of Execution, except a Writ of Habere facias possessionem, or other Writ of Possession, may be directed, in the first instance, to the Sheriff of any County, or County of a City, or other Shrievalty, as the Party suing out the same may think fit, without Reference to the County in which the Venue is laid, and without any Suggestion of the issuing of a prior Writ into such County.

Execution to issue for the Amount really due.

CXXIX. When any Execution is demanded, the Party demanding the same shall lodge with the Officer required to issue such Writ a Certificate signed by the Party or his Attorney containing such Sum as the Party demands to be in good Conscience due to him after all just and equitable Deductions, which Certificate shall be filed in the Office, and the Sum mentioned therein entered in the Book wherein Executions are entered, and also in the Body of the said Execution that shall issue, as the Sum to be levied on Foot of the Sum adjudged by the Judgment or Order of the Court; and if the Party at whose Suit such Execution issues shall appear wilfully, fraudulently, and maliciously to have overcharged the Party against whom such Execution issues, in such Case he shall forfeit to the Party grieved Treble Damages.

Expenses of Execution.

CXXX. In every Case of Execution, the Party entitled to Execution may levy the Poundage Fees and Expenses of the Execution by Law payable over and above the Sum recovered.

Sheriff empowered to seize Money, Bank Notes, &c., and to pay Money or Bank Notes to Execution Creditor.

CXXXI. Under any Writ of Fieri facias may be seized and taken any Money or Bank Notes (whether of the Governor and Company of the Bank of *Ireland*, or of any other Bank or Bankers), and any Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money, belonging to the Person against whose Effects such Writ of Fieri facias shall be sued out; and the Sheriff or other Officer shall pay or deliver to the Party suing out such Execution any Money or Bank Notes which shall be so seized, or a sufficient Part thereof, and shall hold any such Cheques, Bills of Exchange, Promissory Notes, Bonds, Specialties, or other Securities for Money as a Security or Securities for the Amount by such Writ of Fieri facias directed to be levied, or so much thereof as shall not have been otherwise levied and raised, and may sue in the Name of such Sheriff or other Officer for the Recovery of the Sum or Sums secured thereby, when the Time of Payment thereof shall have arrived; and the Payment to such Sheriff or other Officer by the Party liable, with or without Suit, or the Recovery and levying Execution against the Party so liable, shall discharge him to the Extent of such Payment, or of such Recovery and Levy in Execution, as the Case may be, from his Liability on any such Cheque, Bill of Exchange, Promissory Note, Bond, Specialty, or other Security; and such Sheriff or other Officer may and shall pay over to the Party suing out such Writ the Money so to be recovered, or such Part thereof as shall be sufficient to discharge the Amount by such Writ directed to be levied; and if, after Satisfaction of the Amount so to be levied, together with Sheriff's Poundage and Expenses, any Surplus shall remain in the Hands of such Sheriff or other Officer, the same shall be paid to the Party against whom such Writ shall be so issued: Provided that no such Sheriff or other Officer shall be bound to sue any Party liable upon any such Cheque, Bill of Exchange, Promissory Note, Bond, Specialty, or other Security, unless the Party suing out such Execution shall enter into a Bond, with Two sufficient Sureties, for indemnifying him from all Costs and Expenses to be incurred in the Prosecution of such Action, or to which he may become liable in consequence thereof, the Amount of such Bond or the Sufficiency of such Sureties, or such Amount and such Sufficiency, to be determined by the Master of the Court in which such Action shall be brought, or, if the Court shall so order, by a Commissioner of such Court authorized to take Special Bail, and the Expense of such Bond to be deducted out of any Money to be recovered in such Action.

CXXXII. If

Attachment of Government and Public Stock and Shares.

CXXXII. If any Person against whom such Judgment shall be entered as aforesaid shall have any Government Stock, Funds, or Annuities, or any Stock or Shares in any public Company in *Ireland*, whether incorporated or not, and standing in his own Name and in his own Right, or in the Name of any Person in trust for him, or any Interest in the Dividends, Interest, or annual Produce of such Stock, Funds, Annuities, or Shares, it shall be lawful for the Court or a Judge, on Application of the Party having recovered such Judgment, to make an Order *ex parte* in the Form No. 7. in the Schedule B. to this Act annexed, to attach such Stock, Funds, Annuities, or Shares, and such Dividends, Interest, or annual Produce shall be attached in the Books of the Governor and Company of the Bank of *Ireland* or any public Company, to answer the Purposes of such Execution, and such Stock, Funds, Annuities, and Shares shall not be suffered to be transferred, nor shall such Dividends, Interest, or annual Produce be paid, until such Order of Attachment shall be withdrawn or discharged or disposed of, and no Disposition in the meanwhile of such Debtor shall be valid or effectual as against such Party recovering such Judgment and obtaining such Order of Attachment.

Order for Transfer and Payment.

CXXXIII. A Copy of such Order of Attachment shall be served on the Debtor or his Attorney or Agent, and unless the said Debtor or some other Person interested shall within the Space of Twenty Days from the Service of such Order of Attachment and Copy, or from the Date of the last Service, or such other Time as the Court or a Judge may think reasonable, show sufficient Cause to the contrary, it shall be lawful for the Court or a Judge, if he shall so think fit, on Proof of the Service of such Order of Attachment and Copy, to make an Order on all Persons, Corporations, and public Companies whose Act or Consent is thereto necessary, to transfer the said Government Stock, Funds, Annuities, or Shares belonging to the said Judgment Debtor, and standing in his own Name, or in the Name of any Trustee for him for his own Benefit, into the Name of the said Sheriff or other Officer as aforesaid, or to make Payment of such Dividends, Interest, and annual Produce to said Sheriff, and all such Persons whose Act or Consent is so necessary as aforesaid are hereby required to obey such Order, and are indemnified for all Things done or permitted pursuant to such Order: Provided also, that it shall be lawful for such Court or a Judge, on the Application of the Debtor or any Person interested, to discharge or vary such Order for Attachment, and to award such Costs, on such Application, as to the said Court or a Judge shall seem just.

Charging Order on contingent and future Interests.

CXXXIV. If such Debtor shall have an Interest in any such Stock, Funds, Annuities, or Shares, or the Dividends, Interest, and annual Produce thereof, not vested or in possession, but contingent or in remainder or reversion, it shall be lawful for the Court or a Judge, on a like Application, to be made by the Party obtaining such Judgment, to make an Order *ex parte* that such Stock, Funds, Annuities, Shares, Dividends, Interest, or annual Produce, or a competent Part thereof, shall stand charged with the Payment of the Amount for which such Judgment shall have been recovered, and Interest on so much as shall remain unsatisfied, unless satisfactory Cause shall be shown to the contrary by the said Debtor or some other Person interested, within a Time to be named in said Order, and a Copy of such Order shall be served on the Debtor or his Attorney or Agent; and unless Cause shall be shown to the contrary within the Time specified in such Order, or such Time as the Court or a Judge may think proper, it shall be lawful for the Court or a Judge, if it shall so think fit, on Proof of the Service of such Order, to make same absolute; and such Order shall entitle the Creditor to all such Remedies as he would have been entitled to if such Charge had been made in his Favour by the Debtor: Provided that such Court or a Judge shall, on the Application of such Debtor, or any Person interested, have full Power to discharge or vary such Order, and to award such Costs, upon such Application as the Court or a Judge may think fit.

Order in respect of Money in Name of Accountant General.

CXXXV. If such Debtor shall have an Estate or Interest in any Stock, Funds, Annuities, or Shares, or Money, which shall be standing in the Name of the Accountant General of the Court of Chancery, or of the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*, or of the Master of any such Superior Court of Common Law, or in the Dividends, Interest, or annual Produce thereof, it shall be lawful for the Court or a Judge to make such Order as to such Stock, Funds, Annuities, Shares, and the Dividends, Interest, and annual Produce thereof, as if the same had been standing in the Name of a Trustee for such Judgment Debtor; but no such Order shall prevent the said Governor and Company of the Bank of *Ireland* or any such public Company from permitting any Transfer of such Stock, Funds, Annuities, and Shares, or Money, or the Payment of the Dividends, Interest, or annual Produce thereof, in such Manner as the said Court of Chancery, or the Commissioners for the Sale of Incumbered Estates in *Ireland*, or the Court of Common Law may direct: Provided, however, that it shall be lawful for the said Court of Chancery or Court of Common Law, or the said Court of the Commissioners for the Sale of Incumbered Estates, on the Application of the Judgment Creditor, to make such Order in respect of same as shall be just.

Execution against Beneficed Clergymen.

CXXXVI. Where to a Writ of Fieri facias issued against a Beneficed Clergyman the Sheriff shall have returned Nulla bona, and that the Defendant is a Beneficed Clerk having no Lay Fee, the Plaintiff may as of course issue a Writ of Execution De bonis ecclesiasticis, directed to the Bishop of any Diocese in which the Defendant may have a Benefice, and at any Time after a Writ of Execution De bonis ecclesiasticis shall have been delivered to any Bishop the Plaintiff may apply to the Court by Motion for an Order that the Bishop do certify what has been done under the Writ, and that the Sequestrator do account; and where, in obedience to any such Writ of Fieri facias, De bonis ecclesiasticis, a Sequestration of the Ecclesiastical Benefice shall be issued by any Bishop, it shall be lawful for any Court in which any Judgment shall be had against the same Defendant, and Execution issued and returned Nulla

bona, to make an Order extending the said Sequestration to the Matter of the said last-mentioned Judgment, without any further Writ or Proceeding; and the said last-mentioned Creditor shall have the Benefit of such Sequestration, and with Priority as from the Date of such Order of Extension, as if it were a Sequestration issued at his own Instance.

Return of Devastavit not to be made but on Finding of Jury.

CXXXVII. No Sheriff or other Officer shall return a Devastavit against any Defendant, being an Executor or Administrator, in any Action, but upon an Inquisition taken on the Oaths of Twelve lawful Men of his County, to whom Challenge may be taken; and the Plaintiff shall give the Defendant Ten Days previous Notice of the taking of such Inquisition, and of the Time and Place of taking same; and upon the Return of such Devastavit the Plaintiff shall be entitled to immediate Execution De bonis propriis, without further Rule or Judgment.

Detainer of a Prisoner in Execution.

CXXXVIII. It shall not be necessary in any Case to sue out a Writ of Habeas corpus ad satisfaciendum to charge in Execution any Person already in the Prison of the Court, but such Person may be so charged in Execution by a Side-bar Order upon an Affidavit that Judgment has been signed and is not satisfied, and the Service of such Order upon the Keeper of the Prison for the Time being shall have the Effect of a Detainer.

Discharge of a Prisoner from Execution.

CXXXIX. A Plaintiff or Defendant arrested under any Writ of Capias ad satisfaciendum shall be entitled to his Discharge from such Arrest, on Payment or Tender to the opposite Party or his Attorney in the Cause, or to the Sheriff or Gaoler in whose Custody such Person may be under such Writ, of the Amount directed to be levied by such Writ.

Sheriff or Gaoler may discharge Prisoner by Authority of Attorney in the Cause.

CXL. A written Order under the Hand of the Attorney in the Cause, by whom any Writ of Capias ad satisfaciendum shall have been issued, shall justify the Sheriff, Gaoler, or Person in whose Custody the Party may be under such Writ in discharging such Party, unless the Party for whom such Attorney professes to act shall have given written Notice to the contrary to such Sheriff, Gaoler, or Person in whose Custody the opposite Party may be, but such Discharge shall not be a Satisfaction of the Debt, unless made by the Authority of the Creditor; and nothing herein contained shall justify any Attorney in giving such Order for Discharge without the Consent of his Client.

Renewal of Execution.

CXLI. A Writ of Execution, after the Commencement of this Act, if unexecuted, shall not remain in force for more than One Year from the Date of such Writ, unless renewed in the Manner herein-after provided, but such Writ may at any Time before its Expiration be renewed by the Party issuing it for One Year from the Date of such Renewal, and so on from Time to Time during the Continuance of the renewed Writ, by being marked with the Seal of the Court, and with a Memorandum, signed or initialed by the Officer, of the Date of the Day, Month, and Year of such Renewal, such Seal to be provided and kept for that Purpose in the Office of the Master of the Court out of which such Writ issued, or by such Party giving a written Notice of Renewal to the Sheriff, signed by the Party or his Attorney, and bearing the like Seal of the Court, and Memorandum signed or initialed by the Officer as aforesaid; and a Writ of Execution so renewed shall have Effect and be entitled to the same Priority as the original Writ would have had: Provided, however, that no Writ of Habere shall be renewed without the special Leave of the Court or a Judge.

Production of renewed Writ Evidence of Renewal.

CXLII. The Production of a Writ of Execution, or of the Notice renewing the same, purporting to be marked with such Seal, and initialed as aforesaid, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed.

Satisfaction of Judgments by Party.

CXLIII. When any Party who shall have recovered Judgment in any of the said Courts, or his personal Representative or legal Assignee, shall be willing to cause an Entry of Satisfaction thereof, or a Memorandum of part Payment, to be entered on the Record, such Party shall execute a Satisfaction Piece according to the Form No. 8. in the Schedule B. to this Act annexed (which Satisfaction Piece shall not be subject to any Stamp Duty); and such Satisfaction Piece shall be executed in the Presence of One Witness, who shall attest by Affidavit the Execution of the same; and thereupon it shall be lawful for any Attorney of the said Court employed for that Purpose to require the proper Officer to enter Satisfaction or a Memorandum of part Payment on the Record of such Judgment; and such Officer shall, on having such Satisfaction Piece verified as aforesaid, and such Requisition lodged with him, enter such Satisfaction or a Memorandum of part Payment on the Record accordingly.

Court may order Satisfaction to be entered on Judgment fully paid.

CXLIV. It shall be lawful for the Court or a Judge to order a Memorandum of Satisfaction to be entered upon the Record of any Judgment, Judgment Roll, or Judgment Book, if it shall clearly appear to the said Court or Judge that the Debt or Damages for which the said Judgment was obtained have been fully satisfied and discharged.

Assignment of Breaches.

With respect to the Assignment and Suggestion of Breaches on Covenants and Agreements for Payment of any penal Sum:

Assignment of Breaches on penal Covenant.

CXLV. In any Action on any Bond, Covenant, or Agreement for Payment of any penal Sum for Nonperformance of any Covenant or Agreement contained in any Deed or Writing, and whether accompanied by Warrant of Attorney or not, the Plaintiff may assign One or more than One Breach of such Covenant or Agreement in his Summons and Plaint.

Damages on Breaches to be ascertained.

CXLVI. In all such Actions as last aforesaid the Jury or the Master shall ascertain the Damages in respect of such Breach or Breaches as shall be proved or admitted, and Judgment shall be entered for the full Amount of such Penalty, with an Award of the Payment of the Damages assessed, if any; and in case the Defendant shall pay into Court to the Credit of the Cause the Damages so assessed by the Jury or the Master, with the Costs of Suit, a Stay of Execution shall be entered on the Record of such

Judgment

Judgment for that Time; and in case the Plaintiff shall be paid or satisfied the said Damages so assessed, or the penal Sum aforesaid, at the Election of the Defendant, with the Costs of Suit aforesaid, and of Execution, the Defendant shall be discharged from such Execution entirely, or for that Time, and for the Amount so paid according as the Case may be, and such Discharge may be entered on the Record of said Judgment; but in case the said Damages do not amount to the said penal Sum, such Judgment shall still remain in full Force as a further Security to answer the Plaintiff, his Executors and Administrators, all such Damages as may be afterwards sustained by reason of any further Breach of any Covenant or Agreement in said Deed or Writing, as far as the Remainder of such penal Sum, after the Payment of the Damages formerly recovered out of the same, will reach.

Suggestion of further Breaches and Execution on same.

CXLVII. In all such Actions as last aforesaid, in case Judgment shall pass for the Plaintiff, and the full Amount thereof and the Costs of Suit shall not have been paid or levied, and afterwards any further Breach or Breaches shall happen, the Plaintiff shall be at liberty to file One or more than One Suggestion of such Breaches in the Form No. 9. in the Schedule B. to this Act annexed, or to the like Effect, and such Suggestion shall be pleaded to, and the Truth of the Matters therein suggested shall be tried and Damages awarded, and Judgment and Execution shall be given in like Manner, as if the same were on Summons and Plaint; and upon Payment or Satisfaction of such further Damages and Costs further Proceedings shall be stayed for that Time; and so from Time to Time, as often as Occasion may require, on every new Breach, the said Judgment may be resorted to, so far as aforesaid, and no further; and upon Payment or Satisfaction made to the full Amount of said penal Sum and Costs as aforesaid the said Defendant, his Body, Lands, and Goods, shall be discharged of all Execution in respect of the same.

Proceedings to revive.

And with respect to the Time within which Execution may be issued, and the Proceedings for the Revival of Judgments and other Proceedings by and against Persons not Parties to the Record, be it enacted as follows:

Execution without Revival.

CXLVIII. Writs of Execution may be issued, at any Time within Six Years after the Recovery of the Judgment, by or against the Plaintiffs or Defendants, or the Survivors of them, without any Revival of such Judgment.

Judgment to be revived by Suggestion.

CXLIX. In case it shall become necessary to revive a Judgment by reason of Lapse of Time or of a Change, by Death or otherwise, of the Parties entitled or liable to Execution, the Party alleging himself to be entitled to Execution may apply to the Court or a Judge, on an Affidavit ascertaining the Amount due, for Leave to enter a Suggestion upon the Record of the Judgment to the Effect that it manifestly appears to the Court that such Party is entitled to have Execution of the Judgment for the said Sum, and to issue Execution thereupon for the same, such Leave to be granted by the Court or a Judge upon such Terms and in such Manner as to the Court or a Judge shall seem fit.

Application for Suggestion.

CL. Upon such Application, in case it manifestly appears that the Party making the same is entitled to Execution, the Court or Judge shall allow such Suggestion as aforesaid to be entered in the Form No. 10. contained in the Schedule B. to this Act annexed, or to the like Effect, and Execution to issue thereupon for the Amount actually due, and shall order whether or not the Costs of such Application shall be paid to the Party making the same; and in case the said Costs shall be so ordered to the Party making the Application they shall be Costs in the Cause; and in case it does not manifestly appear, the Court or Judge shall refuse such Application, with or without Costs: Provided nevertheless, that in such last-mentioned Case the Party making such Application shall be at liberty to proceed by Revivor or Action upon the Judgment.

Writ of Revivor, and Proceedings thereunder.

CLI. In all Cases in which it shall become necessary to revive a Judgment the Party alleging himself to be entitled to Execution may sue out a Writ of Revivor, and such Writ of Revivor shall be directed to the Party called upon to show Cause why Execution should not be awarded for the Amount claimed to be due, and shall bear Date on the Day of its issuing, and after reciting the Reason why such Writ has become necessary it shall call upon the Party to whom it is directed to appear, within Eight Days after Service thereof in the Court out of which it issues, to show Cause why the Party at whose Instance such Writ has been issued should not have Execution against the Party to whom such Writ is directed for the Amount claimed to be due, and shall give Notice that in default of Defence the Party issuing such Writ may proceed to Execution for such Amount, together with the Costs of such Proceeding; and such Writ may be in the Form No. 11. contained in the Schedule B. to this Act annexed, or to the like Effect, and may be served in any County, and otherwise proceeded upon, whether in Term or Vacation, in the same Manner as a Writ of Summons and Plaint; and the Venue in such Writ may be laid in any County, and the Pleadings and Proceedings thereupon, and the Rights of the Parties respectively to Costs, shall be the same as in an ordinary Action, so far as the same may be applicable.

Plea of Payment of Judgment.

CLII. In any Action on a Judgment, or in any Proceeding by Writ of Revivor to revive a Judgment, or to have Execution for the Sum remaining due and unsatisfied on Foot of such Judgment, if the Defendant hath paid the Money due on such Judgment or the Balance claimed on Foot of same, such Payment shall and may be pleaded in bar of any such Action or Proceeding by Writ of Revivor.

Writs of Scire facias in other Cases.

CLIII. All Writs of Scire facias issued out of any of the Superior Courts of Law at *Dublin*, against Bail on a Recognizance; against Members of a Joint Stock Company or other Body upon a Judgment recorded against a public Officer or other Person sued as representing such Company or Body, or against such Company or Body itself; by or against a Husband to have Execution of a Judgment for or against a Wife; for Restitution after a Reversal in Error, or for Recovery of Land taken under an Elegit, or for

Execution

Execution against a personal Representative on a Judgment of Assets quando acciderint, shall be dated, directed, and proceeded upon in like Manner as Writs of Revivor.

As to Writ of Revivor.

CLIV. A Writ of Revivor to revive a Judgment less than Ten Years old shall be allowed without any Rule or Order; if more than Ten Years old, not without the Order of the Court or a Judge.

Death, Marriage, Bankruptcy.

With respect to the Effect of Death, Marriage, and Bankruptcy upon the Proceedings in an Action:

Action not to abate by Death.

CLV. The Death of a Plaintiff or Defendant shall not cause the Action to abate, but it may be continued as herein-after mentioned.

Proceedings on Death of One of several Plaintiffs or Defendants.

CLVI. In case there be Two or more Plaintiffs or Defendants, and One or more of them shall die, if the Cause of Action shall survive to the surviving Plaintiff or Plaintiffs, or against the surviving Defendant or Defendants, the Action shall not be thereby abated; but such Death being suggested upon the Record, the Action shall proceed at the Suit of the surviving Plaintiff or Plaintiffs against the surviving Defendant or Defendants.

Proceeding in case of sole Plaintiff.

CLVII. In case of the Death of a sole Plaintiff or sole surviving Plaintiff, the legal Representative of such Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, and the Action shall thereupon proceed; and if such Suggestion be made before the Trial the Truth of the Suggestion shall be tried thereat, together with the Title of the deceased Plaintiff, and such Judgment shall follow upon the Verdict in favour of or against the Person making such Suggestion as if he were originally the Plaintiff.

Proceeding upon Death of sole or sole surviving Defendant.

CLVIII. In case of the Death of a sole Defendant or sole surviving Defendant, where the Action survives, the Plaintiff may file a Suggestion of the Death, and that a Person named therein is the Executor or Administrator of the Deceased, and may thereupon serve such Executor or Administrator with a Copy of the Summons and Plaint and Suggestion, and with a Notice, signed by the Plaintiff or his Attorney, requiring such Executor or Administrator to file a Defence within Twelve Days after Service of the Notice, inclusive of the Day of such Service, and that in default of his so doing the Plaintiff may sign Judgment against him as such Executor or Administrator; and the same Proceedings may be had and taken thereon after such Notice as upon a Writ against such Executor or Administrator in respect of the Cause for which the Action was brought; and in case the Plaintiff shall have issued his Summons and Plaint, but the Defendant shall not have pleaded before the Death, the new Defendant shall plead at the same Time to the Summons and Plaint and Suggestion; and in case the Defendant shall have pleaded before the Death the new Defendant shall be at liberty to plead to the Suggestion only by way of Denial, or such Plea as may be appropriate to and rendered necessary by his Character of Executor or Administrator, unless, by Leave of the Court or a Judge, he should be permitted to plead fresh Matter in answer to the Summons and Plaint, and in case the Plaintiff shall recover he shall be entitled to the like Judgment in respect of the Debt or Damages sought to be recovered, and in respect of the Costs prior to the Suggestion; and he shall be entitled in respect of the Costs of the Suggestion and subsequent thereto to the same Judgment as in an Action originally commenced against the Executor or Administrator.

Death between Verdict and Judgment.

CLIX. The Death of either Party between the Verdict or Nonsuit and the Judgment shall not hereafter be alleged for Error, so as such Judgment be entered within Two Terms after such Verdict or Nonsuit.

Death after interlocutory and before final Judgment.

CLX. If the Plaintiff in any Action happen to die after an interlocutory Judgment and before a final Judgment obtained therein, the said Action shall not abate by reason thereof, if such Action might be originally prosecuted or maintained by the Executor or Administrator of such Plaintiff; and if the Defendant die after such interlocutory Judgment and before final Judgment therein obtained, the said Action shall not abate, if such Action might be originally prosecuted or maintained against the Executor or Administrator of such Defendant; and the Plaintiff, or if he be dead after such interlocutory Judgment, his Executors or Administrators, shall and may have a Writ of Revivor, in the appropriate Form No. 13. contained in the Schedule B. to this Act annexed, or to the like Effect, against the Defendant, if living after such interlocutory Judgment, or if he be dead, then against his Executors or Administrators, to show Cause why Damages in such Action should not be assessed and recovered by him or them; and if such Defendant, his Executors or Administrators, shall not appear and defend at the Return of such Writ, or shall not show or allege any Matter sufficient to arrest the final Judgment, a Writ of Inquiry of Damages shall be awarded, or the Amount for which final Judgment is to be signed shall be referred to the Master, as herein-before provided; and upon the Return of the Writ, or Delivery of the Order with the Amount endorsed thereon to the Plaintiff, or his Executors or Administrators, final Judgment shall be given for the said Plaintiff, his Executors or Administrators, prosecuting such Writ of Revivor against such Defendant, his Executors or Administrators respectively.

Marriage not to abate Action.

CLXI. The Marriage of a Female Plaintiff or Defendant shall not cause the Action to abate, but the Action may notwithstanding be proceeded with to Judgment; and such Judgment may be executed against the Wife alone, or, by Suggestion or Writ of Revivor pursuant to this Act, Judgment may be obtained against the Husband and Wife, and Execution issue thereon; and in case of a Judgment for the Wife recovered before or after her Marriage in an Action commenced by her when sole, upon which she would be entitled to Execution if she had continued sole, Execution may be issued thereupon by the Authority of the Husband without any Writ of Revivor or Suggestion; and if in any such Action the Wife shall sue or defend by Attorney appointed by her when sole, such Attorney shall have Authority

to

to continue the Action or Defence, unless such Authority be countermanded by the Husband, and the Attorney changed according to the Practice of the Court.

Bankruptcy and Insolvency of Plaintiff, when not to abate Action.

CLXII. The Bankruptcy or Insolvency of the Plaintiff in any Action which the Assignees might maintain for the Benefit of the Creditors shall not be pleaded in bar to such Action, unless the Assignees shall decline to continue, and give Security for the Costs thereof, upon a Judge's Order to be obtained for that Purpose, within such reasonable Time as the Judge may order, but the Proceedings may be stayed until such Election is made; and in case the Assignees neglect or refuse to continue the Action, and give such Security within the Time limited by the Order, the Defendant may, within Eight Days after such Neglect or Refusal, plead the Bankruptcy or Insolvency.

Arrest of Judgment.

With respect to the Proceedings upon Motions to arrest the Judgment, and for Judgment non obstante veredicto:

Upon Motion in arrest of Judgment or for Judgment non obstante veredicto, Suggestion of Facts.

CLXIII. No Judgment shall be arrested, nor shall Judgment be given non obstante veredicto, by reason of the Non-averment of any alleged material Fact or other Cause, unless the Party insisting on the Objection shall satisfy the Court that there has been an Omission of some substantial Matter of Fact whereby the said Party may have been prejudiced in the Merits of his Case, and in such Case the Party whose Pleading is alleged or adjudged to be therein defective may, by Leave of the Court, suggest the Existence of the omitted Fact or Facts, or other Matter, which, if true, would remedy the alleged Defect; and such Suggestion may be pleaded to by the opposite Party within Eight Days after Notice thereof, or such Time as the Court or a Judge may allow; and the proceeding to Trial of any Issue joined on such Suggestion shall be the same as in an ordinary Action.

Costs to follow Result of Issue.

CLXIV. If the Fact suggested be admitted or found to be true, the Party suggesting shall be entitled to the like Judgment as he would have been entitled to if such Facts or Allegations had been originally stated in the Pleading, and proved or admitted at the Trial, together with the Costs of and occasioned by the Suggestion and Proceeding thereon, but if such Fact or Facts be found to be untrue, the opposite Party shall be entitled to his Costs of and occasioned by the Suggestion and Proceeding thereon, in addition to any other Costs to which he may be entitled.

Costs of abortive Issues.

CLXV. Upon an Arrest of Judgment, or Judgment non obstante veredicto, the Court shall adjudge to the Party against whom such Judgment is given the Costs occasioned by the Trial of any Issues of Fact arising out of the Pleading for Defect of which such Judgment is given upon which such Party shall have succeeded; and such Costs shall be set off against any Money or Costs adjudged to the opposite Party, and Execution may issue for the Balance, if any.

Error.

With respect to Proceedings in Error:

Error to be brought within Six Years.

CLXVI. No Judgment in any Action shall be reversed or avoided for any Error or Defect therein, unless the Proceedings in Error be commenced, or brought and prosecuted with Effect, within Six Years after such Judgment signed or entered of Record, or within Six Years after the Time when this Act shall have come into operation.

Error may be brought by legal Representative of a deceased Party.

CLXVII. If any Person is or shall be entitled to bring Error as Heir or personal Representative of any Party, Plaintiff or Defendant, such Person may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, which Suggestion shall be embodied in the Memorandum of Error herein-after mentioned, and shall not be traversable, but shall only be subject to be set aside on Application to the Court or a Judge, on Motion, if untrue, and the like Proceedings in Error may thereupon be taken at the Suit of such legal Representative.

Proviso for Disabilities.

CLXVIII. If any Person that is or shall be entitled to bring Error as aforesaid is or shall be, at the Time of such Title accrued, within the Age of Twenty-one Years, Feme Covert, non compos mentis, or beyond the Seas, then such Person shall be at liberty to bring Error as aforesaid, so as such Party brings or commences and prosecutes the same with Effect within Six Years after coming to or being of full Age, Discovert, of sound Memory, or Return from beyond the Seas; and if the opposite Party shall at the Time of the Judgment signed or entered of Record be beyond the Seas, then Error may be brought, provided the Proceedings be commenced and prosecuted with Effect within Six Years after the Return of such Party from beyond Seas.

Writ of Error abolished.

CLXIX. A Writ of Error shall not be necessary or used in any Action, and the Proceeding to Error shall be a Step in the Cause, and shall be taken in manner herein-after mentioned; but nothing in this Act contained shall invalidate any Proceedings already taken or to be taken by reason of any Writ of Error issued before the Commencement of this Act.

Error in Law how brought.

CLXX. Either Party alleging Error in Law may deliver to the Master of the Court a Memorandum in Writing in the Form No. 12. contained in the Schedule B. to this Act annexed, or to the like Effect, entitled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Law in the Record and Proceedings, whereupon the Master shall file such Memorandum, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note, together with a Statement of the Grounds of Error intended to be argued, may be served on the opposite Party or his Attorney.

Error no Supersedeas till Service of the Copy of the Note and Ground of Error.

CLXXI. Proceedings in Error in Law shall be deemed a Supersedeas of Execution from the Time of the Service of the Copy of the Note of the Receipt by the Master of the Memorandum alleging Error, together with the Statement of the Grounds of Error intended to be argued, until Default in putting in Bail, or Affirmance of the Judgment, or Discontinuance of the Proceedings in Error, or until the Proceedings in Error shall be otherwise disposed of without a Reversal of the Judgment; provided that if the Grounds of Error shall appear to be frivolous the Court or a Judge upon Motion may order Execution to issue.

CLXXII. Upon

Bail in Error.

CLXXII. Upon any Judgment given or to be given in any of the said Superior Courts of Common Law in any Personal Action or Ejectment, Execution shall not be stayed or delayed by Proceedings in Error, or Supersedeas thereupon, without special Order of the Court or a Judge, unless the Person in whose Name such Proceedings in Error be brought shall, within Four clear Days after lodging the Memorandum alleging Error, or after the signing of the Judgment, whichever shall last happen, or before Execution executed, be bound with Two, or, by Leave of the Court or a Judge, more than Two sufficient Sureties, such as the Court wherein such Judgment is or shall be given, or a Judge, shall allow of, unto the Party for whom any such Judgment is or shall be given, by Recognizance, to be acknowledged in the same Court, in double the Sum adjudged to be recovered by the said Judgment, except in Case of a Penalty, and in case of a Penalty in double the Sum really due, and double the Costs, and in the Case of a Plaintiff in double the Costs adjudged to be paid to the Defendant, and also, except in case of Error brought by a Defendant in Ejectment, and in such Case in double the yearly Value of the Property adjudged to be recovered and double the Costs, to prosecute the Proceedings in Error with Effect, and also to satisfy and pay (if the said Judgment be affirmed, or the Proceedings in Error be discontinued by the Plaintiff therein,) all and singular the Sum or Sums of Money and Costs adjudged or to be adjudged upon the former Judgment, and all Costs and Damages and Interest to be awarded on such Writ of Error, or on any further Writ returnable into Parliament, for the delaying of Execution, and also the Mesne Rates of such Lands, if any be adjudged in any Action to be brought for the same, and give Notice thereof to the Defendant in Error or his Attorney.

Suggestion of Joinder in Error.

CLXXIII. The Assignment of and Joinder in Error in Law shall not be necessary or used, and instead thereof a Suggestion to the Effect that Error is alleged by the one Party and denied by the other may be entered on the Judgment Roll in the Form No. 13. contained in Schedule B. to this Act annexed, or to the like Effect; provided that in case the Defendant in Error intends to rely upon the Proceeding in Error being barred by Lapse of Time, or by Release of Error, or other like Matter of Fact, he may give Four Days written Notice to the Plaintiff in Error to assign Error as heretofore, instead of entering the Suggestion, and shall plead thereto within Eight Days the Bar by Lapse of Time, or Release of Error, or other like Matter of Fact, upon which such Proceedings may be had as heretofore.

Entry of Suggestion to be made by Plaintiff in Error.

CLXXIV. The Suggestion last aforesaid shall be entered by the Plaintiff in Error within Ten Days after the Service of the Note of the Receipt of the Memorandum alleging Error, or such other Time as the Court or a Judge may order; and in default thereof, or of Assignment of Error in Cases where an Assignment is required, the Defendant in Error, his Executors or Administrators, shall be at liberty to sign Judgment of Non-pros.

Error by One of several Persons.

CLXXV. In case Error be brought upon a Judgment given against several Persons, and One or some only shall proceed in Error, the Note of the Receipt of such Memorandum shall state the Names of the Persons by whom the Proceedings are taken; and in case the other Persons against whom Judgment has been given decline to join in the Proceedings in Error, the same may be continued, and the Suggestion last aforesaid entered, stating the Persons by whom the Proceedings are brought, without any Summons and Severance; or if such other Persons elect to join, then the Suggestion shall state them to be and they shall be deemed as Plaintiffs in Error, although not mentioned as such in the previous Proceedings.

Judgment Roll to be brought into Court of Error.

CLXXVI. Upon such Suggestion of Error alleged and denied being entered, the Cause may be set down for Argument in the Court of Error in the Manner heretofore used; and the Judgment Roll shall, without any Writ or Return, be brought by the Master into the Court of Error in the Exchequer Chamber, before the Judges of the said Court, on the Day of its Sitting, at such Time as the Judges shall appoint, either in Term or in Vacation; and the Court of Error shall and may thereupon review the Proceedings, and give Judgment as they shall be advised thereon; and such Proceedings and Judgment as altered or affirmed shall be entered on the original Record; and such further Proceedings as may be necessary thereon shall be awarded by the Court in which the original Judgment was given: Provided, however, that in case of Error to the High Court of Parliament, a Transcript of the Record shall be prepared and forwarded in the Manner heretofore used.

Jurisdiction of Courts of Error.

CLXXVII. Courts of Error shall have Power to quash the Proceedings in Error in all Cases in which Error does not lie, or where they are taken against good Faith, or in any Case in which Proceedings in Error might heretofore have been quashed by such Courts; and such Courts shall in all respects have such Jurisdiction over the Proceedings as over the Proceedings in Error commenced by Writ of Error, and shall be enabled to give the like Order for Payment of Interest for Delay of Execution in giving any Judgment of Affirmance.

Court of Error to have like Powers with Court below.

CLXXVIII. Courts of Error shall in all Cases have Power to give such Judgment and award such Process of Repleader and Writ of Inquiry as the Court from which Error is brought ought to have done, without regard to the Party alleging Error.

Proceedings in Error in Fact.

CLXXIX. Either Party alleging Error in Fact may deliver to the Master of the Court a Memorandum in Writing in the Form No. 14. contained in the Schedule B. to this Act annexed, or to the like Effect, entitled in the Court and Cause, and signed by the Party or his Attorney, alleging that there is Error in Fact in the Proceedings, together with an Affidavit of the Matter of Fact in which the alleged Error consists, whereupon the Master shall file such Memorandum and Affidavit, and deliver to the Party lodging the same a Note of the Receipt thereof; and a Copy of such Note and Affidavit may be served on the opposite Party or his Attorney; and such Service shall have the same Effect, and the same Proceedings

ceedings may be had thereafter, as heretofore had after the Service of the Rule for Allowance of a Writ of Error in Fact.

Plaintiff may discontinue Proceedings in Error.

CLXXX. The Plaintiff in Error, whether in Fact or Law, shall be at liberty to discontinue his Proceedings by giving to the Defendant in Error a Notice, headed in the Court and Cause, signed by the Plaintiff in Error or his Attorney, stating that he discontinues such Proceedings, and thereupon the Defendant in Error may sign Judgment for the Costs of and occasioned by the Proceedings in Error, and may proceed upon the Judgment on which the Error was brought.

Defendant may confess Error, and consent to Reversal of Judgment.

CLXXXI. The Defendant in Error, whether in Fact or Law, shall be at liberty to confess Error, and consent to the Reversal of the Judgment, by giving to the Plaintiff in Error a Notice, headed in the Court and Cause, signed by the Defendant in Error or his Attorney, stating that he confesses the Error, and consents to the Reversal of the Judgment, and thereupon the Plaintiff in Error shall, on an Affidavit of the Service of such Notice, be entitled to and may forthwith sign a Judgment of Reversal.

Death of Plaintiff in Error no Abatement.

CLXXXII. The Death of a Plaintiff in Error after Service of the Note of the Receipt of the Memorandum alleging Error, with a Statement of the Grounds of Error, shall not cause the Proceedings to abate, but they may be continued as herein-after mentioned.

Death of One of several Plaintiffs in Error.

CLXXXIII. In case of the Death of One of several Plaintiffs in Error, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Proceedings may be thereupon continued at the Suit of and against the surviving Plaintiff in Error, as if he were the sole Plaintiff.

Death of sole Plaintiff or of all the Plaintiffs in Error.

CLXXXIV. In case of the Death of a sole Plaintiff or of all the Plaintiffs in Error, the legal Representative of such Plaintiff or of the surviving Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, which Suggestion shall not be traversable, but shall only be subject to be set aside on Application to the Court or a Judge on Motion, if untrue, and the Proceedings may thereupon be continued at the Suit of and against such legal Representative of the Plaintiff in Error; and if no such Suggestion shall be made, the Defendant in Error may proceed to an Affirmance of the Judgment according to the Practice of the Court, or take such other Proceedings thereupon as he may be entitled to.

Death of Defendant in Error no Abatement.

CLXXXV. The Death of a Defendant in Error shall not cause the Proceedings to abate, but they may be continued as herein-after mentioned.

Death of One of several Defendants in Error.

CLXXXVI. In case of the Death of One of several Defendants in Error, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Proceedings may be continued against the surviving Defendant.

Proceedings upon Death of sole Defendant or of all the Defendants in Error.

CLXXXVII. In case of the Death of a sole Defendant or of all the Defendants in Error, the Plaintiff in Error may proceed, upon giving Ten Days Notice of the Proceedings in Error, and of his Intention to continue the same, to the Representatives of the deceased Defendants, or if no such Notice can be given, then, by Leave of the Court or a Judge, upon giving such Notice to the Parties interested as he or they may direct.

Marriage not to abate Proceedings in Error.

CLXXXVIII. The Marriage of a Female Plaintiff or Defendant in Error shall not abate the Proceedings in Error, but the same may be continued in like Manner as herein-before provided with reference to the Continuance of an Action after Marriage.

Injunctions to have a specific Operation.

CLXXXIX. In case any Action, Suit, or Proceeding in any of the said Superior Courts of Law or in a Court of Equity shall be commenced, sued, or prosecuted in disobedience of any Writ of Injunction, Rule or Order of the Court of Chancery or of any of the Superior Courts of Law, upon Production of such Writ of Injunction, Rule or Order, to the Court in which such Action, Suit, or Proceeding shall be commenced, prosecuted, or taken, or any Judge thereof, the said Court or a Judge shall stay all further Proceedings contrary to such Injunction, Rule or Order, and thenceforth all further and subsequent Proceedings shall be utterly null and void: Provided always, that nothing herein contained shall be held to vary or abridge the Liability of any Person commencing, suing, or prosecuting such Action, Suit, or Proceeding, contrary to such Injunction, Rule, or Order aforesaid, to any Attachment, Punishment, or other Proceeding to which such Person shall or may be liable in case of Contempt of the Court of Chancery or Superior Court of Law aforesaid, in regard to the commencing, suing, or prosecuting such Action, Suit, or Proceeding.

General Matters.

With respect to general Matters connected with the Action:

Pleadings dated of Time of pleading.

CXC. Every Defence and Demurrer and other Pleading shall be entitled of the proper Court, and of the Day of the Month and the Year when the same was pleaded, and shall be entered on the Abstract for Nisi Prius, and on the Judgment Book or Roll under the Date of the Day of the Month and the Year when the same respectively took place.

Writs to be tested and returnable in Vacation as well as in Term.

CXCI. Every Writ of any Description whatsoever to be hereafter issued out of the said Superior Courts of Common Law or the Court of Exchequer Chamber may be issued and tested or made returnable on any Day, not being One of the Days hereby appointed as Holidays, whether such Day shall be in Term Time or Vacation, and every such Writ so issued, tested, or returnable shall be of the like Validity, Force, and Effect as if the Day of the issuing, testing, or Return of such Writ were actually a Day in Term: Provided always, that nothing herein contained shall affect the Process and Practice of the Revenue Side of the Court of Exchequer.

Rules shall issue and run in Vacation as well as in Term Time.

CXCII. Every Rule or Order in the said Superior Courts and the Court of Exchequer Chamber may be made, entered, or issued on or as of any Day except the Days hereby appointed to be observed and kept as Holidays, whether such Day shall be in Term Time or Vacation; and the Days limited for Compliance with such Rules or Orders shall, with the Exception of the Days hereby appointed to be observed and kept as Holidays, and of the Days between the First Day of *August* and Twentieth Day of *October*, run in Vacation as well as in Term Time.

Court on Motion may order a fixed Sum to be paid in lieu of taxed Costs.

CXCIII. In all Cases upon interlocutory Applications where the Court or a Judge shall deem it proper to award Costs to either Party, it shall be optional with the Court or Judge either to refer the Costs to the Taxing Officer to be taxed, or by the Order direct the Payment of a Sum in gross in lieu of taxed Costs, and also to direct by and to whom such Sum in gross shall be paid.

Action of Ejectment.

With respect to the Action of Ejectment:

Ejectment to be commenced by Writ of Summons and Plaint.

CXCIV. Where any Party shall claim Possession of any Lands, Tenements, or Hereditaments, and shall be desirous of proceeding by Ejectment for the Recovery of the same in any of the said Superior Courts of Law, such Party shall commence any Action for such Purpose by a Writ of Summons and Plaint, which Writ shall be directed to the immediate Tenant or any One Tenant in possession, as Defendant, with the addition of the Words "and all Persons concerned," and shall, in addition to any Particulars herein-before required, contain the Description of the Property sought to be recovered with reasonable Certainty, and the County, Barony, or Parish in which the same is situated: Provided, however, that no Want of "reasonable Certainty" in the Description of the Property, or Part of it, in the Summons and Plaint or Copy, shall nullify them, but shall be Ground for an Application to the Court or a Judge for better Particulars of the Land claimed, which the Court or a Judge shall have Power to give in all Cases, upon the Application of any Person named as a Defendant or interested in the Lands claimed or supposed to be claimed.

Form and Duration of Writ of Summons in Ejectment.

CXCV. The Writ of Summons and Plaint in Ejectment shall state the Names of all the Persons in whom the Title is alleged to be, and command the Persons to whom it is directed to appear, within Twelve Days after the Service thereof, in the Court into which such Writ is returnable, to defend the Possession of the Property sued for, or such Part thereof as they may think fit; and the Writ shall be dated and endorsed, and continue in force, and be renewed, and shall be filed after Service thereof, in like Manner as herein-before enacted with reference to the Writ of Summons and Plaint in a Personal Action; and in Cases of Ejectment on the Title it shall be lawful for the Plaintiff by such Writ to claim Damages for the Loss of the Mesne Rates and Profits of the Lands sought to be recovered; and in case of Ejectment for Nonpayment of Rent such Writ shall be endorsed with the full Particulars of the Rent due, and of all Credits to which the Defendant shall be justly entitled, and may be in the Form No. 15. in the Schedule B. to this Act annexed, or to the like Effect; and the same Proceedings may be had to ascertain whether the Writ was issued by the Authority of the Attorney whose Name was contained in, or endorsed thereon, and who and what the Plaintiffs are, and their Abode, and as to staying the Proceedings upon Writs issued without Authority, as in the Case of Writs in Personal Actions.

Trial may be ordered to take place in any County.

CXCVI. The Venue shall be laid in the County in which the Lands are situate, but the Court or a Judge may, on the Application of either Party, order that the Trial shall take place in any County or Place other than that in which the Venue is laid; and such Order being suggested on the Abstract, the Trial may be had accordingly.

Service of Ejectment.

CXCVII. The Writ shall be served in the same Manner as an Ejectment has heretofore been served, or in such Manner as the Court or a Judge shall order; and in case of vacant Possession, by posting a Copy thereof upon the Door of the Dwelling House or other conspicuous Part of the Premises.

Form of Defence in Ejectment.

CXCVIII. Every Defence to a Summons in Ejectment on the Title shall be in the Form No. 16. in the Schedule B. to this Act annexed, or to the like Effect, and every Defence to an Ejectment for Nonpayment of Rent shall set forth the substantial Ground of the Defence, as, for Example, whether the Title of the Plaintiff as Landlord is disputed, or the Fact of the Rent being due if in Dispute; and such Defence shall be endorsed with the Particulars of any Payments made, and may be according to the Form No. 17. in the said Schedule B.

Partial Defence.

CXCIX. Any Person taking Defence as aforesaid to an Ejectment on the Title shall be at liberty to limit his Defence to a Part only of the Property mentioned in the Writ, describing that Part with reasonable Certainty, otherwise the Defence shall be deemed to apply to the whole; but a Defence to an Ejectment for Nonpayment of Rent shall be a Defence for all the Lands and Premises in the Summons mentioned; and in case a Defendant shall desire to take Defence for Part only of the Premises, upon the Ground that such Part was not included in the Lease or other Instrument sought to be evicted, he shall make a special Application to the Court for that Purpose.

Defence of Persons not named or in possession.

CC. Any other Person not named in or served with such Writ shall, by Leave of the Court or a Judge, be allowed to defend, on filing an Affidavit showing that he is in possession of the Land, either by himself or his Tenant; and the Court or a Judge shall have Power to strike out or confine any Defence set up by a Person not in possession by himself or his Tenants.

Judgment by Default for Want of Defence.

CCI. In case no Defence be filed within the Time appointed, or if the Defence filed be limited to Part only, the Plaintiff shall, on filing an Affidavit of the Service of the Summons and Plaint, be at liberty to sign a Judgment that the Plaintiffs shall recover Possession of the Land, or of the Part thereof to which the Defence does not apply; and such Judgment, if for all, may be in the Form No. 18. contained in the Schedule B. to this Act annexed, or to the like Effect, without any Award of Costs, but without

Prejudice

Prejudice to the Plaintiff's Right to have the Costs taxed by the proper Officer, and to proceed by Action for Recovery of Mesne Rates and Costs, or either of them; and the said Judgment for Part may be in the Form No. 19. contained in the said Schedule B. to this Act annexed, or to the like Effect; and a Memorandum of such Judgment shall be recited in the Abstract for Nisi Prius or Judgment thereafter to be made up.

Abstract of Issues.

CCII. In case a Defence shall be filed, an Abstract of the Issue for Nisi Prius may at once be made up by the Plaintiffs or their Attorney, setting forth the Writ, and stating the Fact of the Defence, with its Date, of each of the Persons taking Defence, so that it may appear for what Defence is made; and such Abstract may be in the Form No. 20. contained in Schedule B. to this Act annexed, or to the like Effect, and such Abstract shall be lodged with the Pleadings Assistant in the Manner herein-after provided; and the Question at the Trial, except in the Case herein-after mentioned, shall be whether the Statement of the Title of the Plaintiffs in the Summons and Plaint is true or false, and if true, then which of the Plaintiffs is entitled, and whether to the whole or Part, and if to Part, then to which Part of the Property in question, and whether to any, and, if any, to what Damages by way of Compensation for Loss of Mesne Rates and Profits; and upon the Trial of any Issue in an Ejectment for Nonpayment of Rent the Amount of the Rent due to the Plaintiff shall be found by the Jury.

Proof of Title.

CCIII. The Proof of Title in any One or more of several Plaintiffs in Ejectment shall be sufficient to entitle a Verdict to be entered for such Plaintiff or Plaintiffs, and it shall not be necessary to produce or prove upon any Trial of an Ejectment the Affidavit of Service of the Writ of Summons.

Verdict when Title appears to have expired before Trial.

CCIV. In case the Title of the Plantiff shall appear to have existed as alleged in the Writ at the Time of Service thereof, but it shall also appear to have expired before the Time of Trial, the Plaintiff shall, notwithstanding, be entitled to a Verdict, according to the Fact that he was so entitled at the Time of bringing the Action and serving the Writ, and to a Judgment for his Costs of Suit.

Nonappearance at Trial.

CCV. If the Defendant appears, and the Plaintiff does not appear at the Trial, the Plaintiff shall be nonsuited; and if the Plaintiff appears, and the Defendant does not appear, the Plaintiff shall be entitled to a Verdict, without any Proof of his Title, and in case of Ejectment on the Title shall be entitled to prove the Amount of Damages sustained by reason of the Loss of the Mesne Rates and Profits, and in case of an Ejectment for Nonpayment of Rent shall be entitled to prove the Amount of Rent actually due, and to have a Verdict for the same.

Ascertainment of Rent.

CCVI. In Ejectment for Nonpayment of Rent, where Judgment shall have gone by Default, or the Defendant shall not appear at the Trial, it shall be sufficient for the Purpose of ascertaining the Amount of the Rent due, and to satisfy the Provisions of the Statutes with respect to the ascertaining the Rent, that an Affidavit of the Plaintiffs, or One of them, or their or his Agent, to the Effect that an Amount of Rent not less than One Year's Rent, and specifying the same, was due at the Time of the Commencement of the Action, after all just Allowances shall have been made.

Judgment and Execution upon finding for Plaintiff.

CCVII. Upon a Verdict for the Plaintiff, Judgment may be signed, and Execution issued for the Recovery of Possession of the Property, or such Part thereof as the Jury shall find the Plaintiff entitled to, and in case of an Ejectment on the Title for such Damages for Loss of Mesne Rates and Profits as shall be found by the said Jury, and in case of Ejectment for Nonpayment of Rent for Recovery of so much Rent as shall be found to be due, and Costs, within such Time, not exceeding the Fifth Day in Term after the Verdict, as the Court or Judge before whom the Cause is tried shall order, and if no such Order be made, then on the Fifth Day in Term after the Verdict, or within Fourteen Days after such Verdict, whichever shall first happen.

Judgment and Execution upon finding for Defendant.

CCVIII. Upon a Verdict for the Defendants, or any of them, or upon a Nonsuit, Judgment may be signed, and Execution issue for Costs against the Plaintiffs named in the Writ, within such Time, not exceeding the Fifth Day in Term after the Verdict or Nonsuit, as the Court or Judge before whom the Cause is tried shall order, and if no such Order be made, then on the Fifth Day in Term after the Verdict or Nonsuit, or within Fourteen Days after such Verdict, whichever shall first happen.

Execution in Ejectment.

CCIX. Upon any Judgment in Ejectment there may be either One or several Writs of Execution for the Recovery of the Possession, and for the Damages or the Rent ascertained to be due, and Costs, at the Election of the Plaintiff.

Defence by joint Owners.

CCX. In case of such an Action being brought by some or One of several Persons entitled as Joint Tenants, Tenants in Common, or Coparceners, any Joint Tenant, Tenant in Common, or Coparcener in possession may set forth in his Defence that he is such Joint Tenant, Tenant in Common, or Coparcener, and defends as such, and admits the Right of the Plaintiff to an undivided Share of the Property, stating what Share, but denies any actual Ouster of him from the Property, and upon the Trial of such an Issue the additional Question of whether an actual Ouster has taken place shall be tried.

Judgment against joint Owners.

CCXI. Upon the Trial of such Issue as last aforesaid, if it shall be found that the Defendant is Joint Tenant, Tenant in Common, or Coparcener with the Plaintiff, then the Question whether an actual Ouster has taken place shall be tried, and unless such actual Ouster shall be proved the Defendant shall be entitled to Judgment and Costs; but if it shall be found, either that the Defendant is not such Joint Tenant, Tenant in Common, or Coparcener, or that an actual Ouster has taken place, then the Claimant shall be entitled to such Judgment for the Recovery of Possession and Costs.

Action not to abate by Death.

CCXII. The Death of a Plaintiff or Defendant in Ejectment shall not cause the Action to abate.

Suggestion of Death of Plaintiff.

CCXIII. In case the Right of a deceased Plaintiff shall survive to another Plaintiff, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside

aside if untrue, and the Action may proceed at the Suit of the surviving Plaintiff; and if such a Suggestion shall be made before the Trial, then the Plaintiff shall have a Verdict, and recover such Judgment as aforesaid, upon its appearing that he was entitled to bring the Action either separately or jointly with the deceased Plaintiff.

Death before Trial of Plaintiff where Right does not survive.

CCXIV. In case of the Death before Trial of One of several Plaintiffs whose Right does not survive to another or others of them, where the legal Representative of the deceased Plaintiff shall not become a Party to the Suit in the Manner herein-after mentioned, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but shall only be subject to be set aside if untrue, and the Action may proceed at the Suit of the surviving Plaintiff for such Share of the Property as he is entitled to, and Costs.

Death of sole Plaintiff where Right does not survive.

CCXV. In case of the Death of a sole Plaintiff or before the Trial of One of several Plaintiffs whose Right does not survive to another or others of them, the legal Representative of such Plaintiff may, by Leave of the Court or a Judge, enter a Suggestion of the Death, and that he is such legal Representative, and the Action shall thereupon proceed; and if such Suggestion be made before the Trial the Truth of the Suggestion shall be tried thereat, together with the Title of the deceased Plaintiff, and such Judgment shall follow upon the Verdict in favour of or against the Person making such Suggestion as herein-before provided with reference to a Judgment for or against such Plaintiff; and in case such Suggestion in the Case of a sole Plaintiff be made after a Verdict for the Plaintiff, and before Execution, executed by Delivery of Possession thereupon, and such Suggestion be denied by the Defendant within Eight Days after Notice thereof, or such further Time as the Court or a Judge may allow, then such Suggestion shall be tried, and if upon the Trial thereof a Verdict shall pass for the Person making such Suggestion he shall be entitled to such Judgment as aforesaid for the Recovery of Possession, and for the Costs of and occasioned by such Suggestion, and in case of a Verdict for the Defendant such Defendant shall be entitled to such Judgment as aforesaid for Costs; and in case the said Suggestion shall not be denied within the Time aforesaid the said personal Representative shall, on producing an Affidavit of the Service of the Notice, be entitled to proceed to Judgment and Execution in his own Name.

Death of One of several Plaintiffs after Verdict.

CCXVI. In case of a Verdict for Two or more Plaintiffs, if One of such Plaintiffs die before Execution executed, the other may, whether the legal Right to the Property shall survive or not, suggest the Death in manner aforesaid, and proceed to Judgment and Execution for Recovery of Possession of the Entirety of the Property and the Costs; but nothing herein contained shall affect the Right of the legal Representative of the deceased Plaintiff, or the Liability of the surviving Plaintiff to such legal Representative; and the Entry and Possession of such surviving Plaintiff under such Execution shall be considered as an Entry and Possession on behalf of such legal Representative in respect of the Share of the Property to which he shall be entitled as such Representative, and the Court may direct Possession to be delivered accordingly.

Death of One of several joint Defendants.

CCXVII. In case of the Death before or after Judgment of One of several Defendants in Ejectment who defend jointly, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue, and the Action may proceed against the surviving Defendant to Judgment and Execution.

Upon Death of all the Defendants before Trial.

CCXVIII. In case of the Death of a sole Defendant or of all the Defendants in Ejectment before Trial, a Suggestion may be made of the Death, which Suggestion shall not be traversable, but only be subject to be set aside if untrue; and the Plaintiffs shall be entitled to Judgment for Recovery of Possession of the Property, unless some other Person shall take Defence within a Time to be appointed for that Purpose by the Order of the Court or a Judge, to be made upon the Application of the Plaintiffs; and it shall be lawful for the Court or a Judge, upon such Suggestion being made, and upon such Application as aforesaid, to order that the Plaintiffs shall be at liberty to sign Judgment within such Time as the Court or a Judge may think fit, unless the Person then in possession, by himself or his Tenant, or the legal Representative of the deceased Defendant, shall within such Time defend the Action; and such Order may be served in the same Manner as the Writ; and in case such Person shall take Defence, the same Proceedings may be taken against such new Defendant as if he had originally appeared and defended the Action; and if no Defence be made, then the Plaintiff shall be at liberty to sign Judgment pursuant to the Order.

Death before Trial of Defendant in Ejectment who defends for Part.

CCXIX. In case of the Death before Trial of One of several Defendants in Ejectment who defends separately for a Portion of the Property for which the other Defendant or Defendants do not defend, the same Proceedings may be taken as to such Portion as in the Case of the Death of a sole Defendant, or the Plaintiffs may proceed against the surviving Defendants in respect of the Portion of the Property for which they defend.

Death of Defendant defending separately for Property, in respect of which others also defend.

CCXX. In case of the Death before Trial of One of several Defendants in Ejectment who defends separately in respect of Property for which surviving Defendants also defend, it shall be lawful for the Court or a Judge, at any Time before the Trial, to allow the Person at the Time of the Death in possession of the Property, or the legal Representative of the deceased Defendant, to defend, on such Terms as may appear reasonable and just, upon the Application of such Person or Representative; and if no such Application be made or Leave granted, the Plaintiff suggesting the Death in manner aforesaid may proceed against the surviving Defendant or Defendants to Judgment and Execution.

Death of all Defendants after Verdict.

CCXXI. In case of the Death of a sole Defendant or of all the Defendants in Ejectment, after Verdict, the Plaintiffs shall nevertheless be entitled to Judgment as if no such Death had taken place, and to proceed by Execution for Recovery of Possession, without Suggestion or Revivor, and to proceed for the Recovery

Recovery of the Costs in like Manner as upon any other Judgment for Money against the legal Representatives of the deceased Defendant or Defendants.

Plaintiff may discontinue by Notice.

CCXXII. The Plaintiff in Ejectment shall be at liberty at any Time before Verdict or Judgment against him to discontinue the Action as to One or more of the Defendants, by giving to the Defendant or his Attorney a Notice, headed in the Court and Cause, signed by the Plaintiff or his Attorney, stating that he discontinues such Action; and thereupon the Defendant to whom such Notice is given shall, by filing an Affidavit of the Service of such Notice, be entitled to and may forthwith sign Judgment for Costs in the Form No. 21. contained in the Schedule B. to this Act annexed, or to the like Effect; and any One of several Plaintiffs desirous to discontinue may apply to the Court or a Judge to have his Name struck out of the Proceedings, and an Order may be made thereupon upon such Terms as to the Court or Judge may seem fit, and the Action shall thereupon proceed at the Suit of the other Plaintiffs.

Defendant may confess the Action.

CCXXIII. A sole Defendant or all the Defendants in Ejectment shall be at liberty to confess the Action as to the whole or Part of the Property, by giving to such Plaintiff a Consent for Judgment, headed in the Court and Cause, signed by the Defendant or Defendants, such Signature to be attested by his or their Attorney; and thereupon the Plaintiff may forthwith sign Judgment and issue Execution for the Recovery of Possession and Costs in the Form No. 22. contained in the Schedule B. to this Act annexed, or to the like Effect; and in case One of several Defendants in Ejectment, who defends separately for a Portion of the Property for which the other Defendant or Defendants do not defend, shall be desirous of confessing the Plaintiff's Title to such Portion, he may give a like Consent for Judgment to the Plaintiff; and thereupon the Plaintiff may forthwith sign Judgment and issue Execution for the Recovery of Possession of such Portion of the Property, and for the Costs occasioned by the Defence relating to the same, and the Action may proceed as to the Residue.

Confession by One Defendant.

CCXXIV. In case One of several Defendants in Ejectment who defends separately in respect of Property for which other Defendants also defend shall be desirous of confessing the Plaintiff's Title, he may give a like Consent for Judgment; and thereupon the Plaintiff may sign Judgment against such Defendant for the Costs occasioned by his Defence, and may proceed in the Action against the other Defendants to Judgment and Execution.

Effect of Judgment in Ejectment.

CCXXV. The Effect of a Judgment in Ejectment under this Act shall be the same as that of a Judgment in an Action of Ejectment heretofore used.

Inquiry as to Mesne Rates after Writ of Error.

CCXXVI. If the Judgment in Ejectment shall be affirmed by the Court of Error, or the Proceedings in Error be discontinued by the Plaintiff therein, it shall be lawful for the Court wherein Execution ought to be granted, upon such Affirmation or Discontinuance, upon the Application of the Plaintiff, to issue a Writ to inquire as well of the Mesne Profits as of the Damage by any Waste committed after the First Judgment in Ejectment, which Writ may be dated on the Day on which it shall issue, and be returnable immediately after the Execution thereof, and upon the Return thereof Judgment shall be given, and Execution awarded for such Mesne Profits and Damages, and also for Costs of Suit.

General Provisions to apply to Ejectments.

CCXXVII. All other Provisions herein contained shall extend to Ejectments, *mutatis mutandis*, unless where the same shall not be applicable, or where the Subject Matter thereof shall have been herein otherwise provided for.

Action for Replevin of Goods.

With respect to the Proceedings for Recovery of Goods and Chattels by way of Replevin:

Action for Replevin to be commenced by Writ of Summons and Plaint.

CCXXVIII. Where any Party whose Goods or Chattels have been taken or distrained shall dispute the Validity of such Taking or Distress, and shall be desirous of proceeding for the Recovery of such Goods and Chattels in any of the said Superior Courts, such Party may commence a Personal Action for the Recovery of the Goods or Chattels so taken or distrained by a Writ of Summons and Plaint, which Writ of Summons shall, in addition to any Particulars herein-before required in an ordinary Writ of Summons, state the Particulars of the Property taken or distrained, and the Place where such Taking, Seizure, or Distress shall have been made, and shall be served by delivering a Copy or Copies thereof to the Defendant or Defendants, or to any Agent or other Person acting for him or them in making such Seizure or Distress, or in keeping the Goods and Chattels so taken or distrained, in the Manner herein-before provided in respect of an ordinary Writ of Summons.

Plaintiff may sue out also a Writ of Replevin.

CCXXIX. When any such Personal Action shall have been so commenced it shall be lawful for the Plaintiff therein to sue out of the Court in which such Action shall be instituted a Writ, to be called a Writ of Replevin, in the Form No. 23. in the Schedule B. to this Act annexed, directed to the Sheriff of the County in which such Goods and Chattels shall be under Seizure or Distress, requiring him to replevy the said Goods and Chattels, and the said Sheriff shall and he is hereby required, upon good Security (by the Bond of the Plaintiff, and Two responsible Persons as Sureties, conditioned as usual in such Cases,) being given to him, in double the Amount of the Value of the Property taken or distrained, to execute such Writ, and to return the said Writ, with a correct and proper Statement endorsed thereon of the Manner in which the same shall have been executed, or the Cause why the same has not been executed, to the Court out of which the same shall have issued, within Eight Days, exclusive of any Days hereby appointed to be observed and kept as Holidays, next after such Writ shall have been delivered to him: Provided always, that the Value of the Property so taken or distrained shall be ascertained by the said Sheriff in like Manner as the Value of Goods distrained is now ascertained by Law by the Sheriff in taking Security in Replevins, and that the said Bonds shall be assignable by the Sheriff under like Circumstances and in like Manner, and shall be available to the Assignee thereof, as by Law now or hereafter authorized in respect of Replevin Bonds.

CCXXX. If

If Plaintiff in Replevin be non-prossed or nonsuited, Defendant entitled to Judgment and Execution for his Rent.

CCXXX. If the Plaintiff in any such Action for Replevin of a Distress made for Rent shall be non-prossed for not filing his Summons and Plaint as aforesaid it shall be lawful for the Defendant to file a Suggestion in the Nature of a Plaint for Rent, and praying the Court to inquire the Cause of the Distress; and thereupon, or in case Judgment be given for the Defendant on Demurrer, it shall be lawful for the Court to issue a Writ of Inquiry to the Sheriff of the County wherein the Distress was taken, or to the Master of the Court, to inquire touching the Amount of Rent in arrear at the Time of such Distress being taken, and the Value of the Goods or Chattels distrained, and such Inquiry shall be taken in the Manner herein-before provided upon Judgment by Default; and upon the Return of such Inquisition the Defendant shall have Judgment and Execution to recover against the Plaintiff the Arrears of Rent in case the Goods and Chattels shall amount to the Value, and in case they shall not amount to that Value then for so much as the Value of the said Goods and Chattels shall amount to, with his Costs of Suit in that Behalf incurred; and in case the said Plaintiff shall be nonsuit after Issue joined, or if the Verdict shall be given against the Plaintiff, then the Jurors empannelled to try such Issue shall, at the Prayer of the Defendant, inquire the Amount of the Rent due, and the Value of the Goods and Chattels distrained, and the Defendant shall have Judgment and Execution for such Arrears, or so much thereof as the Value of the Goods and Chattels distrained shall amount unto, together with his Costs of Suit in that Behalf incurred.

Amendment.

With respect to the Power of Amendment, so as to enable the said Courts and the Judges thereof to prevent the Failure of Justice by reason of Mistakes and Objections of Form:

Amendment.

CCXXXI. It shall be lawful for the Superior Courts of Common Law, and every Judge thereof, and any Judge sitting at Nisi Prius, at all Times to amend all Defects and Errors in any Writ, Pleading, Record, or other Proceeding in Civil Causes, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend or not; and all such Amendments may be made in such Manner as shall be thereby directed, and with or without Costs, and upon such Terms as to the Court or Judge may seem fit; and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made; and when such Amendment shall be made at Nisi Prius or upon any Inquiry, the Order shall be endorsed on the Abstract or Writ, and all Pleadings or other Records of the Court which it may be necessary to amend in conformity therewith shall be amended accordingly.

Regulation of Business.

With respect to the general Regulation of Business in the said Superior Courts of Law:

Holidays.

CCXXXII. The following, and none other, shall be observed and kept as Holidays in the said Superior Courts and the Offices thereof, and the Court of Exchequer Chamber, and in the Office of Registrar of Judgments; that is to say, every *Sunday*, *Christmas Day*, and the Seven Days following that Day, *Good Friday*, *Easter Eve*, *Monday* and *Tuesday* in *Easter* Week, *Whit Monday* and *Whit Tuesday*, any Day appointed for a Public Fast or Thanksgiving, and when they do not occur in Term Time the Day appointed to be kept as the Birthday and the Day of the Accession of Her Majesty the Queen or of any of Her Successors; and the said Holidays shall not be reckoned or included in any Notices or other Proceedings, except Notices of Trial and Notices of Inquiry in any of the said Courts; and *Sunday* shall not be reckoned or included in any Notice or Proceeding whatsoever; and where the last Day included in any such Notice of Trial or Notice of Inquiry shall happen to fall on any of the Days hereby appointed to be observed and kept as Holidays, in such Case the following Day, or, when there shall be consecutive Holidays, the Day following the last of such Holidays, shall be considered as the last of such Days; and the Days from and including the First Day of *August* to the Twentieth Day of *October* inclusive, in each Year, shall not be reckoned Days within which any Summons and Plaint, Defence, or other Pleading should be filed, nor shall any such Pleading be filed or received upon such Days except a Plea of Confession or Consent for Judgment.

General Rules may be made by the Judges.

CCXXXIII. It shall be lawful for the Judges of the said Courts, or any Seven or more of them, whereof Two shall be Chief Judges, from Time to Time to make all such General Rules and Orders for the effectual Execution of this Act, and for establishing a simple Code of Practice, Pleading, and Evidence in the said Courts, and in the Court of Error, in accordance with the Intention and Object of this Act, and for apportioning the Costs of Issues, and for fixing the Costs to be allowed for and in respect of the Matters herein contained, or prescribed by such General Orders, and the Performance thereof, and for the Purpose of enforcing Uniformity of Practice and Pleading in the said Courts and the Offices thereof, and of ensuring, as far as may be practicable, an equal Division of the Business amongst the said Courts, as in their Judgment shall be necessary or proper, and for that Purpose to meet from Time to Time as Occasion may require; and all such Rules and Orders as they shall so make shall be valid and effectual, and shall be observed in each of the said Courts and the Offices thereof, until varied or altered by the like Authority, anything in this Act to the contrary notwithstanding; and any Expenses which the Judges shall certify (as now required with reference to incidental Expenses) to have been properly incurred in giving Effect to the Provisions of this Act shall be charged and paid in like Manner and as Part of the incidental Expenses of the said Courts: Provided that nothing herein contained shall be construed to restrain the Authority or limit the Jurisdiction of the said Courts, or the Judges thereof, to make Rules or Orders, or otherwise to regulate and dispose of the Business therein.

Consolidated Court of Nisi Prius for the Trial of Issues

CCXXXIV. The Nisi Prius Courts of the said Superior Courts of Common Law sitting at *Dublin* shall continue to be consolidated, and there shall be but One Common Court of Nisi Prius for the Trial at *Dublin* of Issues in Fact arising in any of the Courts, except as herein-after provided, which Court of Nisi

Nisi Prius shall consist of One Judge or Baron of either of the said Superior Courts, to be chosen for that Purpose by the said Judges and Barons according to such Arrangement as they shall think proper, and in such Order of Rotation that each Court shall by One of its Judges or Barons take the Duty in Turn by Terms, and all Jurors, Witnesses, and other Persons shall be summoned or required to attend, and shall give their Attendance at or for the Trial of any Cause depending in any such Court, before such Judge as shall be sitting for the Trial thereof by virtue of this Act: Provided always, that all Causes intended to be tried at any Sittings at Nisi Prius at *Dublin* shall be entered for Trial with the Registrar of the Chief Judge of that Court of which One of the Judges is to sit, and all other Process and Proceedings for or relating to the Trials thereof shall be made and issued as herein-before required, but nevertheless the Trial of every Cause which shall be tried by virtue of this Act shall be entered and made of Record, as having been had and made before the Judge before whom such Cause shall happen to have been actually tried.

arising in any of the Superior Courts.

CCXXXV. Such Consolidated Nisi Prius Court shall sit continuously, or by Adjournment, as Occasion may require, on the Second Day of each Term, and thence continuously until the End thereof, or so much longer as may be necessary for the Completion of any Trial then in progress before the said Court; and Notice of Trial may be served for any Day within the said Period, subject, however, to such Regulations as to the Class of Cases to be tried in the said Court, or otherwise, as is herein-after expressed, or as the Judges, or any Seven of them, of whom Two shall be Chief Judges, may by any General Order make from Time to Time in that Behalf: Provided always, that nothing herein contained shall be construed to interfere with the Duty of the Chief Judge of each Court, as now discharged, of sitting after Term for the Trial of Issues at Nisi Prius, but that each of the said Chief Judges, or some other Judge of the Court in his Stead, shall, notwithstanding the Sittings at Nisi Prius herein provided, sit after Term as heretofore, for the Trial of any Issues at Nisi Prius arising in his Court which shall be entered as heretofore for such after Sittings; and provided also, that if any Issue or Issues entered for Trial in the said Consolidated Nisi Prius Court shall remain undisposed of at the Termination of the Sittings of the said Court for any Term, the same shall be transferred to and be deemed to have been entered for such after Sittings, and shall be taken up and disposed of respectively by the Chief Judge of the Court in which such Issues respectively shall have arisen as if the same had been originally entered for such after Sittings.

Such Court to sit continuously.

CCXXXVI. The Duty of attending such Consolidated Nisi Prius Court as Clerk of Nisi Prius shall be discharged by the Town Registrar of the Chief Justice or Chief Baron of the Court to which the Judge sitting at Nisi Prius shall belong; and if it shall happen that such Sitting at Nisi Prius shall not have terminated at any Time when the Chief Justice or Chief Baron shall require the Attendance of his said Registrar for the Purpose of such Nisi Prius Sittings in his own Court as aforesaid, then and in such Case it shall be lawful for the said Nisi Prius Judge to require the Attendance of any of the Assistants or Clerks belonging to his Court who can at such Time be spared from his Office Duties, to act as his temporary Clerk of Nisi Prius; and the Lords Chief Justices and Chief Baron, or any Two of them, shall, in case of a Vacancy in the Office of Crier, appoint a fit and proper Person to act as Crier of the said Nisi Prius Court, who shall be paid such Salary as the Commissioners of Her Majesty's Treasury shall direct, the same to be charged and included in the quarterly Accounts of incidental Expenses of the said Courts respectively, in like Manner and Proportions as the Salary of the Court Keeper of the Nisi Prius Court and other incidental Expenses common to the Three Courts are now charged.

Officers of Consolidated Nisi Prius Court.

CCXXXVII. The following shall, until otherwise provided by any General Order made as aforesaid, be the Class of Cases to be tried in the Consolidated Nisi Prius Court:

Actions for Rent; Actions on Bills of Exchange and Promissory Notes; Actions of Debt upon and to revive Judgments; Actions for Use and Occupation; Goods sold and delivered; Goods bargained and sold; Work and Labour; Money lent, Money paid, Money had and received, and on Account stated; Ejectments for Nonpayment of Rent, and against overholding Tenants, whether on Notice to quit or otherwise.

Cases to be tried in Consolidated Nisi Prius Court.

CCXXXVIII. Every Judge of the said Superior Courts of Common Law shall have full Power and Jurisdiction to sit in *Dublin*, as well in Term as in Vacation, for the Trial of Issues in Fact arising in any of the said Courts, and to transact in Chambers or elsewhere such Business depending in any of the said Courts as relates to Matters over which the said Courts have a common Jurisdiction, and as may, according to the Course and Practice of the Courts, be transacted by a single Judge.

Judges of either Court may do Business depending in any of the Courts.

CCXXXIX. The said Superior Courts shall and may, at their Discretion, hold Sittings in Banco in Time of Vacation for the Purpose of disposing of Business therein pending and undecided in such Courts respectively, and such Sittings in Vacation may be holden by virtue of a Rule or Order of the said Courts respectively, to be made in or out of Term, whereof a Week's Notice (in such Form as the said Courts respectively shall direct) shall be published in the *Dublin Gazette*, and affixed in some conspicuous Place at the Entrance of such Court respectively making such Order; and that all Judgments to be pronounced at such Sittings in Banco, and all Rules and Orders in respect thereof to be made by virtue of this Act, shall have the same Effect to all Intents and Purposes as if they had been pronounced or made in Term Time.

Courts may hold Sittings in Vacation.

Alteration of Forms.

CCXL. Such new or altered Writs and Forms of Proceedings may be issued, entered, and taken as may by the Judges of the said Courts, or any Seven or more of them, of whom Two shall be Chief Judges,

New Forms of Writs and other Proceedings.

Judges, be deemed necessary or expedient for giving Effect to the Provisions herein-before contained, and in such Forms and such Variation from the Forms in the Schedule B. to this Act annexed as the Judges of such Courts respectively shall from Time to Time think fit to order; and such Writs and Proceedings shall be acted upon and enforced in such and the same Manner as Writs and Proceedings of the said Courts are now acted upon and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Writ or Proceeding the Form of which shall be in any Manner altered in pursuance of this Act shall nevertheless be of the same Force and Virtue as if no Alteration had been made therein, except so far as the Effect thereof may be varied by this Act.

Schedules.

Schedules to form Part of Act.

CCXLI. The Schedules to this Act annexed shall be deemed to be a Part of this Act, and the Forms therein given may be used with such Modification and Departures as the particular Facts of the Case may render necessary, but no verbal or technical Error or Omission in the following of the same shall be fatal; and all Departures, Errors, or Omissions, which have not a manifest Tendency to mislead or prejudice the opposite Party in the Merits of his Case, shall be deemed to be technical and immaterial.

Schedule of Law Fund Duties.

CCXLII. The several Duties set forth in the Schedule D. to this Act annexed shall be the respective Law Fund Duties on the Proceedings in Actions in the said Superior Courts of Law in *Ireland*, and shall be in lieu and stead of the existing Duties in respect of the same Subject Matter; and the like Penalties, Forfeiture, and Remedies for the Enforcement and Recovery of the same, shall attach upon the said Duties as previously existed in respect of the Law Fund Duties heretofore in force.

Schedule of Fees and Costs.

CCXLIII. The several Fees mentioned and set forth in the Schedule E. to this Act annexed shall be the Fees chargeable against any Party, Plaintiff or Defendant, in respect of the specified Items of Proceedings to which the same shall be applicable until the same shall be altered or amended by any General Rule of the Judges under the Powers herein-before given; and the said Judges are hereby required, by a General Order, to settle a Schedule of Fees to be allowed in Taxation of Costs of Proceedings under this Act, having regard to the said Schedule E. to this Act annexed: Provided always, that in case the Plaintiff in any Action of Contract (except for Breach of Promise of Marriage) shall recover, exclusive of Costs, less than Twenty Pounds, or in any Action for any Wrong or Injury disconnected with Contract (except Replevin, or for Slander, Libel, malicious Prosecution, Seduction, or criminal Conversation,) a Sum not exceeding Five Pounds, the Plaintiff in any such Action shall be entitled to no more than One Half of the ordinary Costs, unless the Action has been brought for the Purpose of trying a Right to Property more extensive than the Sum sued for.

SCHEDULE A.

ACTS TO BE REPEALED;

In so far as in the foregoing Act declared.

Date of Act.	Title of Act.	Extent of Repeal.
38 Hen. 6. c. 1. -	An Act that none shall sue Actions in the Exchequer unless the Plaintiff be Minister to the Exchequer, or Servant to any Minister of Record of the Exchequer, upon Pain of 10*l.*	The entire Act.
3 Edw. 4. c. 2. - -	An Act what Fees Attornies in the King's Court shall take, and what Fees shall be paid for Writs and other Records.	The entire Act.
7 Edw. 4. c. 4. - -	An Act for removing of the Exchequer and Common Pleas.	The entire Act.
28 Hen. 8. c. 21. -	The Act of Penal Statutes - - - -	The entire Act.
33 Hen. 8. sess. 2. c. 3.	An Act touching Mispleading and Jeofails -	The entire Act.
11 Eliz. sess. 3. c. 2. -	An Act for the making of the Trinity Term shorter, and for the Commencement thereof.	The entire Act.
10 Car. 1. sess. 2. c. 6.	An Act for Limitation of Actions, and for avoiding of Suits in Law.	Sections 14. 15. and 17.
10 Car. 1. sess. 2. c. 11.	An Act for Expedition of Justice in Cases of Demurrers, &c.	The entire Act.
10 Car. 1. sess. 2. c. 12.	An Act for Reformation of Jeofails, &c. - -	The entire Act.
10 Car. 1. sess. 2. c. 15.	An Act that like Process shall be had in Writ of Annuity and certain other Actions as in an Action of Debt.	The entire Act.
10 Car. 1. sess. 2. c. 16.	An Act for Ease in pleading against troublesome and contentious Suits prosecuted against Sheriffs, Justices of the Peace, Mayors, Constables, and certain other Officers, for the lawful Execution of their Office.	The entire Act.

Date of Act.	Title of Act.	Extent of Repeal.
15 Car. 1. c. 5. - -	An Act against Discontinuance of Writs of Error in the Court of Exchequer, and for the better Expedition in giving Judgment therein.	The entire Act.
17 & 18 Car. 2. c. 12. -	An Act to prevent Arrests of Judgment and superseding Executions.	The entire Act.
7 W. 3. c. 7. - -	An Act for reviving Two Statutes lately expired and making them perpetual, and for avoiding unnecessary Suits and Delays.	The entire Act.
7 W. 3. c. 25. - -	An Act for the Prevention of Vexations and Oppressions by Arrests, and of Delays in Suits of Law.	Sections 7. 8. 9. 10. and 11.
9 W. 3. c. 10. - -	An Act for preventing frivolous and vexatious Law Suits, and giving Remedy to the Parties grieved to recover their Costs at Law in certain Cases where heretofore no Costs were given.	Sections 6. 7. 8. and 9.
6 Anne, c. 7. - -	An Act for lessening Sheriffs Fees on Execution	Sections 1. and 2.
6 Anne, c. 10. - -	An Act for the Amendment of the Law, and the better Advancement of Justice.	Sections 1. 2. 3. 4. 17. and 23.
8 Anne, c. 9. - -	An Act for delivering Declarations to Prisoners.	The entire Act.
2 G. 1. c. 11. - -	An Act for reviving and amending an Act intituled "An Act for Recovery of small Debts "in a summary Way before the Judges of "Assize."	Sections 14. and 15.
6 G. 1. c. 6. - -	An Act to prevent Delays in Writs of Error, and for the further Amendment of the Law.	Sections 1. 2. 3. 4. and 18.
8 G. 1. c. 4. - -	An Act for the more effectual quieting and securing Possessions, and preventing vexatious Suits at Law.	Sections 1. and 2.
5 G. 2. c. 4. - -	An Act for the further explaining and amending the several Laws for preventing Frauds committed by Tenants, and for the more easy Renewal of Leases; and for the further Amendment of the Law in certain Cases therein mentioned.	Sections 7. and 8.
25 G. 2. c. 8. - -	An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices; and for the Punishment of all such Owners of Coal and their Agents as shall knowingly employ and set at Work Persons retained in the Service of other Coal-owners; and also that mutual Debts between Party and Party be set one against the other.	Section 8.
21 & 22 G. 3. c. 18. -	An Act for enlarging the Time for Trials by Nisi Prius in the City of Dublin and County of Dublin, and for making the Process of the Court of Exchequer more effectual against Persons who being served therewith refuse to appear.	The entire Act.
28 G. 3. c. 31. - -	An Act for the Amendment of the Law in certain Particulars therein mentioned.	Section 2.
43 G. 3. c. 53. - -	An Act to render the Process of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer in Personal Actions in Ireland more beneficial, and also to prevent frivolous and vexatious Arrests, and to repeal so much of an Act passed in the Parliament of Ireland in the Twenty-first and Twenty-second Years of the Reign of His present Majesty, intituled "An "Act for enlarging the Time for Trials by Nisi "Prius in the City and County of Dublin, and for "making the Process of the Court of Exchequer "more effectual, as relates to compelling the Ap-"pearance of Defendants in Personal Actions."	Sections 1. 2. 6. 7. and 8.

Date of Act.	Title of Act.	Extent of Repeal.
1 G. 4. c. 68. - -	An Act for the better Administration of Justice in the Court of Exchequer Chamber in Ireland.	Section 8.
9 G. 4. c. 14. - -	An Act for rendering a written Memorandum necessary to the Validity of certain Promises and Engagements.	Sections 1. 2. 3. and 4.
9 G. 4. c. 15. - -	An Act to prevent a Failure of Justice by reason of Variances between Records and Writings produced in Evidence in support thereof.	The entire Act.
1 & 2 W. 4. c. 31. -	An Act to improve the Administration of Justice in Ireland.	Sections 2. 5. 14. 15. 16. 17.
3 & 4 W. 4. c. 91. -	An Act for consolidating and amending the Laws relative to Jurors and Juries in Ireland.	Sections 10. and 12.
3 & 4 Vict. c. 105. -	An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, and for extending the Remedies of Creditors against the Property of Debtors, and for the further Amendment of the Law and the better Advancement of Justice in Ireland.	Sections 7. 20. 23. 24. 32. 33. 34. 35. 36. 37. 38. 39. 44. 46. 47. 48. 49. 50. 51. 52., except so far as relates to the Jurisdiction of a Court of Equity.
12 Vict. c. 16. - -	An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Prosecution of their Office.	Section 10.
13 Vict. c. 18. - -	An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland.	Sections 1. 2. 3. 5. 6. 7. 8. 9. 10. 11. 12. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 25. 26. 27. 28. 31. 38. 39.
14 & 15 Vict. c. 57. -	An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barrister certain Jurisdiction as to Insolvent Debtors.	Section 40.

SCHEDULE B.

FORMS OF PROCEEDINGS.

No. 1.—*Summons and Plaint in Personal Actions.*

Court of Queen's Bench,

Victoria, *&c. &c.* to the said Richard Roe, greeting.

John James of Westmoreland Street, in the City of Dublin, Grocer, Plaintiff.
Richard Roe, of Mallow, in the County of Cork, Esquire, Executor of Henry Roe, Defendant.
County of the City of Dublin.

Richard Roe, the Defendant, is summoned to answer the Complaint of John James, who complains, That the Defendant is Executor of Henry Roe, deceased, of Mallow, in the said County of Cork, and that, as such Executor, he is indebted to the Plaintiff in the Sum of £140 on account of Goods sold and delivered by the Plaintiff to the said Henry Roe of the Value of £140, the Particulars of which are endorsed hereon [*or* annexed hereto].

And the Plaintiff prays Judgment against the said Defendant to recover the said Sum of £140 [and Interest thereon], and his Costs of Suit.

Therefore the Defendant is hereby required to appear in the said Court, within Twelve Days after the Service hereof, and answer the said Complaint, or in default thereof Judgment shall be given according to Law.

Witness the Lord Chief Justice and other Justices of Her Majesty's Court of Queen's Bench at Dublin.

Dated Monday, the 20th Day of January 1854.

WILLIAM THOMPSON, Attorney for the Plaintiff,
No. 12, Clare Street, Dublin.

Endorsement of Particulars.

Jan. 1, 1850.—By Amount of Goods furnished as per Account furnished 1st December 1853 - - - - - - - - -	£200	0	0
Dec. 10, 1853.—By Cash received on account - - - -	60	0	0
Balance due Plaintiff - -	£140	0	0

No. 2.—*Appearance and Defence.*

Court of Queen's Bench,
Saturday, the 30th Day of January 1854.

John James, Plaintiff,
Richard Roe, Executor of Henry Roe, Defendant.

The said Richard Roe appears and takes Defence to the Action of the said John James, and says that the Goods sold and delivered to Henry Roe were of the Value of £80, and no more; and that the said Sum of £80 has been paid by the Defendant to the Plaintiff, and is sufficient to satisfy the Plaintiff's Demand, and therefore he defends the Action.

EDWARD MOLONEY, Attorney for the Defendant,
No. 14, Capel Street Dublin.

Endorsement of Particulars of Payment.

Aug. 1, 1851.—By Cash paid Plaintiff by the Defendant - - - - - -		£45
„ By Defendant's Acceptance, dated at Three Months - - - -		35
		£80

No. 3.—*Demurrer to a Plaint or Defence.*

Court of Queen's Bench,
Saturday, the 26th Day of February 1854.

John James, Plaintiff,
Richard Roe, Executor of Henry Roe, Defendant.

The said Richard Roe,, the Defendant, appears and says, that the Summons and Plaint does not disclose any Cause of Action good in Substance, because that no sufficient Consideration for the alleged Promise of the Defendant as Executor of the said Henry Roe is stated therein, to render the said Defendant liable to pay the Debt of the said Henry Roe.

EDWARD MOLONEY, Attorney for the Defendant,
No. 14, Capel Street, Dublin.

No. 4.—*Judgment by Default for Want of Defence.*

Court of Queen's Bench, on Monday, the 20th Day of June, A.D. 1854 (*Day of signing Judgment*).

County of the City of Dublin.

John James, by William Thompson, his Attorney, sued out a Writ of Summons and Plaint against Richard Roe, claiming the Sum of £140 for Debt on account of a Bill of Exchange drawn by Henry Jasper, dated the 15th Day of October 1853, and endorsed by the said Richard Roe.

And the said Richard Roe has not appeared to take Defence; but the Service of such Writ and the Contents of said Plaint have been duly verified.

Therefore it is considered that the said John James do recover against the said Richard Roe the Sum of £140, together with for Costs.

No. 5.—*Abstract for Nisi Prius.*

Court of Queen's Bench,
Monday, the 20th Day of March, A.D. 1854.

County of Sligo, to wit.

John James, Plaintiff.
Richard Roe, Defendant.

Whereas John James, the Plaintiff, has sued Richard Roe, the Defendant, and demanded the Sum of £150 as the Price and Value of 130 Barrels of Wheat sold and delivered to the Defendant;

And the said Richard Roe has taken Defence, and admits the Delivery of the Wheat, but has alleged that he paid the Sum of £130 to the Plaintiff before the Commencement of this Action, and that such Payment was a full Satisfaction of the Value of said Wheat, and that said Wheat was not sound and merchantable at the Time of its Delivery to the Plaintiff:

Therefore let the Jury try—

1st. Whether the said Wheat was sound and merchantable at the Time of its Delivery.

2d. Whether the Value of said Wheat exceeded the Sum of £130.

ROBERT JONES, Attorney for Plaintiff.
HENRY GREEN, Attorney for Defendant.

No. 6.—*Bill of Exceptions.*

Court of Queen's Bench,
Monday, 20th Day of July, 1854.

John James, Plaintiff.
Richard Roe, Defendant.

The Issues in Fact in the annexed Abstract of Nisi Prius having come be tried by a Jury on this Day, the Plaintiff produced and examined as a Witness one *G. H.* to prove the Fact of [*&c. &c.*]; and the said *G. H.* deposed that [*&c. &c.*], which Evidence the Defendant objected to as not being legal Evidence

Evidence of the Fact; and the Plaintiff insisting to the contrary the Judge at Nisi Prius admitted the Evidence to be received accordingly, and therefore the Defendant excepts, and prays that his Exception shall be placed upon the Record for the Examination of the Court above.

(Signed) *L.M.*, Counsel for Defendant.
L.P., Judge.

No. 7.—*Order of Attachment of Stock.*

Court of Queen's Bench,
Monday, 20th Day of June 1854.

John James, Plaintiff.
Richard Roe, Defendant.

By the Right Honourable Mr. Justice Moore.

It appearing to the Court that the Plaintiff hath recovered Judgment against the Defendant in the Sum of £300, and that such Judgment is still unsatisfied; and it also appearing that the Defendant is possessed of a Sum of £200 Government 3½ per Cent. Stock, standing in his own Name in the Books of the Governor and Company of the Bank of Ireland;

The said Sum of £200, and all Dividends thereon, are hereby attached to answer the said Debt until further Order; and the said Governor and Company of the Bank of Ireland are hereby ordered and required not to suffer the same, or any Part thereof, to be transferred, paid, or dealt with until further Order.

Richard Moore, Justice.
Christopher Duff, Clerk of the Rules.

No. 8.—*Satisfaction Piece, Affidavit, and Requisition to enter Satisfaction on Judgment.*

A.B. Plaintiff.
C.D. Defendant.

I *A.B.* of did obtain a Judgment in the Court of as of Term 18 Roll No. against *C.D.* for the Sum of which said Judgment has been fully satisfied and discharged; and I hereby consent that Satisfaction be entered on the Record of said Judgment.

Dated this Day of 18 .

Signed in Presence of *E.F.* *A.B.*

The above-named *E.F.* of this Day maketh Oath and saith, that he is the subscribing Witness to, and saw the above Consent duly executed by *A.B.* of and saith, that the Name *E.F.* subscribed as Witness to the above Consent is Deponent's proper Name and Handwriting. (Signed) *E.F.*

Sworn before me, this

Now, I *G.H.* of a practising Attorney of this Honourable Court, do hereby on behalf of the Defendant require the proper Officer to enter Satisfaction on the Record of said Judgment.

(Signed) *G.H.*, Attorney.

To the Master of the Court of

No. 9.—*Suggestion of Breaches.*

Queen's Bench,
Monday, the 20th Day of June 1854.

John James, Plaintiff.
Richard Roe, Defendant.

And now on this Day the said John James, the Plaintiff, comes and informs the Court that after the Recovery of the said Judgment, and on the 1st Day of April 1853, another half-yearly Gale of the said Annuity, amounting to the Sum of £100, became due and payable to the Plaintiff, and that the Defendant has neglected and refused to pay the same, in breach and violation of the Conditions of the said Bond upon which the Plaintiff recovered such Judgment, and therefore the Plaintiff prays Execution of the said Judgment for the further Sum of £100.

No. 10.—*Suggestion for Execution against the Judgment Debtor.*

John James, Plaintiff.
Richard Roe, Defendant.

And now, on the 26th Day of June 1854, it is suggested, and manifestly appears to the Court, that the said *A.B.* [*or C.D.*, as such Executor of the last Will and Testament of the said *A.B.* deceased, *or as the Case may be*,] is entitled to have Execution of the Judgment aforesaid against the said *E.F.* [*or* against *G.H.*, as Executor of the last Will and Testament of the said *E.F.*, *as the Case may be*]: Therefore it is considered by the Court that the said *A.B.* [*or C.D.*, as such Executor as aforesaid, *or as the Case may be*], ought to have Execution of the said Judgment against the said *E.F.* [*or* against *G.H.*, as such Executor as aforesaid, *or as the Case may be.*]

No. 11.—*Form of Writ of Revivor.*

In the Queen's Bench,

Victoria, *&c. &c.* to the said Richard Roe, greeting.

County of Clare.
John James, Plaintiff.
Richard Roe, Defendant.

Richard Roe, the Defendant, is summoned to appear and show Cause wherefore Edward Jones, Executor of the said John James, shall not * have Execution against the said Richard Roe, of a Judgment whereby John James, on the 1st Day of June 1850, in the said Court of Queen's Bench, recovered against the said Richard Roe the Sum of £300, and of which Sum the said Edward Jones alleges that there remains due and unsatisfied the Sum of 100*l.*

Therefore the said Richard Roe is hereby required to appear in the said Court within Eight Days after the Service hereof, and show Cause wherefore Execution should not be had accordingly; or in default thereof the said Edward Jones may proceed to Execution for said Sum of £100 and his Costs.

Witness the Lord Chief Justice and other Justices of Her Majesty's Court of Queen's Bench at Dublin.

Dated Monday, the 26th Day of April 1854.

WILLIAM THOMPSON, Attorney for the said Edward Jones,
No. 12, Clare Street, Dublin.

No. 11 A.—*Like in case of Interlocutory Judgment.*

[*Proceed as in last Form to the Asterisk *, and then as follows:*]—assess and recover [*or* recover] the Damages in respect of a Judgment whereby the said John James on the 1st Day of June 1850, in the said Court of Queen's Bench, was adjudged in that Behalf entitled, and which Inquiry of Damages as yet remains to be made [*if the Case be so*].

Therefore the said Richard Roe is hereby required to appear in the said Court within Eight Days after the Service hereof, and show Cause wherefore the said Assessment should not be made [*if not made*] and Recovery had as aforesaid, or in default thereof the said Edward Jones may proceed to assess and recover [*or* to recover] such Damages against the said *C.D.*

Witness, the Lord Chief Justice and other Justices of Her Majesty's Court of Queen's Bench at Dublin.

Dated Monday the 4th Day of April 1854.

WM. THOMPSON, Attorney for the said *E.F.*,
No. 12, Clare Street, Dublin.

No. 12.—*Memorandum of Error.*

In the Queen's Bench,
the 20th Day of April 1854.

[*The Day of lodging Note of Error.*]

A.B. and *C.D.*

The Plaintiff [*or* Defendant] says that there is Error in Law in the Record and Proceedings *in this Action.*

(Signed) *A.B.*, Plaintiff.
[*or C.D.*, Defendant.]
[*or E.F.*, Attorney for Plaintiff *or* Defendant.]

[*In case the Plaintiff has died after Judgment and before Error brought by his legal Representative, say, A.B.* and *C.D.*—*E.F.* says that the Plaintiff *A.B.* is dead, and that the said *E.F.* is the Executor of the last Will and Testament of *A.B.* [*as the Case may be*], and further says that there is Error, *&c. &c. as above.*]

No. 13.—*Suggestion of Joinder in Error in Law.*

Monday, the 20th Day of June 1854.

[*The Day of making the Entry on the Roll.*]

The Plaintiff [*or* Defendant] says that there is Error in the above Record and Proceedings, and the Defendant [*or* Plaintiff] says there is no Error therein.

No. 14.—*Memorandum of Error in Fact.*

In the Queen's Bench,
the 26th Day of May 1854.

[*The Day of lodging Note of Error.*]

A.B. and *C.D.* in Error.

The Plaintiff [*or* Defendant] says that there is Error in Fact in the Record and Proceedings in this Action, in the Particulars specified in the Affidavit hereunto annexed.

(Signed) *A.B.*, Plaintiff.
[*or C.D.*, Defendant.]
[*or E.F.*, Attorney for Plaintiff *or* Defendant.]

No. 15.

No. 15.—*Summons and Plaint in Ejectment.*

Court of Queen's Bench.

Victoria, *&c. &c.* to the said *G.H.* and *I.K.* and all Persons concerned, greeting.

A.B., C.D., and E.F., Plaintiffs.
G.H. and others, Defendants.
County of Leitrim.

G.H. and *I.K.*, the Defendants, have been summoned to answer the Complaint of *A.B.*, *C.D.*, and *E.F.*, the Plaintiffs, who complain that * the Plaintiffs, or some or One of them, on the 1st Day of July 1853, became and were and are still entitled to the quiet and peaceable Possession of the Lands of Blackacre in the County of Leitrim, and the Defendant wrongfully assumed the Possession thereof, and still withholds the same from the Plaintiffs.

And therefore the Plaintiffs pray Judgment against the said Defendants to recover the Possession of said Lands or Premises ; [*and in case of Ejectment on the Title where the Plaintiffs seek to recover Mesne Rates, add* and Compensation in Damages for the Loss of the Mesne Rates and Profits of the said Premises while the Possession thereof was withheld from the said Plaintiffs, to the Amount of £]

Therefore [*&c. &c., as in Form* 1.]

In case of Ejectment for Nonpayment of Rent copy last Form to the Asterisk (*), *and then say,* that the Defendant holds the Lands of Blackacre, in the County of Leitrim, as Tenant to the Plaintiffs under a Lease, at the yearly Rent of £50, and that the Sum of £80, being for One Year and upwards of such Rent, due and ending on the 1st Day of January 1854, is due to the Plaintiffs. And therefore [*&c. &c., as in last Form*].

Endorsement of Particulars of Rent due on Ejectment for Nonpayment of Rent.

1st Jan. 1853.—By Balance Year's Rent, due on this Day - - - - -	£30	0	0
1st Jan. 1854.—By One Year's Rent due - - - - - -	50	0	0
	£80	0	0

No. 16.—*Defence in Ejectment on the Title.*

Queen's Bench, Thursday, 20th Day of April 1854.

A.B., C.D., and E.F., Plaintiffs.
G.H. and others, Defendants.

George Hines, One of the Defendants, appears and takes Defence for the said Lands of Blackacre, and says that the said Plaintiffs are not entitled to the Possession of them, and that the said Possession belongs to the said George Hines, as of Right, and therefore he defends the Action.

EDWARD MOLONEY, Attorney for the said George Hines, No. 14, Capel Street, Dublin.

No. 17.—*Defence in Ejectment for Nonpayment of Rent.*

A.B., C.D., and E.F., Plaintiffs.
G.H. and others, Defendants.

George Hines, One of the Defendants, and Tenant to the Lands of Blackacre, appears and takes Defence and says, that the Rent of the said Premises is not in arrear, and that the Defendant paid the said Rent and every Part thereof to the said Plaintiffs before the Commencement of this Action, and therefore he defends as aforesaid.

EDWARD MOLONEY, Attorney for the said George Hines, No. 14, Capel Street, Dublin.

Endorsement of Particulars of Payment.

1 June 1854.—By Cash paid by Defendant, George Hines, to Plaintiff, £140.

No. 18.—*Judgment by Default in Ejectment for all the Lands.*

In the Queen's Bench, the 26th Day of June 1854.

[*Date of Writ.*]

A.B., Plaintiff.
C.D., Defendant.
County of Leitrim, to wit.

On the Day and Year above written, a Writ of Summons and Plaint issued forth returnable into this Court in these Words : that is to say, [*here copy the Writ*] ; and no Appearance and Defence has been entered to the said Writ : Therefore it is considered that the said [*here insert the Names of the Plaintiffs in the Writ*] do recover Possession of the Land in the said Writ mentioned, with the Appurtenances.

No. 19.—*Judgment by Default in Ejectment for Part.*

In the Queen's Bench, on the 26th Day of June, A.D. 1854.

County of Leitrim, to wit. } On the Day and Year above written, a Writ of Summons and Plaint issued forth returnable into this Court, in these Words; that is to say, [*here copy the Writ*]; and *C.D.* has, on the 1st Day of May, appeared by Edward Maloney, his Attorney, [*or* in Person,] to the said Writ, and has defended for a Part of the Land in the Writ mentioned; that is to say, [*here state the Part*]; and no Appearance or Defence has been entered to the said Writ, except as to the said Part: Therefore it is considered that the said *A.B.* [*the Plaintiff*] do recover Possession of the Land in the said Writ mentioned, except the said Part with the Appurtenances, and that he have Execution thereof forthwith; and as to the rest, let a Jury come, *&c.*

No. 20.—*Abstract for Nisi Prius.*

In the Queen's Bench, Monday, the 26th Day of June 1854.

County of Wicklow, to wit.
John James, Plaintiff.
Richard Roe, Defendant. } Whereas John James, the Plaintiff, has sued Richard Roe, the Defendant, for the Recovery of the Possession of the Lands of Blackacre, claiming Title thereto from the 20th Day of January 1850; and the said Richard Roe has taken Defence for the whole of the Land mentioned in the Summons and Plaint: Therefore let the Jury try whether the Plaintiff was entitled to the Possession of the said Lands, or any Part of them, on the said Day, or at any Time subsequent to such Day, and before the Commencement of the Action, and whether the Plaintiff is entitled to any and what Damages for Loss of Mesne Rates and Profits.

No. 21.—*Judgment on Discontinuance in Ejectment.*

In the Queen's Bench, on the 26th Day of June A.D. 1854.

[*Date of Writ.*]

Leitrim, to wit. } On the Day and Year above written a Writ of Summons and Plaint issued forth returnable into this Court in these Words; that is to say, [*here copy the Writ*]; and *C.D.* has on the 18th Day of July appeared by Henry Robinson, his Attorney, [*or* in Person,] to the said Writ, and *A.B.* has discontinued the Action: Therefore it is considered that the said *C.D.* be acquitted, and that he recover against the said *A.B.* £ for his Cost of Defence.

No. 22.—*Judgment on Confession in Ejectment.*

In the Queen's Bench, the 30th Day of June 1854.

[*Date of Writ.*]

Leitrim, to wit. } On the Day and Year above written a Writ of Summons and Plaint in Ejectment issued forth returnable into this Court in these Words; that is to say, [*here copy the Writ*]; and *C.D.* has on the 1st Day of January appeared by Henry Roe, his Attorney, [*or* in Person,] to the said Writ; and the said *C.D.* has confessed the said Action [*or* has confessed the said Action as to Part of the said Land, that is to say, *here state the Part*]: Therefore it is considered that the said *A.B.* do recover Possession of the Land in the said Writ mentioned [*or* of the said Part of the said Land], with the Appurtenances, and £ for Costs.

No. 23.—*Writ of Replevin.*

Writ of Replevin.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, and so forth: To the Sheriff of , greeting: We command you, that without Delay you cause to be replevied to *A.B.* his Goods and Chattels (and Cattle), to wit, which *C.D.* took and unjustly detains, as it is said, and after what Manner you shall have executed this our Writ make appear to us [*or* to our Justices *or* Barons, *as the Case may be*] at the Queen's Courts, Dublin, and have there this our Writ.

Witness the Seal of our Superior Courts of Common Law hereunto set at Dublin the Day of in the Year of our Lord 1851.

Issued by of No. , Dublin, Attorney for said *A.B.*

SCHE-

SCHEDULE C.

FORMS OF PLEADINGS.

STATEMENTS OF CAUSES OF ACTION.

On Contracts.

Goods sold. 1. Money payable by the Defendant to the Plaintiff for [*these Words, Money payable, &c., should precede Statement of Causes of Action like 1 to 9; but need only be inserted in the first*] Goods bargained and sold by the Plaintiff to the Defendant.

Work and Materials. 2. Work done and Materials provided by the Plaintiff for the Defendant at his Request.

Money lent. 3. Money lent by the Plaintiff to the Defendant.

Money paid. 4. Money paid by the Plaintiff for the Defendant at his Request.

Moneyreceived. 5. Money received by the Defendant for the Use of the Plaintiff.

Account stated. 6. Money found to be due from the Defendant to the Plaintiff on Accounts stated between them.

An Estate sold. 7. A Messuage and Lands sold and conveyed by the Plaintiff to the Defendant.

Use of a House and Land. 8. The Defendant's Use, by the Plaintiff's Permission, of Messuages and Lands of the Plaintiff.

For the Hire of Goods, &c. 9. The Hire of [*as the Case may be*], by the Plaintiff let to Hire to the Defendant.

Payee against Maker of Note. 10. That the Defendant on the Day of A.D. by his Promissory Note, now over-due, promised to pay to the Plaintiff £ *Two* Months after Date, but did not pay the same.

Endorsee against Endorser of Note. 11. That one *A.*, on *&c.* [*Date*], by his Promissory Note, now over-due, promised to pay to the Defendant, or Order, £ [*Two*] Months after Date, and the Defendant endorsed the same to the Plaintiff, and the said Note was duly presented for Payment, and was dishonoured, whereof the Defendant had due Notice, but did not pay the same.

Drawer against Acceptor of Bill. 12. That the Plaintiff, on, *&c.* [*Date*], by his Bill of Exchange, now over-due, directed to the Defendant, required the Defendant to pay to the Plaintiff £ *Two* Months after Date, and the Defendant accepted the said Bill, but did not pay the same.

Payee against Drawer. 13. That the Defendant, on, *&c.* [*Date*], by his Bill of Exchange directed to *A.*, required *A.* to pay to the Plaintiff £ [*Two*] Months after Date, and the said Bill was duly presented for Acceptance, and was dishonoured, of which the Defendant had due Notice, but did not pay the same.

Breach of Promise of Marriage. 14. That the Plaintiff and Defendant agreed to marry one another, and a reasonable Time for such Marriage has elapsed, and the Plaintiff has always been ready and willing to marry the Defendant, yet the Defendant has neglected and refused to marry the Plaintiff.

Warranty of a Horse. 15. That the Defendant, by warranting a Horse to be then sound and quiet to ride, sold the said Horse to the Plaintiff, yet the said Horse was not then sound and quiet to ride.

Upon a Lease for Rent. 16. That the Plaintiff let to the Defendant a House, No. 54, Baggot Street, for Seven Years, to hold from the Day of A.D. at £ a Year, payable quarterly, of which Rent Quarters are due and unpaid.

Upon a Covenant to repair. 17. That the Plaintiff by Deed let to the Defendant a House, No. 40, Great Britain Street, to hold for Seven Years from the Day of A.D. , and the Defendant by the said Deed covenanted with the Plaintiff well and substantially to repair the said House during the said Term [*according to the Covenant*], yet the said House was during the said Term out of good and substantial Repair.

For Wrongs independent of Contract.

Trespass to Land. 18. That the Defendant broke and entered certain Land of the Plaintiff, called the Big Field, and depastured the same with Cattle.

Assault, Battery, &c. 19. That the Defendant assaulted and beat the Plaintiff, gave him into Custody to a Policeman, and caused him to be imprisoned in a Police Office.

Criminal Conversation. 20. That the Defendant debauched and carnally knew the Plaintiff's Wife.

Wrongful Conversion of Goods. 21. That the Defendant converted to his own Use the Plaintiff's Goods; that is to say, Household Furniture [*or as the Case may be*].

Wrongful Detention of Property. 22. That the Defendant detained from the Plaintiff his Title Deeds of Land called Belmont, in the County of ; that is to say [*describe the Deeds*].

Diverting Water from a Mill. 23. That the Plaintiff was possessed of a Mill, and by reason thereof was entitled to the Flow of a Stream for working the same; and the Defendant, by cutting the Bank of the said Stream, diverted the Water thereof away from the said Mill.

Infringement of a Patent. 24. That the Plaintiff was the first and true Inventor of a certain new Manufacture, that is to say, of "certain Improvements in the Manufacture of Sulphuric Acid," and thereupon Her Majesty Queen Victoria,

Victoria, by Letters Patent under the Great Seal of England, granted the Plaintiff the sole Privilege to make, use, exercise, and vend the said Invention within Ireland for the Term of Fourteen Years from the Day of A.D. subject to a Condition that the Plaintiff should, within Six Calendar Months next after the Date of the said Letters Patent, cause to be enrolled in the High Court of Chancery an Instrument in Writing under his Hand and Seal, particularly describing and ascertaining the Nature of his said Invention, and in what Manner the same was to be and might be performed, and the Plaintiff did, within the Time prescribed, fulfil the said Condition, and the Defendant during the said Term did infringe the said Patent Right.

25. That the Defendant falsely and maliciously spoke and published of the Plaintiff the Words following, that is to say, "he is a Thief;" Defamation of Character.

[*If there be any special Damage, here state it with such reasonable Particularity as to give Notice to the Defendant of the peculiar Injury complained of; for instance,*]

whereby the Plaintiff lost his Situation as Gamekeeper in the Employ of *A.*

26. That the Defendant falsely and maliciously printed and published of the Plaintiff, in a Newspaper called " ," the Words following, that is to say, "he is a regular Prover under Bankruptcies," the Defendant meaning thereby that the Plaintiff had proved and was in the habit of proving fictitious Debts against the Estates of Bankrupts, with the Knowledge that such Debts were fictitious.

Pleas in Actions on Contracts.

27. That he never was lent the Money as alleged. Denial of Debt.

28. That he did not accept the Bill as alleged.

29. That he never executed the alleged Deed. Denial of Deed.

30. That the alleged Cause of Action did not accrue within Six Years [*state the Period of Limitation applicable to the Case*] before this Suit. Statute of Limitations.

31. That before Action be satisfied and discharged the Plaintiff's Claim by Payment of the said Sum of £50 in the Time and Manner herein endorsed. Payment.

32. That the Plaintiff at the Commencement of the Suit was and still is indebted to the Defendant in an Amount equal to the Plaintiff's Claim, for [*here state the Cause of Set-off as in a Summons and Plaint, see Forms ante*], which Amount the Defendant is willing to set-off against the Plaintiff's Claim. Set-off.

33. That after the alleged Claim accrued, and before this Suit, the Plaintiff by Deed released the Defendant therefrom. Release.

Pleas in Actions for Wrongs independent of Contract.

34. That he did not assault the Plaintiff as alleged. Not guilty.

35. That he did what is complained of by the Plaintiff's Leave. Leave and Licence.

36. That the Plaintiff first assaulted the Defendant, who thereupon necessarily committed the alleged Assault in his own Defence. Self-defence.

SCHEDULE D.

LAW FUND DUTIES ON PROCEEDINGS UNDER FOREGOING ACT.

	£	s.	d.
Affidavits	0	2	0
Attested Copy of any Pleading, Judgment, Affidavit, &c. &c., per Folio of 72 Words	0	0	4
Copy of any Rule	0	2	0
Rule or Order of every Description	0	2	0
Summons and Plaint, Defences, Demurrers, Consents for Judgment, and other Pleadings	0	2	0
Writs of Subpœna, Execution, and all other Writs whatsoever	0	2	0
Abstract for Nisi Prius	0	10	0
Report of Master	0	10	0
Requisition to enter Judgment, whether Final or Interlocutory, on Cognovit or otherwise, except a Final Judgment where Interlocutory Judgment has been already entered	0	10	0
Summons to tax Costs	0	2	0
Requisition to tax Costs not exceeding 20*l.*	0	2	0
Requisition to tax Costs not exceeding 50*l.*	0	5	0
Requisition to tax Costs not exceeding 100*l.*	0	10	0
Requisition to tax Costs exceeding 100*l.*	1	0	0

General Exemption from the foregoing Duties in respect of all Proceedings on behalf of Paupers admitted to sue or defend in formâ pauperis.

SCHEDULE E.

TABLE OF COSTS OF PROCEEDINGS UNDER THE FOREGOING ACT.

No. 1.—*Costs of Writ issued and served where Debt is settled within Six Days after Service.*

	£	s.	d.
Letter for Payment (when sent)	0	3	4
Instructions to proceed	0	6	8
Summons and Plaint, with Particulars, not less than	0	12	6
Stamp Duty and Parchment	0	2	3
Copy for Service	0	1	0
Service (if in Dublin)	0	5	0
	1	10	9

In Country Cases, Expense of Service to be allowed according to the Discretion of the Taxing Officer.

Costs of Affidavit of Service, and to verify, to be added, if Debt is not settled within Six Days after Service.

In Cases in which it shall appear to the Taxing Officer to be proper that the Plaint shall be settled by Counsel, the same may be allowed for as follows :—

Instructions to Counsel to settle, 1*s.* per Folio, say Six Folios	0	6	0
Fee to Counsel, not less than	0	10	6
Attendance on Counsel	0	6	8
	£2	13	11

No. 2.—*Defendant's Costs on Rule for Non-pros.*

	£	s.	d.
Instructions to defend	0	6	8
Term Fee	0	6	8
Search for Summons and Plaint	0	3	4
Drawing and engrossing Affidavit of Service	0	4	0
Stamp Duty	0	2	0
Rule to file same, Entry of	0	3	4
Stamp Duty on Rule	0	2	0
Like on Copy	0	2	0
Copy and Service	0	2	0
Drawing and engrossing Affidavit of Service	0	4	0
Stamp Duty	0	2	0
Signing	0	2	6
Fee on Execution	0	12	6
Stamp Duty	0	2	0
Parchment	0	0	3
Attendance with Writ	0	3	4
	£2	18	7

No. 3.—*Costs of Judgment by Default.*

	£	s.	d.
Letter for Payment	0	3	4
Instructions to proceed	0	6	8
Summons and Plaint, Fee on	0	12	6
Stamp Duty and Parchment	0	2	3
Copy for Service	0	1	0
Service (if in Dublin)	0	5	0
Affidavit of Service	0	4	0
Stamp Duty	0	2	0
Swearing	0	1	6
Signing by Attorney	0	2	6
Swearing Affidavit to verify	0	0	6
Term Fee	0	6	8
Search for Defence	0	3	4
Fee on marking Judgment	0	3	4
Engrossing Certificate of Parties	0	2	6
Signing and Parchment	0	2	9
Fee on Execution	0	12	6
Stamp Duty and Parchment	0	2	3
Attendance with Writ	0	3	4
Taxation of Costs	0	5	0
Stamp Duty on Requisition	0	2	0
	£4	4	11

No. 4.—*Costs of Trial at Nisi Prius and Judgment on Postea.*

	£	s.	d.
Letter for Payment	0	3	4
Instructions to proceed	0	6	8
Writ of Summons and Plaint	0	12	6
Stamp Duty and Parchment	0	2	3
Copy for Service	0	1	0
Service (if in Dublin)	0	5	0
Instructions to Counsel to settle Plaint, 1*s.* per Folio, say 10 Folios	0	10	0
Fee to Counsel	0	10	6
Attendance on Counsel	0	6	8
Term Fee	0	6	8
Copy Defence for Counsel	0	1	0
Draft Case to advise Proofs			
Fee to Counsel	2	2	0
Attending him	0	6	8
Notice of Trial, Copy, and Service	0	6	0
Attending Sheriff for Panel	0	3	4
Paid for Panel	0	1	0
Draft Abstract of Record	0	5	0
Copy for Service	0	1	0
Notice therewith, Copy, and Service	0	6	0
Engrossing Abstract, and Parchment	0	3	6
Stamp Duty	0	10	0
Attending Registrar with Abstract	0	3	4
Draft Brief for Trial, at 3*s.* 4*d.* per Sheet			
Two Copies thereof for Counsel			
Two Copies of Notice of Trial to annex	0	2	0
Paid Fee to Senior Counsel			
Like to Junior Counsel			
Attending Counsel with Briefs	0	6	8
Fee on Subpœna ad testificandum	0	4	0
Stamp Duty and Parchment	0	2	3
Four Copies for Service	0	4	0
Paid Services and Viaticum			
Attendance on Record (if in Dublin)	2	2	0
Term Fee	0	6	8
Fee on marking Judgment	0	3	4
Stamp Duty	0	10	0
Certificate of Parties Names	0	2	6
Signing and Parchment	0	2	9
Fee on Execution	0	12	6
Stamp Duty and Parchment	0	2	3
Attendance with Writ	0	3	4
Drawing Bills of Costs, at 1*s.* per Page			
Two Copies at 6*d.* per			
Service of Costs	0	1	0
Requisition to tax (under £50)	0	5	0
Attendance to lodge	0	3	4
Attending to tax	0	6	8
Summons, &c.	0	3	4
Stamp Duty	0	2	0
Certificate	0	0	1
	£		

N.B.—The Taxing Officer shall be at liberty to allow for a Third Counsel in special Cases where the Number of Witnesses or other special Circumstances render it advisable; also to allow a Fee for settling a Defence Demurrer and other Pleadings and Abstract of Issues for Nisi Prius, when necessary.

CAP. CXIV.

An Act to extend the Municipal Boundaries of the Borough of *Belfast*, and to reduce the Scale of rating upon certain Property within the said Borough. [20th *August* 1853.]

3 & 4 Vict. c. 108. 6 & 7 Vict. c. 93. 8 & 9 Vict. c. cxlii.

'WHEREAS an Act was passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, which Act was 'amended by another Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend an Act of the Third and Fourth Years of Her present Majesty, for the Regulation of Municipal Corporations in* Ireland: And whereas a Local and Personal Act was passed in the 'Eighth and Ninth Years of the Reign of Her said Majesty, intituled *An Act for the Improvement of the Borough of* Belfast, which last-recited Act was amended by the Local and Personal Acts following, 'that is to say, Ninth and Tenth *Victoriæ*, Chapter Two hundred and ninety-four, Tenth and Eleventh 'Victoria, Chapter Two hundred and fifty-four, and Thirteenth and Fourteenth *Victoria*, Chapter One 'hundred and eight; and the said several Acts are now in operation in the Borough of *Belfast*: And 'whereas it is expedient that the Boundaries of the said Borough, as defined by the said first-recited 'Act, should be extended, and that the Boundaries of the several Wards into which the same is divided 'should be altered, and that the maximum Scale of rating upon Property above the annual Value of Eighty 'Pounds liable to be rated under the said thirdly-recited Act should be reduced: And whereas the same 'cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Title of Act.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Belfast* Borough Extension Act, 1853."

Limits of the Borough altered and extended.

II. So much of the said firstly-recited Act as relates to the Boundaries of the Borough of *Belfast*, and to the Boundaries of the Wards into which the said Borough is divided, shall be and the same is hereby repealed; and in lieu thereof the Boundaries of the said Borough, and of the Five Wards into which the same is divided, shall for the Purposes of this Act be according to the Description of such Boundaries respectively set forth in Schedule (A.) to this Act annexed; and all the Houses, Lands, and Hereditaments within the Boundaries therein specified shall, from and after the Commencement of this Act, be Parts of the said Borough, to all Intents and Purposes as if the said Boundaries had been fixed and specified in the said firstly-recited Act, and in the Construction of the Description of such Boundaries the Rules in the said last-mentioned Act contained shall be observed.

Acts in force relating to Belfast to apply to the Borough as extended by this Act.

III. All the Powers and Provisions of the said recited Acts and of all other Acts altering, amending, or enlarging the same or any of them, shall, so far as they are now in force and are unrepealed by and are not inconsistent with the Provisions of this Act, extend and apply to the Borough of *Belfast*, and to the several Wards thereof, and to the Inhabitants of the said Borough as extended and defined by this Act.

Provisions as to buying and selling outside the Borough.

IV. Provided always, That it shall and may be lawful, within so much of the Manor of *Belfast* as lies beyond the Boundaries of the said Borough as defined by the said first-recited Act, for any Person to sell or expose for Sale any Butter, Milk, Eggs, Poultry, Fruit, Fish, or Vegetables for the domestic Consumption of the Buyer at or near to the Premises of either the Owner of such Commodity or of the Person to whom the same may be sold or offered for Sale.

Repeal of so much of 8 & 9 Vict. c. cxlii. as enables the Council to rate Property exceeding 8*l.* annual Value at 4*s.* 6*d.* in the Pound.

Rate on such Property not to exceed 3*s.* in the Pound.

V. So much of the said thirdly-recited Act as authorizes the Council, once in every Year, to be computed from the First Day of *January* in each Year, or oftener if they shall think it necessary, to make One or more Rate or Rates, Assessment or Assessments, upon the Occupiers of all Houses, Buildings, Tenements, Quays, Wharfs, and other Hereditaments within the Limits of the said Act exceeding Eighty Pounds annual Value, so as such Rates or Assessments do not exceed in any One Year the Sum of Four Shillings and Sixpence in the Pound on the annual Value of the same, shall be and the same is hereby repealed; and in lieu thereof, it shall be lawful for the Council, once in every Year, from and after the Commencement of this Act, to be computed from the First Day of *January* in each Year, or oftener if they shall think it necessary, to make One or more Rate or Rates, Assessment or Assessments, upon the Occupiers of all Houses, Buildings, Tenements, Quays, Wharfs, and other Hereditaments within the Limits of the Borough for the Time being, exceeding Eighty Pounds annual Value, so as such Rates or Assessments do not exceed in any One Year the Sum of Three Shillings in the Pound on the annual Value of the same; and the said last-mentioned Rate, and the other Rates authorized to be levied by the said last-mentioned Act and not hereby repealed, shall be diminished or varied in the Proportions, and applied in the Manner, and be subject to the Provisions of the said last-mentioned Act: Provided always, that nothing in this Act contained shall extend or be deemed to extend to repeal, alter, or in any Manner affect the Provisions of the said recited Acts or any of them relating to the making, collecting, and recovering of the Rates thereby authorized, save as to the Rate by this Act repealed, and that all such Provisions, and all other Provisions therein contained relating to the Rates or Exemption from Rates shall extend and apply to the Rate hereby authorized to be made in lieu of the Rate so repealed as aforesaid.

VI. Provided

VI. Provided always, That so long as any Demesne situate within the said Borough shall be of an Extent of not less than Forty Acres, and shall be in the Occupation of the Owner thereof or his Undertenant, and in which Streets shall not have been laid out and formed, and on which Dwelling Houses shall not have been built, the Owner or Tenant of such Demesne shall not be rated in respect of such Demesne, or in respect of any Mansion House or other Building situate therein and occupied therewith, unless such Tenant or Owner shall by Notice in Writing require to be rated in respect of such Demesne and Mansion House under the said recited Acts or any of them: Provided also, that until such Tenant or Owner shall be so rated, he shall not be placed upon any Burgess List or Burgess Roll to be formed under the firstly or secondly recited Acts, or either of them, in respect of such Demesne, or in respect of such Mansion House or other Building, or be liable or entitled to fill any Office, or to vote in any Election under the said Acts, or either of them, in respect of such Premises as aforesaid. Exempting Demesnes in certain Cases from Payment of Rates.

VII. Nothing in the said recited Acts or in this Act contained shall in any Manner prevent or hinder the burning of Bricks or Lime, or the building of Kilns for such Purpose, within any Part of the Borough as defined by this Act which shall not for the Time being be lighted and watched under the Provisions of the said thirdly-recited Act. Not to prevent burning Bricks, &c. in Places not lighted and watched.

VIII. The Provisions in the said Local and Personal Act of the Tenth and Eleventh *Victoria*, Chapter Two hundred and fifty-four, Section Thirty-seven, contained, relating to the Royal *Belfast* Academical Institution and the *Belfast* Academy, shall extend and apply to the Queen's College at *Belfast*, and to the *Belfast* District Lunatic Asylum and the Grounds attached thereto, and to the College erected for the Education of Ministers in connexion with the Presbyterian Church in *Ireland*, and to the Court House and Gaol of the County of *Antrim*, and to the Lands held with such Court House and Gaol, so long as the same shall be held and occupied by the Grand Jury of the said County for County Purposes. Extending 10 & 11 Vict. c. celiv. s. 37. to Queen's College and Court House and Gaol of Antrim.

IX. That the Roman Catholic Seminary, situate upon the Turnpike Road leading to *Antrim*, shall for the Purposes of this Act be considered within the Boundaries by this Act authorized; and that the Provisions in the said last-mentioned Act contained relating to the Royal Academical Institution and the *Belfast* Academy shall also extend and apply to the said Roman Catholic Seminary at *Belfast*. Roman Catholic Seminary to be exempt from Effect of Act.

X. That in construing the Seventy-second Section of the said recited Act, Eighth and Ninth *Victoria*, Chapter One hundred and forty-two, the Words "formed or set out" shall be held to mean formed or set out for building. As to Meaning of certain Words in 8 & 9 Vict. c. cxlii. s. 72.

XI. That no House or Building hereafter to be built, rebuilt, or new roofed in or near any Street within the Limits of this Act shall, without the Permission of the Council, be thatched wholly or in part, and in case any such House or Building shall be so thatched without such Permission as aforesaid the Owner thereof shall forfeit the Sum of Forty Shillings for each and every Month during which the same or any Part thereof shall continue to be thatched. No House to be thatched without Permission of Council.

XII. This Act shall commence and have effect on and from the First Day of *December* next after the passing of this Act. Commencement of Act.

XIII. The Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid and discharged by the Treasurer of the Borough of *Belfast* out of the Borough Fund. Expenses of Act.

SCHEDULE (A.)

GENERAL BOUNDARY.

From the Northern Lighthouse on the Eastern Twin Island, Southward, in a straight Line to the Centre of the Bridge over Conn's Water on the Hollywood Railway, thence Southward along the Boundary of the Townland of Ballymacarret to the Point at which the same meets the Boundary of the Townland of Ballynafoy, thence Southward and Westward along the said Boundary of Ballynafoy to the Point at which the same meets the River Lagan, thence Westward along the River Lagan to the Centre of the Weir adjoining the Canal, thence Northward along the Canal to the First Lock, thence North-westward along the Road at the West Side of the River Lagan to the Point at which the same is crossed by the Old Belfast Watercourse, thence Southward and Westward along the said Watercourse to a Brick Wall belonging to the Water Commissioners, thence Southward along the Fence which divides Mr. Batt's from Mr. Ward's Property, thence Westward along the Fence which divides Mr. Ward's Property from Mr. Gilmore's and Mr. Batt's Property to the Old Lisburn Road, thence Northward about Fifty Yards on the Old Lisburn Road to the Fence of Mr. McQuiston's Property, thence Westward along the said Fence which divides Mr. McQuiston's Property from Mr. Roney's and Mr. Owden's Property to the Point at which the same meets the Blackstaff River, thence North-westward in a straight Line to the Point at which the Old White Rock Road meets the Falls Road, thence Westward along the Old White Rock Road to the Point at which the same meets the Cross Road close to the Fort, thence Northward along the said Cross Road to the Point at which the same meets the Boundary of the Townland of Ballymurphy, thence North-westward along the said Boundary to the North-east Point of the said Boundary, thence Northward in a straight Line to the Centre of the Fort immediately behind the House of Mr. Moses Staunton, thence North-eastward in a straight Line to the Point at which the Boundary of Ballysillan Lower meets the Forth River, thence North-eastward along the said Boundary to the North-east Point of the said Boundary at which the same meets a Stream, thence Eastward and Northward along the said Stream to the Point at which the said Stream crosses the Road at Old Park Mills, thence Northward and Eastward along the Road to the South End of the House of Mr. John Beatty, thence Eastward

Eastward in a straight Line to the Eastern Angle of the Boundary of the Townland of Old Park, thence Eastward in a straight Line to the Point at which Buttermilk Lane meets the Antrim Road, thence Eastward along Buttermilk Lane to the Point at which the same meets the Carrickfergus Road, thence Eastward in a straight Line to the Point first described.

To be divided into Five Wards, according to the following Boundaries; and in every Ward there shall be Two Aldermen and Six Councillors.

No. 1. Dock Ward.

From the Point in the Centre of the New Channel at which the Boundary of the Municipal Borough crosses the Channel near the North Lighthouse on the Eastern Twin Island, Southward, along the Channel to the Centre of the Queen's Bridge, thence Westward along the Bridge to the Point at which the same meets Anne Street, thence along Anne Street Westward to the Point at which the same meets Victoria Street; thence Northward along Victoria Street to the Point at which the same meets Gordon Street, thence Westward along Gordon Street to the Point at which the same meets Grattan Street, thence Northward along Grattan Street to the Point at which the same meets Green Street, thence Westward along Green Street to the Point at which the same meets Academy Street, thence Northward along Academy Street to the Point at which the same meets Great Patrick Street, thence Westward along Great Patrick Street to the Point at which the same meets Frederick Street, thence Westward along Frederick Street to the Point at which the same meets North Queen Street, thence Southward along North Queen Street to the Point at which the same meets the New Antrim Road, thence Northward along the New Antrim Road to the Boundary of the Borough, thence Eastward along the Boundary of the Borough to the Point first described.

No. 2. Saint Anne's Ward.

From the Point at which Victoria Street meets High Street, Westward, along High Street to the Point at which the same meets Bridge Street, thence North-westward along Bridge Street to the Point at which the same meets North Street, thence North-westward along North Street to the Point at which the same meets Peter's Hill, thence Westward along Peter's Hill to the Point at which the same meets the Shankhill Road, thence North-westward along the Shankhill Road to the New Crumlin Road, thence North-westward along the New Crumlin Road to the Boundary of the Borough, thence Northward and Eastward along the Boundary of the Borough to the New Antrim Road, thence Southward along the New Antrim Road to the Point at which the same meets North Queen Street, thence Northward along North Queen Street to the Point at which the same meets Frederick Street, thence Eastward along Frederick Street to the Point at which the same meets Great Patrick Street, thence Eastward along Great Patrick Street to the Point at which the same meets Academy Street, thence Southward along Academy Street to the Point at which the same meets Green Street, thence Eastward along Green Street to the Point at which the same meets Grattan Street, thence Southward along Grattan Street to the Point at which the same meets Gordon Street, thence Eastward along Gordon Street to the Point at which the same meets Victoria Street, thence Southward along Victoria Street to the Point first described.

No. 3. Smithfield Ward.

From the Point at which Bridge Street meets High Street, Westward, along High Street to the Point at which the same meets Castle Place, thence Westward along Castle Place to the Point at which the same meets Castle Street, thence Westward along Castle Street to the Point at which the same meets Fountain Street, thence Southward along Fountain Street to the Point at which the same meets College Street, thence Westward along College Street to the Point at which the same meets College Square North, thence Westward along College Square North to the Point at which the same meets Durham Street, thence Northward along Durham Street to the Point at which the same meets the Falls Road, thence Westward along the Falls Road to the Boundary of the Borough, thence Northward along the Boundary of the Borough to the New Crumlin Road, thence Southward along the New Crumlin Road to the Point at which the same meets the Shankhill Road, thence North-eastward along the Shankhill Road to the Point at which the same meets Peters Hill, thence Eastward along Peters Hill to the Point at which the same meets North Street, thence South-westward along North Street to the Point at which the same meets Bridge Street, thence South-eastward along Bridge Street to the Point first described.

No. 4. St. George's Ward.

From the Point at which Anne's Street meets Victoria Street, Southward, along Victoria Street to the Point at which the same meets Police Square, thence Westward along Police Square to the Point at which the same meets George's Lane, thence Southward along George's Lane to the Point at which the same meets Chichester Street, thence Westward along Chichester Street to the Point at which the same meets Donegall Square East, then along Donegall Square East to the Point at which the same meets Donegall Square South, thence along Donegall Square South, Westward to the Point at which the same meets Howard Street, thence Westward along Howard Street to the Point at which the same meets Glengall Place, thence Southward along Glengall Place to the Point at which the same meets Great Victoria Street, thence Southward along Great Victoria Street to the New Dublin Road, thence Southward along the New Dublin Road to the Point at which the same meets the Old Dublin Road, thence

Southward

Southward along the Old Dublin Road to the Boundary of the Borough, thence Westward and Northward along the Boundary of the Borough to the Falls Road, thence Eastward along the Falls Road to the Point at which the same meets Durham Street, thence Southward along Durham Street to the Point at which the same meets College Square North, thence Eastward along College Square North to the Point at which the same meets College Street, thence Eastward along College Street to the Point at which the same meets Fountain Street, thence Northward along Fountain Street to the Point at which the same meets Castle Street, thence Eastward along Castle Street to the Point at which the same meets Castle Place, thence Eastward along Castle Place to the Point at which the same meets High Street, then Eastward along High Street to the Point at which the same meets Victoria Street, thence Southward along Victoria Street to the Point first described.

No. 5. CROMAC WARD.

From the Northern Lighthouse on the Eastern Twin Island, Southward and Westward, along the Boundary of the Borough to the Old Dublin Road, thence Northward along the Old Dublin Road to the Point at which the same meets the New Dublin Road, thence Northward along the New Dublin Road to the Point at which the same meets Great Victoria Street, thence Northward along Great Victoria Street to the Point at which the same meets Glengall Place, thence Northward along Glengall Place to the Point at which the same meets Howard Street, thence Eastward along Howard Street to the Point at which the same meets Donegall Square South, thence Eastward along Donegall Square South to the Point at which the same meets Donegall Square East, thence Northward along Donegall Square East to the Point at which the same meets Chichester Street, thence Eastward along Chichester Street to the Point at which the same meets George's Lane, thence Northward along George's Lane to the Point at which the same meets Police Square, thence Eastward along Police Square to the Point at which the same meets Victoria Street, thence Northward along Victoria Street to the Point at which the same meets Anne Street, thence Eastward along Anne Street to the Centre of the Queen's Bridge, thence Northward along the Centre of the Channel to the Point at which the same is crossed by the Boundary of the Borough, thence Eastward along the Boundary of the Borough to the Point first described.

CAP. CXV.

An Act to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in *Edinburgh* and *Dublin*, and otherwise to amend the said Act. [20th *August* 1853.]

'WHEREAS it is expedient to amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in *Edinburgh*, and *Dublin*, and otherwise to amend the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 15 & 16 Vict. c. 83.

I. Section Thirty-three of the said Act, and such Part of Section Twenty-eight of the said Act as directs that in case Reference is made to Drawings in any Specification deposited or filed under the said Act an extra Copy of such Drawings should be left with such Specification, shall be repealed. Sect. 33. and Part of Sect. 28. of recited Act repealed.

II. The Commissioners shall cause true Copies of all Provisional Specifications left at the Office of the Commissioners to be open to the Inspection of the Public, at such Times, after the Date of the Record thereof respectively, as the Commissioners shall by their Order from Time to Time direct. Copies of Provisional Specifications to be open to Inspection.

III. A true Copy, under the Hand of the Patentee or Applicant, or Agent of the Patentee or Applicant, of every Specification and of every Complete Specification, with the Drawings accompanying the same, if any, shall be left at the Office of the Commissioners on filing such Specification or Complete Specification. Copy of Specification, &c., under Hand of Patentee, &c. to be left.

IV. Printed or Manuscript Copies or Extracts, certified and sealed with the Seal of the Commissioners, of Letters Patent, Specifications, Disclaimers, Memoranda of Alterations, and all other Documents recorded and filed in the Commissioners Office, or in the Office of the Court of Chancery appointed for the filing of Specifications, shall be received in Evidence in all Proceedings relating to Letters Patent for Inventions in all Courts whatsoever within the United Kingdom of *Great Britain* and *Ireland*, the Channel Islands, and *Isle of Man*, and Her Majesty's Colonies and Plantations abroad, without further Proof or Production of the Originals. Copies or Extracts of Letters Patent, &c., to be received in Evidence.

V. Certified printed Copies, under the Seal of the Commissioners, of all Specifications and Complete Specifications, and Fac-simile printed Copies of the Drawings accompanying the same, if any, Disclaimers, and Memoranda of Alterations filed or hereafter to be filed under the said Patent Law Amendment Act, shall be transmitted to the Office of the Director of Chancery in *Scotland* and to the Enrolment Office of the Court of Chancery in *Ireland* within Twenty-one Days after the filing thereof respectively, and the same shall be filed in the Office of Chancery in *Scotland* and *Ireland* respectively, and certified Copies or Extracts from such Documents shall be furnished to all Persons requiring the same, on Payment of such Fees as the Commissioners shall direct; and such Copies or Extracts shall be received in Evidence in all Courts in *Scotland* and in *Ireland* respectively in all Proceedings relating to Letters Patent for Inventions, without further Proof or Production of the Originals. Certified printed Copies of Specifications, &c. under Seal of Commissioners, to be sent to Director of Chancery in Scotland and Court of Chancery in Ireland, which shall be Evidence.

VI. Wher

Lord Chancellor, in certain Cases, may seal Letters Patent after the Expiration of provisional Protection.

VI. Where Letters Patent have not been sealed during the Continuance of the provisional Protection on which the same is granted, provided the Delay in such sealing has arisen from Accident, and not from the Neglect or wilful Default of the Applicant, it shall be lawful for the Lord Chancellor, if he shall think fit, to seal such Letters Patent at any Time after the Expiration of such provisional Protection, whether such Expiration has happened before or shall happen after the passing of this Act, and to date the sealing thereof as of any Day before the Expiration of such provisional Protection, and also to extend the Time for the filing of the Specification thereon; and where the Specification, in pursuance of the Condition of any Letters Patent, has not been filed within the Time limited by such Letters Patent, provided the Delay in such filing has arisen from Accident, and not from the Neglect or wilful Default of the Patentee, it shall be lawful for the Lord Chancellor, if he shall think fit, to extend the Time for the filing of such Specification, whether the Default in such filing has happened before or shall happen after the passing of this Act: Provided always, that, except in any Case that may have arisen before the passing of this Act, it shall not be lawful for the Lord Chancellor to extend the Time for the sealing of any Letters Patent, or for the filing of any Specification, beyond the Period of One Month.

Removing Doubts as to Provision of 15 & 16 Vict. c. 83. respecting the making and sealing of new Letters Patent for a further Term.

VII. 'And whereas Doubts have arisen whether the Provision of the Patent Law Amendment Act, '1852, for the making and sealing new Letters Patent for a further Term, in pursuance of Her Majesty's 'Order in Council, in the Cases mentioned in Section Forty of the said Act, extends to the making and 'sealing of new Letters Patent in the Manner by such Act directed where such new Letters Patent are 'granted by way of Prolongation of the Term of Letters Patent issued before the Commencement of the 'said Act: And whereas it is expedient that such new Letters Patent granted by way of Prolongation 'shall be granted according to the Provisions of the said Patent Law Amendment Act:' Be it declared and enacted, That where Her Majesty's Order of Council for the sealing of new Letters Patent shall have been made after the Commencement of the said Act, the said Provision of the said Act for making and sealing in manner aforesaid of new Letters Patent shall extend, and shall as from the Commencement of the said Act be deemed to have extended, to the making and sealing in manner aforesaid of new Letters Patent for a further Term, as well where the original Letters Patent were made before as where such original Letters Patent have been issued since the Commencement of the said Act.

15 & 16 Vict. c. 83. and this Act to be construed as One.

VIII. This Act, and the Patent Law Amendment Act, 1852, shall be construed together as One Act.

CAP. CXVI.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commisssioned Officers. [20th *August* 1853.]

'WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, 'Clothing, and contingent and other Expenses of the Regular Militia, and of the Miners of *Corn-* 'wall and *Devon*, when disembodied, in *Great Britain* and *Ireland*, and for making in certain Cases 'Allowances of Reduced Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the 'Regular Militia, and of the Miners of *Devon* and *Cornwall*, while disembodied, and Allowances to 'Adjutants, Paymasters, Surgeons, Quartermasters, and Serjeant Majors of the Regular Militia who 'have been or may be reduced, and to Adjutants, Surgeons, and Quartermasters disabled after long 'Service:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary-at-War to issue the Money required for Pay of Regular Militia.

I. The Secretary-at-War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the daily Rates following; (that is to say,)

Rates of Pay.

For each Adjutant of Infantry, Eight Shillings, and of Artillery, Nine Shillings:

For each Serjeant Major of Infantry, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Tenpence, and of Artillery, Three Shillings:

For each Quartermaster Serjeant and Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence; and to the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence:

For each Serjeant of Infantry, One Shilling and Sixpence, and of Artillery, Two Shillings and Twopence:

For each Drummer, Trumpeter, or Bugler above Sixteen Years of Age, One Shilling, and under Sixteen Years of Age, Tenpence:

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

Clothing.

And also for the Clothing of the Regular Militia (when disembodied), in Cases in which full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny

Penny for each Serjeant Major, Three Pounds for each Serjeant, and Two Pounds Eighteen Shillings and Sevenpence for each Drummer, and so in proportion in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expense of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been sanctioned by the Secretary-at-War: Provided always, that Serjeant Majors, Serjeants, and Drummers on the Disembodied Staff of the Militia of *England* and *Wales*, and such Serjeant Majors and Serjeants as were serving on the Disembodied Staff of the Militia of *Ireland* and *Scotland*, on the First Day of *June* One thousand eight hundred and twenty-nine, and shall be resident at Head Quarters, shall be entitled to be clothed once in Two Years; and that such as shall have been subsequently appointed to serve or promoted on the Disembodied Staff of the Militia of *Ireland* and *Scotland* shall be entitled to be clothed once in Four Years:

Contingent Fund.

And also at Rates varying from Two Shillings to Sixpence *per Annum* for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps, when enrolled.

Adjutant, &c. to reside where the Secretary-at-War shall appoint.

II. Except when employed as herein-after provided, every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall reside in such Places as shall be sanctioned by the Secretary-at-War; and every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

Adjutants and Non-commissioned Officers of Militia may be employed in their Counties.

III. Every Adjutant and Non-commissioned Officer of the Regular Militia, when disembodied, and not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea* Hospital, in such Manner as One of Her Majesty's Principal Secretaries of State may determine.

Adjutant to have Charge of the Arms and Clothing, and to issue the Money for contingent Expenses on an Order signed by the Colonel.

Balance to form a Stock Purse.

IV. The Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant, and shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as aforesaid he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps), and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

In Absence of the Adjutant, the Serjeants to be under the Command of the Serjeant Major.

V. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Disembodied Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Serjeants shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

Militia when called out for Training, &c. entitled to Pay.

VI. The Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the same Pay and Allowances as the Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia when embodied.

Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.

VII. Volunteers may, with the Sanction of the Secretary-at-War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff, either as Serjeants or Drummers, be allowed Pay whilst so under Instruction, but while they remain so attached they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provisions of the Mutiny Act.

Allowances to Subalterns and Surgeons Mates and Assistant Surgeons.

VIII. 'And whereas it is expedient to grant Allowances to certain Officers of the said Militia Forces 'of *Great Britain* and *Ireland* while disembodied, under certain Regulations:' The following Allowances shall be made and paid, to the Amount, under the Restrictions, and in the Manner herein-after expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held a Commission in the Militia of *Great Britain* or *Ireland*, and was serving therein, when the Corps was last disembodied, and also to every Supernumerary Subaltern Officer and Assistant Surgeon of any Regiment of Militia in *Ireland* which was augmented during the War, and which has been reduced to its original Establishment; (that is to say,)

To a Lieutenant, Two Shillings and Sixpence *per Diem:*

To an Ensign, Two Shillings *per Diem:*

And to a Surgeon's Mate or Assistant Surgeon, Two Shillings and Sixpence *per Diem:*

Rank of certain Officers.

Provided always, that for the Purposes of this Act all Officers of the Militia serving with the Rank of Captain Lieutenants shall be deemed to be Lieutenants, and all Officers serving with the Rank of Second Lieutenant

Lieutenant shall be deemed to be Ensigns; and that the Supernumerary Subalterns and Assistant Surgeons of Regiments of Militia in *Ireland* as aforesaid shall be deemed to have belonged to such Regiments when they were last disembodied, and to have continued to serve therein from that Time.

Certain Persons not entitled to Allowances.

IX. Provided also, no Person who is or shall during the Continuance of this Act become possessed of such an Estate or Income as would by Law qualify him to hold the Commission of Captain of a Company in the said Militia, or who is or shall be appointed Adjutant in any Regiment, Battalion, or Corps of Militia, nor any Officer on Full Pay of the Navy, Army, or Marines, shall have or be in any way entitled to the said Allowances, or any Part or Share thereof.

A Declaration to be taken to entitle Officers, &c. to such Allowances.

X. The Subaltern Officers, Surgeon's Mates, and Assistant Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace of the United Kingdom, Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (*videlicet,*)

Form of Declaration.

'I *A.B.* do solemnly and sincerely declare, That I belonged to the of Militia when the same was disembodied, and that I have continued to serve therein from that Time until the Day of inclusive, as a [Lieutenant, Ensign, Surgeon's Mate, *or* Assistant Surgeon, *as the Case may be*]; and that I was not, in my own Right or in the Right of my Wife, during any Part of the Period for which I now claim to receive my Allowance, (that is to say,) from the Day of to the Day of both inclusive, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of such an annual Value above Reprises as would qualify me to hold a Commission of Captain of a Company in the Militia; that I was not in Holy Orders; that I have not during the above Period held the Appointment of Adjutant, Surgeon, Paymaster, or Quartermaster in any Regiment, Battalion, or Corps of Militia; that I did not hold or enjoy, nor did any Person for me hold or enjoy, during the said Period, any Place, Office, or Employment of Profit, Civil or Military, under the Crown or any other Government, besides the Allowance of a Day now claimed, except my Half Pay as a [of the Army *or* Navy *or* Marines, *or* of a Provisional Battalion formed from the Militia, *as the Case may be,*] and any Pay and Allowances from the to the both Days inclusive, during which Period the Corps was assembled for Training and Exercise.'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming the Allowance.

Secretary-at-War may place certain Officers unfit for Duty upon a retired Allowance.

XI. It shall be lawful for the Secretary-at-War to place any such Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted on the disembodying of the Militia at the Termination of the War; and all such Subalterns, Surgeons Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet,*)

Form of Declaration.

'I do solemnly and sincerely declare, That I formerly served as a in the Militia; that I am not in Holy Orders; and that from the Day of to the Day of I did not hold or enjoy any Place or Employment of Profit, Civil or Military, under her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, besides my Allowance of per Diem as a of the said Militia, except my Half Pay or Civil Pension as a .'

Allowances to Officers reduced in 1829.

XII. The Allowances granted to certain Paymasters, Surgeons, and Quartermasters of the Militia of *Great Britain* and *Ireland*, on their being reduced, in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, shall be issued and paid under the Restrictions and in the Manner herein-after expressed, during the Continuance of this Act; and it shall be lawful for the Secretary-at-War to place any such Paymaster, Surgeon, or Quartermaster, when unfit for further Duty, upon a retired Allowance equal to and instead of his reduced Allowance.

A Declaration to be taken by Officers claiming the said Allowances.

XIII. Every Paymaster, Surgeon, and Quartermaster of Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,)

Form of Declaration.

'I *A.B.* do solemnly and sincerely declare, That I was serving as [Paymaster, Surgeon, *or* Quartermaster, *as the Case may be,*] in the of Militia at the Reduction of the Staff of the said Militia in One thousand eight hundred and twenty-nine; and that I was not in Holy Orders during any Part of the Period for which I now claim to receive an Allowance, that is to say, from the Day of One thousand eight hundred and to the Day of One thousand eight hundred and ; and that I did not hold or enjoy, nor did any Person for me hold or enjoy, during any Part of the said Period, any Place, Office,

'or

'or Employment of Profit, Civil or Military, under the Crown or any other Government, besides the 'Allowance of a Day now claimed, except my Half Pay as a [of 'the Army *or* Navy *or* Marines, *or* of a Provisional Battalion formed from the Militia, *as the Case may* '*be*], and except my Pay and Allowances from the to the both Days 'inclusive, during which Period the Militia was assembled for Training and Exercise.'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Paymaster, Surgeon, or Quartermaster claiming the Allowance: Provided always, that any Paymaster, Surgeon, or Quartermaster receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Out-Pension to Reduced Non-commissioned Officers, &c. not to be received while serving.

XIV. 'And whereas certain Non-commissioned Officers and Drummers of the Militia of the United 'Kingdom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied 'Staff, been placed on the Out-Pension, although not unfit for further Service:' No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Subalterns, Mates, &c. to attend the Exercise, &c.

XV. Every Paymaster, Surgeon, or Quartermaster on the reduced Allowance, and every Subaltern Officer, Surgeon's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to any Allowances as aforesaid, shall regularly attend the Exercise and Training of the Regiment, Battalion, or Corps to which he belongs during the whole of the Time it shall be assembled for that Purpose, and shall during the said Time punctually do and perform his Duty as a Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as all Arrears of the said Allowance and of Pay; and a Certificate of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be transmitted to the Paymaster General by the Officer claiming the Allowance: Provided always, that in case any such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming to be entitled to such Allowance shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the whole or any Part of such Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowances and every Part thereof in like Manner as if he had attended during the whole of the said Exercise: Provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in a Certificate (in lieu of that before mentioned) to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster General.

Commanding Officers may grant Leave of Absence.

If the Regiment be not called out before Time fixed for Payment, Allowance to be paid, on making the Declaration, without Certificate of Attendance.

XVI. Provided always, in case any Regiment, Battalion, or Corps of Militia shall not, before the Time fixed for the Payment of the said Allowances, be called out for the Exercise and Training thereof, every Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon belonging to any such Regiment, Battalion, or Corps, and coming within the aforesaid Benefits of this Act, who shall have made and subscribed the Declaration herein-before mentioned before any Justice of the Peace or other Person as aforesaid, shall be entitled to the said Allowance as if he had regularly attended the Exercise and Training of such Regiment, Battalion, or Corps during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion, or Corps, had been furnished.

Allowances to be paid quarterly.

XVII. Upon such Declarations and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their Exercise as aforesaid, upon the said Declarations being produced to the Paymaster General, the Paymaster General shall pay to the said Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons their respective Allowances above mentioned for the usual quarterly or other proper Periods, without any Deduction whatsoever, except Income Tax.

On Neglect of Attendance, Subalterns, &c. shall forfeit Allowance.

XVIII. The Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons of Militia, entitled or claiming to be entitled to the aforesaid reduced or disembodied Allowances, shall at all Times be liable to serve in the respective Regiments, Battalions, or Corps to which they belong whenever the same shall be embodied and called out upon active Service; and in case of Neglect or Refusal to attend when called upon, on such Occasion, or on such other Occasions as may be required in pursuance of the Laws in force respecting the Militia when disembodied, every such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon shall, on such Neglect or Refusal being certified to the Secretary-at-War, and in respect of the Militia of *Great Britain*, to the Lord Lieutenant of the County, by the Colonel or other Commandant of the Regiment, Battalion, or Corps to which such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon shall belong, forfeit his Claim to the said Allowance and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

Allowance not to be paid while the Militia embodied.

XIX. Nothing in this Act contained shall extend or be construed to extend to entitle any Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon as aforesaid to the said Allowance

Allowance or any Part thereof during the Time the Militia to which he belongs shall be embodied or assembled for Training and Exercise.

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.

XX. Provided always, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided always, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Adjutants, &c., Non-commissioned Officers, or Privates, not to lose their Right to Chelsea or Kilmainham Pensions, &c.

XXI. Provided always, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Allowance to be made for Medicines.

XXII. There shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expense of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training, and also an Allowance of Twopence *per* Week for each of the Non-commissioned Officers and their Families of each Regiment on the Disembodied Staff at Head Quarters, for the Expense of necessary Medicines and Attendance given to the said Non-commissioned Officers and their Families while such Regiment is not called out for Training and Exercise.

Adjutants appointed before 24th Dec. 1814 entitled to receive, after a Service of 20 Years, if unfit for further Service, an Allowance of 8*s.* per Day; provided they do not hold certain other Appointments.

XXIII. Every Adjutant of Regular Militia appointed as such before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Twenty Years in the whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmity rendered unfit for further Service, shall, on producing to the Secretary at-War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary-at-War founded upon such Certificate, be entitled to receive, and the Paymaster General shall pay to such Person, an Allowance at the Rate of Eight Shillings *per Diem:* Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary-at-War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment: Provided always, that any Adjutant appointed after the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmity rendered unfit for further Service, shall, upon producing to the Secretary-at-War a Certificate of such Service of *Thirty* Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon an Order from the Secretary-at-War founded upon such Certificate, be entitled to receive an Allowance at the Rate of Six Shillings a Day, in like Manner and subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out-Pension by reason of receiving such Allowance of Eight Shillings or Six Shillings a Day as aforesaid, but shall be entitled to receive such Half Pay or Out-Pension as well as such Allowance: Provided always, that in Cases of very long and meritorious Services it shall be lawful for the Secretary-at-War to extend to any Adjutants appointed between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three the Terms, either in whole or in part, herein-before prescribed for the Retirement of Adjutants appointed before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen.

Adjutant appointed since 24th Dec. 1814 entitled to receive, after Thirty Years Service, &c., an Allowance of 6*s.* per Day.

Right to Half Pay reserved.

Certain Terms extended to Adjutants in Cases of long and meritorious Services.

XXIV. And

Allowances to Adjutants, Surgeons, and Quartermasters.

XXIV. 'And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, 'Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit for 'further Service:' Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Reduced Adjutants to receive 4s. per Day till 31st July 1854.

XXV. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirty-first Day of *July* One thousand eight hundred and fifty-three, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and fifty-four, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Right to Half Pay reserved.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

XXVI. 'And whereas certain Adjutants and Serjeant Majors are entitled to and have received certain 'Allowances in consequence of having been reduced under the Provisions of an Act passed in the Thirty-'ninth and Fortieth Years of the Reign of King *George* the Third, which Allowances have been continued, 'and as to such Adjutants augmented to Four Shillings *per Diem:*' All such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Thirty-first Day of *July* One thousand eight hundred and fifty-three to the Thirty first Day of *July* One thousand eight hundred and fifty-four.

Allowances granted to Adjutants who have been appointed since 24th Dec. 1814, &c. on Completion of certain Periods of Service.

XXVII. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britian* and *Ireland* who have been appointed since the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, and who shall hereafter be appointed, on the Completion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit for the Performance of the Duties of their Commissions; (that is to say,)

To every Adjutant who shall have completed in the Service a Period of, (*videlicet,*)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem:*

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem:*

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem:*

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem:*

No Adjutant whose Commission bears Date between 24th Dec. 1814 and 9th July 1823 excluded.

Right to Half Pay and Pension reserved.

Provided always, that no such Adjutant whose Commission bears Date between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three shall be excluded from the Operation of the Authority vested in the Secretary-at-War to determine certain Cases of Adjutants of long and meritorious Services; provided also, that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary-at-War of a Certificate of such Service and Disability; and the Paymaster General shall pay to such Adjutant the above Allowance, subject to the same Limitations and Restrictions in respect to the holding of any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, as attach to other Adjutants to whom retired Allowances have been or shall be granted.

Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107.

Proviso.

XXVIII. Every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, and continued by any subsequent Act or by this Act, may receive such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable together with such reduced Allowance under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of* Great Britain *called* England, *or under the Provisions of the aforesaid Act of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King* George *the Third:* Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under Her Majesty, other than such as aforesaid, or under any other Government, or any Civil Office or Employment under Her Majesty, or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmity.

Restrictions as to Allowances to reduced Adjutants of the Local Militia.

XXIX. 'And whereas certain Allowances have been granted to reduced Adjutants of the Local 'Militia:' The said Allowances shall be issued and paid during the Continuance of this Act in like Manner and subject to the same Restrictions as the Allowances of the Paymasters, Surgeons, and Quartermasters

Quartermasters of the Regular Militia who were reduced in the Year One thousand eight hundred and twenty-nine: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

Allowances to Clerks of General and Subdivision Meetings in England.

15 & 16 Vict. c. 50.

Allowances to such Officers and others in Scotland;

42 G. 3. c. 91.

and to Clerks of General Meetings when Militia raised otherwise than by Ballot.

XXX. In every County in *England* and *Wales* when the Regular Militia is or shall be raised by Ballot, Allowances shall be made to the Clerks of General Meetings, and the Clerks of Subdivision Meetings of Lieutenancy, and also to the Clerks of General Meetings and the Clerks of Subdivision Meetings of the Lord Warden and Deputy Wardens of the Stannaries of *Cornwall* and *Devon*, for their Trouble and Expenses in the due Execution of an Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, intituled *An Act to consolidate and amend the Laws relating to the Militia in* England, and of any other Acts relating to the said Militia, or to the Regiment or Body of Miners in the Counties of *Cornwall* and *Devon*; and in every County, Stewartry, City, or Place in *Scotland* where the Regular Militia is or shall be raised Allowances shall also be made to the Clerks of General Meetings and Clerks of the several Subdivision Meetings, and to Schoolmasters, Constables, and other Officers, for their Trouble and Expenses in the due Execution of an Act passed in the Forty-second Year of the Reign of King *George* the Third, intituled *An Act to raise and establish a Militia in* Scotland, and of any other Acts relating to the said Militia; and such Allowances shall be issued at the Rates specified in Schedule A. appended to this Act; and the Allowances to Clerks of General Meetings, when the Militia is raised otherwise than by Ballot, shall be issued at the Rates specified in Schedule B. appended to this Act.

Manner of granting Allowances.

XXXI. The said Allowances shall be granted as follows; (*videlicet*,) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon*; and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet*,)

Clerks, &c. to make Declaration of the Justness of their Accounts.

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, so far as regards my Interest therein, is a just and true Account of Business performed by me for and in behalf of the Public Service, according to the Manner therein set forth; and the Sums claimed as disbursed were actually paid by me.'

Declaration of a Schoolmaster, Constable, or other Officer in *Scotland*.

'I do solemnly declare, That I am the Parochial Schoolmaster [*or* Constable, *or* other Officer] of the District of in the Subdivision of the County of ; and that the preceding Account is a just and true Account of Business actually performed by myself for and in behalf of the Public Service, according to the Manner therein set forth; and that I was employed on such Business the full Time therein stated; and that the Sums claimed as disbursed were actually paid by me.'

And the said Accounts shall be transmitted to the Secretary-at-War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

XXXII. 'And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service in the Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting themselves for Enrolment:' It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held, to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Declaration to be made by Surgeon.

'I do solemnly declare, That I will, to the best of my Ability, faithfully and truly report as to the Fitness for Service of the Man or Men about to be submitted to my Examination, and that I will not receive from any of them any Fee or Reward whatever for any such Examination.'

Allowance to Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary-at-War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

XXXIII. All

XXXIII. All Sums of Money granted for the Pay, Clothing, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary-at-War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head. Pay, &c. to be issued under Directions of Secretary-at-War.

XXXIV. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper. Bills for Pay, &c. may be on unstamped Paper.

XXXV. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act. No Fee to be taken.

XXXVI. For the Residence and Accommodation of the Adjutant belonging to any Regiment or Battalion of Militia in *Ireland*, when not embodied, there shall be paid to such Adjutant the yearly Sum of Twenty Pounds Seventeen Shillings of the Currency of the United Kingdom of *Great Britain* and *Ireland*, and for the Hire of any House or Place to be provided for the keeping of the Arms, Accoutrements, Clothing, or other Stores of such Regiment, there shall be paid to such Adjutant, or if there be no Adjutant, then to the Non-commissioned Officer in charge of the Stores, the yearly Sum of Five Pounds of such Currency, which Sums shall be defrayed by the County; and the necessary Sum for that Purpose, and for all other Sums of Money and Expenses payable and to be defrayed by the County in respect of the Militia of the County, and all Arrears which shall not have been presented and paid before the passing of this Act, or which shall have become due before the Certificate thereof shall be transmitted as hereafter mentioned, shall be raised by the Presentment of the Grand Jury of the said County, which Presentment the Grand Jury of the County shall pass on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or, in the Absence of such Chief Secretary, by the Under Secretary, or by the Assistant Under Secretary, without any Application at Presentment Sessions, and specifying the said Allowances to be made to the Adjutant, or to a Non-commissioned Officer, as the Case may be, and any other Expense payable and to be defrayed by the County in respect of the Militia of the County; and the said Certificate shall be transmitted by such Chief or Under Secretary or Assistant Under Secretary to the Clerk of the Crown for the County at any Time prior to the First Day of Assizes for such County, or if the County or County of the City of *Dublin*, then prior to the First Day of the Presenting Term. Allowance to Adjutant for his Residence and Accommodation in Ireland. Allowance for Hire of House or Place for depositing Arms and Stores of the Militia in Ireland.

XXXVII. In all Cases where any Place provided under an Act passed in the Forty-second Year of the Reign of King *George* the Third, intituled *An Act for amending the Laws relating to the Militia in* England, *and for augmenting the Militia*, for the Purpose of keeping therein the Arms, Accoutrements, Clothing, and other Stores belonging to any Regiment, Battalion, or Corps of Militia, when not embodied, and the Hire or Cost of which Place may have been paid or is payable out of the County Rates by the Treasurer of the County in which such Place is situated, is or may become from any Cause insecure, insufficient, or unfit for the safe Custody of such Arms, Accoutrements, Clothing, and other Stores; or in case the Public Service or Convenience require the Site of the same to be changed, or in case no such Place has been provided, the Deputy Lieutenants of such County, at any General Meeting duly convened for this Purpose, upon the Representation of the Lord Lieutenant of such County, and the Colonel or Commandant of such Regiment, Battalion, or Corps of the County within which such Place is or is proposed to be situated, to the Effect that no such Place has been provided under the aforesaid Act, or that the Place provided is unfit, or insecure, or inefficient, and upon Evidence thereof, may and are hereby required to provide a suitable and secure Place, or to enlarge or alter and make secure and convenient the Place already provided, for the Purpose of keeping in proper Order and in safe Custody therein the Arms, Accoutrements, Clothing, and other Stores belonging to any Regiment, Battalion, or Corps of Militia of the County within which such Place is or is to be provided, and the Purchase, Hire, or Cost of which Place, in case the same shall be approved by the Lord Lieutenant and Colonel or Commandant of the Militia of such County, Riding, or Place, and the necessary Cost of Fuel for keeping it dry, shall be paid for by the Treasurer of such County, Riding, or Place, out of the County Rates: Provided always, that with a view to such safe Custody the Place so altered, enlarged, or provided shall contain an Orderly and Guard Room, and Quarters for the Serjeant Major, and such Proportion of the Non-commissioned Officers of the permanent Staff as may be a sufficient Guard for such Arms, being not less in any Case than One Half of the whole Number, nor less than Six, except in Corps consisting of less than Three Companies in which Corps all the Staff shall be provided with Quarters, and there shall be also provided a sufficient Yard or Parade Ground wherein the Men may be mustered for the Issue and Return of such Arms, Accoutrements, Clothing, and other Stores. Providing Place for Arms, &c. 42 G. 3. c. 90.

XXXVIII. For the Purpose of spreading over a Term of Years the Expense of altering, enlarging, or providing such Place, Orderly Room, and Quarters, the Justices of the County, Riding, or Place, or the major Part of them, such major Part not being less than Five, upon Representation from the Treasurer of the County, may borrow, on the Mortgage of the Rates of such County, Riding, or Place, all or any of the Money necessary for the Purpose of defraying such Expenses, and such Money may be so raised at any Rate of Interest not exceeding Five Pounds *per Centum per Annum*, and any such Mortgage shall be executed by the Chairman and Two or more other Justices present at the Time of making such Mortgage; and every such Mortgage shall be effectual for securing to the Person advancing the Sum of Money in such Mortgage expressed to be advanced, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest for the same, after such Rate and at such Time and in such Manner as in such Mortgage provided; and every Person to whom any such Mortgage is made, his Power to borrow Money for providing Places for Stores, &c.

his Executors or Administrators, is hereby empowered, by endorsing his or their Name or Names on such Mortgage, to transfer the same, and his and their Right to the Principal Money and Interest thereby secured; and every Assignee of any such Mortgage, his Executors and Administrators, may in like Manner transfer the same again, and so *toties quoties;* and the Persons to whom such Mortgages or such Transfers thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed to be mortgaged in an equal Degree one with another, and shall not have any Preference or Priority other than is provided under the Powers of this Act.

Justices to provide annually for Payment of Interest on Mortgages, and not less than One Thirtieth Part of the Principal.

XXXIX. The said Justices shall in every Year charge the Rates of such County with the Sum for the Time being required to pay the Interest of the Money borrowed on any Mortgages under this Act, or such of them as for the Time being remain unpaid, and also with the Payment of a further Sum, not less than One Thirtieth Part of the whole of such Mortgages at the Time of the same being first made, and such Sums shall be applied under the Direction of the said Justices in discharge of the Interest on the said Mortgages or such of them as for the Time being remain unpaid, and of so many of the Principal Sums owing on the said Mortgages for the Time being remaining unpaid, as such Sums after Payment of the Interest as aforesaid will extend to discharge, until the whole of the Principal Monies for which such Mortgages shall have been made, and the Interest thereof, shall be fully paid and discharged; and the said Justices are hereby required to fix One or more Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for such Payments being regularly made; and the said Justices shall, by Agreement with the Parties, or others advancing any Money for the Purposes of this Act, determine the Order or Priority in which the several Sums advanced shall be respectively discharged.

Power to raise Money to pay off Sums already borrowed.

XL. It shall be lawful for the Justices of the County for which such Monies shall have been borrowed (with the Consent of the Parties to whom the same shall be owing) to pay off the Monies so borrowed, and to raise and borrow the Monies necessary for that Purpose, and also to repay the said last-mentioned Monies and the Interest thereof, under the Powers of this Act, as if such Monies were borrowed under the Powers herein-before contained, but so, nevertheless, that all Monies borrowed shall be discharged within Thirty Years from the Time of first borrowing the same.

Sale of Place which is not required.

XLI. In all such Cases as aforesaid the Persons or Person in whom such Place which may have become insecure, insufficient, unfit, or inconvenient as aforesaid for the Purposes aforesaid may be vested, upon Service upon them or him of an Order made at any Court of Quarter Sessions of the Peace, setting forth that another and more convenient and proper Place has been provided for the Purpose aforesaid, whereby the Place so purchased for the Purpose aforesaid has become useless, shall proceed forthwith, in such Manner as they shall think best, to sell and convey and assure the same to any Purchaser or Purchasers thereof, freed and discharged from the Uses or Trusts to which it had theretofore been liable and subject, and give Receipts and Acquittances for the Purchase Money or Purchase Monies thereof, and shall, upon Receipt of the Money arising therefrom, after deducting thereout all Costs and Charges attending such Sale or Sales, pay the same unto the Treasurer of such County, Riding, or Place, to be by him applied and paid towards the Cost of such Place to be so purchased as aforesaid, or the fitting up the same, and in case no such Place shall be so purchased, then toward the Expenses of fitting up such Place which may be so hired as aforesaid for the Purposes aforesaid, and the Residue of such Purchase Money (if any) shall be invested in the Public Funds, and the Interest thereof applied in aid of the Rate of such County or Riding, according as the Justices of the same in Quarter Session assembled may direct; and no Person purchasing any Place so sold as aforesaid shall be bound to inquire whether any of the Circumstances have arisen under which it has been determined to sell the same as aforesaid, nor shall he be bound to see to the Application or Nonapplication of his, her, or their respective Purchase Monies; and when and as soon as the Persons or Person in whom such Place shall have been so vested as aforesaid shall have paid to the said County Treasurer the clear Proceeds arising from such Sale or Sales, and shall have procured from such Treasurer his Receipt for the same, then and from thenceforth such Persons or Person shall be forthwith discharged from all Liability, Claim, or Demand in respect of the said Place so vested in him or them for the Purposes aforesaid, and also from all Liability, Claim, or Demand in respect of the Proceeds arising from the Sale of such Place; and such Receipt shall be a Bar to the Claim of any Person or Persons whatsoever in such County, Riding, or Place, or any Person or Persons claiming under them any Right, Title, or Estate to such Place or the Proceeds thereof.

Permanent Staff to be billeted.

XLII. Innkeepers and others who, according to the Provisions of the Mutiny Act, are liable to have Soldiers billeted upon them, shall in like Manner be subject to have the Permanent Staff of the Militia, when disembodied, billeted upon them, and in default of their providing convenient Lodging with Fire and Candle as prescribed in the Ninety-fourth Section of the Forty-second *George* the Third, Chapter Ninety, shall be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets prescribed by the Act for punishing Mutiny and Desertion.

All Things in this Act relating to Counties, &c. shall extend to Ridings, &c.

XLIII. All Things in this Act contained relating to Counties, and to Regiments of *Militia* respectively, shall be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*.

Continuance of Act.

XLIV. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and fifty-three until the First Day of *September* One thousand eight hundred and fifty-four.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts 15 & 16 Vict. c. 50. and 42 Geo. 3. c. 91., and other Acts relating to the Militia, when the Militia are raised by Ballot.

ALLOWANCES to the CLERKS of GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each - - - - - - - - - -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each - -	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each - - - - - -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals - - - - - - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council, the Secretary of State, and the Secretary-at-War (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia - - - - - - - - -	2	2	0
In Counties furnishing from 201 to 400 Men - - - - - -	3	3	0
Ditto - - from 401 to 600 Men - - - - -	4	4	0
Ditto - - from 601 to 800 Men - - - - -	5	5	0
Ditto - - from 801 Men and upwards - - -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under - - - -	1	1	0
Ditto - - - from 201 to 400 Men - - - -	2	2	0
Ditto - - - from 401 to 600 Men - - - -	3	3	0
Ditto - - - from 601 to 800 Men - - - -	4	4	0
Ditto - - - from 801 Men and upwards - - -	5	5	0
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - - - - - -	0	5	0
Ditto - 51 to 150 Names - - - - - - - -	0	10	0
Ditto - 151 to 250 Names - - - - - - -	1	0	0
Ditto - 251 Names and upwards - - - - -	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - -	0	15	0
Ditto - Two - Ditto - - - - -	1	10	0
Ditto - Three - Ditto - - - - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - - -	2	0	0
Ditto - from 301 to 600 Men - - - - - -	3	0	0
Ditto - from 601 to 900 Men - - - - - -	4	0	0
Ditto - from 901 Men and upwards - - - - -	5	0	0

	£	s.	d.
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under	2	0	0
In a County furnishing from 201 to 400 Men	3	0	0
Ditto from 401 to 600 Men	4	0	0
Ditto from 601 to 800 Men	5	0	0
Ditto from 801 Men and upwards	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed. The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
TRAINING AND EXERCISE.			
12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department in Counties in England and Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps	2	0	0
Ditto - Two - Ditto	3	0	0
Ditto - Three - Ditto	4	0	0
ALLOWANCES to CLERKS of SUBDIVISION MEETINGS.			
14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet, For receiving Lists and hearing Appeals, For balloting, For enrolling, And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept	0	0	6
17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men	£2 per 1,000		
18. For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - - 50 Men and under	2	2	0
Ditto from 51 to 150 Men	3	3	0
Ditto from 151 to 250 Men	4	4	0
Ditto from 251 Men and upwards	5	5	0

	£	s.	d.
19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)			
For a Roll containing 50 Names and under	0	5	0
Ditto from 51 to 150 Names	0	10	0
Ditto from 151 to 250 Names	0	15	0
Ditto from 251 Names and upwards	1	0	0
20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under	1	10	0
Ditto from 51 to 150 Men	2	0	0
Ditto from 151 to 250 Men	2	10	0
Ditto from 251 Men and upwards	3	0	0
21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
For a Subdivision furnishing 50 Men and under	2	0	0
Ditto from 51 to 150 Men	3	0	0
Ditto from 151 to 250 Men	4	0	0
Ditto from 251 Men and upwards	5	0	0
22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:			
For a Subdivision furnishing 50 Men and under	0	5	0
Ditto from 51 to 150 Men	0	10	0
Ditto from 151 to 250 Men	0	15	0
Ditto from 251 Men and upwards	1	0	0
TRAINING AND EXERCISE.			
24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 50 Names and under	0	5	0
Ditto from 51 to 150 Names	0	10	0
Ditto from 151 to 250 Names	0	15	0
Ditto from 251 Names and upwards	1	0	0
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under	0	0	6
Ditto from 11 to 30 Names	0	1	0
Ditto from 31 to 50 Names	0	2	6
Ditto from 51 to 70 Names	0	4	0
Ditto from 71 to 100 Names	0	7	0
Ditto from 100 upwards	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:			
For a Roll containing 20 Names and under	0	2	0
Ditto from 21 to 50 Names	0	5	0
Ditto from 51 to 150 Names	0	10	0
Ditto from 151 to 250 Names	0	15	0
Ditto from 251 and upwards	1	0	0

	£	s.	d.
26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under	0	5	0
Ditto from 51 to 150 Men	0	10	0
Ditto from 151 to 250 Men	0	15	0
Ditto from 251 and upwards	1	0	0

ALLOWANCES to SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day	0	5	0
31. For Stationery, per Annum	0	5	0

ALLOWANCES to CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
34. For attending each Meeting of Lieutenancy, per Day	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Act 15 & 16 Vict. c. 50., or by Her Majesty's Secretary of State, in execution of the Provisions of the said Act when the Militia is raised otherwise than by Ballot.

CLERKS of GENERAL MEETINGS.

	Per Annum. £	s.	d.
For Trouble in executing the Duty required under the 15 & 16 Vict. c. 50., including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200	15	0	0
Where the Quota is			
Above 200, and not exceeding 400	20	0	0
Above 400, and not exceeding 500	25	0	0
And where the Quota exceeds 500, the following Additions for every 100, or fractional Part of 100:			
Above 500, and not exceeding 1,000	4	0	0
Above 1,000, and not exceeding 2,000	3	0	0
Above 2,000, and not exceeding 3,000	2	0	0
Above 3,000, and not exceeding 4,000	1	10	0
Above 4,000	1	0	0
The actual Expense incurred in Printing or advertising:			
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State	2	2	0

CAP. CXVII.

An Act to amend the Laws relating to the Redemption and Purchase of the Land Tax in *Great Britain*. [20th *August* 1853.]

'WHEREAS it is expedient to restrict the Redemption and Purchase of the Land Tax in *Great Britain* to Persons having an Estate or Interest in the Lands or Hereditaments whereon such Land Tax is charged:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Redemption of Land Tax restricted to Persons having an Interest in the Property.

I. From and after the passing of this Act the Redemption and Purchase of Land Tax in *Great Britain* shall be subject to the Provisions herein-after contained: No Body Politic or Corporate, nor any Person whatever, shall be entitled to redeem or purchase any Land Tax, except such Bodies Politic and Corporate and Persons respectively having an Estate or Interest in the Messuages, Lands, Tenements, or Hereditaments whereon such Land Tax is or shall be charged, and to whom Preference in the Redemption of Land Tax was given for a limited Period by the Act passed in the Forty-second Year of the Reign of King *George* the Third, Chapter One hundred and sixteen.

Land Tax redeemed to merge in the Estate.

II. Upon the Completion of any Contract entered into after the passing of this Act for the Redemption of Land Tax, and upon the Transfer or Payment of the Consideration for the same, the Messuages, Lands, Tenements, or Hereditaments comprised in such Contract shall be wholly freed and exonerated from the Land Tax charged thereon, and from all further Assessments thereof, and from any yearly Term, Rent, or Rentcharge in respect of any Consideration for such Contract.

CAP. CXVIII.

An Act to amend an Act of the Seventh Year of Her Majesty for the better Apprehension of certain Offenders. [20th *August* 1853.]

'WHEREAS by an Act passed in the Session holden in the Sixth and Seventh Years of Her Majesty (Chapter Thirty-four, "for the better Apprehension of certain Offenders," it is provided, that it shall not be lawful for any Person to endorse his Name upon any such Warrant as therein mentioned, for the Purpose of authorizing the Apprehension of any Person under that Act, unless it shall appear upon the Face of the said Warrant that the Offence which the Person for whose Apprehension the said Warrant has been issued is charged to have committed is such that, if committed within that Part of Her Majesty's Dominions where the Warrant is so endorsed, it would have amounted in Law to a Treason, or some Felony such as the Justices of the Peace in General or Quarter Sessions assembled have not Authority to try in *England* under the Provisions of an Act passed in the Sixth Year of Her Majesty, intituled *An Act to define the Jurisdiction of Justices in General and Quarter Sessions of the Peace*, or unless the Depositions appear sufficient to warrant the Committal of such Person for Trial: And whereas it is expedient that the Provisions of the said Act should be extended to Persons charged with any Felony:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the recited Enactment shall hereafter be read and construed as if the Words "such as the Justices of the Peace in General or Quarter Sessions assembled have not Authority to try in *England* under the Provisions of an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to define the Jurisdiction of Justices in General and Quarter Sessions of the Peace*," had been omitted therein.

6 & 7 Vict. c. 34.

5 & 6 Vict. c. 38.

Recited Act extended to all Felonies.

CAP. CXIX.

An Act for the Suppression of Betting Houses. [20th *August* 1853.]

'WHEREAS a kind of Gaming has of late sprung up tending to the Injury and Demoralization of improvident Persons by the opening of Places called Betting Houses or Offices, and the receiving of Money in advance by the Owners or Occupiers of such Houses or Offices, or by other Persons acting on their Behalf, on their Promises to pay Money on Events of Horse Races and the like Contingencies:' For the Suppression thereof, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No House, &c. to be kept for Purpose of Owner or Occupier betting with other Persons.

I. No House, Office, Room, or other Place shall be opened, kept, or used for the Purpose of the Owner, Occupier, or Keeper thereof, or any Person using the same, or any Person procured or employed by or acting for or on behalf of such Owner, Occupier, or Keeper, or Person using the same, or of any Person having the Care or Management or in any Manner conducting the Business thereof betting with Persons resorting thereto; or for the Purpose of any Money or valuable Thing being received by or on behalf of such Owner, Occupier, Keeper, or Person as aforesaid as or for the Consideration for any Assurance, Undertaking, Promise, or Agreement, express or implied, to pay or give thereafter any Money or valuable Thing on any Event or Contingency of or relating to any Horse Race, or other Race, Fight, Game, Sport, or Exercise, or as or for the Consideration for securing the paying or giving by some other Person of any Money or valuable Thing on any such Event or Contingency as aforesaid; and every

every House, Office, Room, or other Place opened, kept, or used for the Purposes aforesaid, or any of them, is hereby declared to be a common Nuisance and contrary to Law.

Betting Houses to be Gaming Houses within 8 & 9 Vict. c. 109.

II. Every House, Room, Office, or Place opened, kept, or used for the Purposes aforesaid, or any of them, shall be taken and deemed to be a common Gaming House within the Meaning of an Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and nine, "to amend the Law concerning Games and Wagers."

Penalty on Owner or Occupier of Betting House.

III. Any Person who being the Owner or Occupier of any House, Office, Room, or other Place, or a Person using the same, shall open, keep, or use the same for the Purposes herein-before mentioned, or either of them; and any Person who being the Owner or Occupier of any House, Room, Office, or other Place shall knowingly and wilfully permit the same to be opened, kept, or used by any other Person for the Purposes aforesaid, or either of them; and any Person having the Care or Management of or in any Manner assisting in conducting the Business of any House, Office, Room, or Place opened, kept, or used for the Purposes aforesaid, or either of them, shall, on summary Conviction thereof before any Two Justices of the Peace, be liable to forfeit and pay such Penalty, not exceeding One hundred Pounds, as shall be adjudged by such Justices, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to the said Justices shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance, if to the said Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Six Calendar Months.

Penalty on Persons receiving Money on condition of paying Money on Event of any Bet.

IV. Any Person, being the Owner or Occupier of any House, Office, Room, or Place opened, kept, or used for the Purposes aforesaid, or either of them, or any Person acting for or on behalf of any such Owner or Occupier, or any Person having the Care or Management or in any Manner assisting in conducting the Business thereof, who shall receive, directly or indirectly, any Money or valuable Thing as a Deposit on any Bet on condition of paying any Sum of Money or other valuable Thing on the happening of any Event or Contingency of or relating to a Horse Race or any other Race, or any Fight, Game, Sport, or Exercise, or as or for the Consideration for any Assurance, Undertaking, Promise, or Agreement, express or implied, to pay or give thereafter any Money or valuable Thing on any such Event or Contingency, and any Person giving any Acknowledgment, Note, Security, or Draft on the Receipt of any Money or valuable Thing so paid or given as aforesaid purporting or intended to entitle the Bearer or any other Person to receive any Money or valuable Thing on the happening of any such Event or Contingency as aforesaid, shall, upon summary Conviction thereof before Two Justices of the Peace, forfeit and pay such Penalty, not exceeding Fifty Pounds, as shall be adjudged by such Justices, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to the said Justices shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance if to such Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Three Calendar Months.

Money so received may be recovered from Persons receiving the same.

V. Any Money or valuable Thing received by any such Person aforesaid as a Deposit on any Bet, or as or for the Consideration for any such Assurance, Undertaking, Promise, or Agreement as aforesaid, shall be deemed to have been received to or for the Use of the Person from whom the same was received, and such Money or valuable Thing, or the Value thereof, may be recovered accordingly, with full Costs of Suit, in any Court of competent Jurisdiction.

This Act not to extend to Stakes due to Owners winning a Race.

VI. Provided always, That nothing in this Act contained shall extend to any Person receiving or holding any Money or valuable Thing by way of Stakes or Deposit to be paid to the Winner of any Race, or lawful Sport, Game, or Exercise, or to the Owner of any Horse engaged in any Race.

Penalty on Persons exhibiting Placards or advertising Betting Houses.

VII. Any Person exhibiting or publishing or causing to be exhibited or published any Placard, Handbill, Card, Writing, Sign, or Advertisement whereby it shall be made to appear that any House, Office, Room, or Place is opened, kept, or used for the Purpose of making Bets or Wagers, in manner aforesaid, or for the Purpose of exhibiting Lists for betting, or with Intent to induce any Person to resort to such House, Office, Room, or Place for the Purpose of making Bets or Wagers, in manner aforesaid, or any Person who, on behalf of the Owner or Occupier of any such House, Office, Room, or Place, or Person using the same, shall invite other Persons to resort thereto for the Purpose of making Bets or Wagers, in manner aforesaid, shall, upon summary Conviction thereof before Two Justices of the Peace, forfeit and pay a Sum not exceeding Thirty Pounds, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to the said Justices shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance if to such Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Two Calendar Months.

Penalties and Costs may be levied by Distress.

VIII. If any Person convicted under this Act on Information before Justices shall be adjudged to pay any Penalty, or any Costs and Charges attending the Conviction, and shall fail to pay such Penalty or Costs, the same may be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of One of the convicting Justices: Provided always, that if any Person shall be committed to Prison for default of Payment of any Penalty and Costs, then the Costs alone may be levied by Distress as aforesaid.

Application of Penalties.

IX. One Half of every pecuniary Penalty which shall be adjudged to be paid under this Act shall be paid to the Informer, and the remaining Half shall be applied in aid of the Poor Rate of the Parish in which the Offence shall have been committed, and shall be paid for that Purpose to the Overseer or other Person authorized to receive Poor Rates in such Parish, or if the Place wherein the Offence shall have been

been committed shall be extra-parochial, then the Justices by whom such Penalty shall be adjudged to be paid shall direct such remaining Half thereof to be applied in aid of the Poor Rate of such extra-parochial Place, or, if there shall not be any Poor Rate therein, in aid of the Poor Rate of any adjoining Parish or District.

On Neglect to prosecute any Summons Justices may authorize some other Person to proceed.

X. In case any Person who shall have laid any Complaint or Information in respect of any Offence against this Act shall not appear at the Time at which the Defendant may have been summoned to appear, or at any Time to which the Hearing of the Summons may have been adjourned, or, in the Opinion of any Justices having Authority to adjudicate with respect to the Offence charged in such Information or Complaint as aforesaid, shall otherwise have neglected to proceed upon or prosecute such Information or Complaint with due Diligence, it shall be lawful for such Justices to authorize any other Person to proceed on such Summons instead of the Person to whom the same may have been granted, or, if such Justices think fit, to dismiss the Summons already granted, and authorize any Person to take out a fresh Summons in respect of the Offence charged in such Information or Complaint, in like Manner as if the previous Summons had not been granted.

Justices may authorize Search of suspected Houses.

XI. It shall be lawful for any Justice of the Peace, upon Complaint made before him on Oath that there is reason to suspect any House, Office, Room, or Place to be kept or used as a Betting House or Office, contrary to this Act, to give Authority by special Warrant under his Hand, when in his Discretion he shall think fit, to any Constable or Police Officer, to enter, with such Assistance as may be found necessary, into such House, Office, Room, or Place, and, if necessary, to use Force for making such Entry, whether by breaking open Doors or otherwise, and to arrest, search, and bring before a Justice of the Peace all such Persons found therein, and to seize all Lists, Cards, or other Documents relating to racing or betting found in such House or Premises; and any such Warrant may be according to the Form given in the First Schedule annexed to the before-mentioned Act "to amend the Law concerning "Games and Wagers."

Commissioner of Police may authorize Superintendent of Police to enter and search suspected Houses.

XII. If any Superintendent belonging to the Metropolitan Police Force shall report in Writing to the Commissioners of Police of the Metropolis that there are good grounds for believing and that he does believe that any House, Office, Room, or Place within the Metropolitan Police District is kept or used as a Betting House or Office, contrary to this Act, it shall be lawful for either of the said Commissioners by Order in Writing to authorize the Superintendent to enter any such House, Office, Room, or Place, with such Constables as shall be directed by the Commissioner to accompany him, and, if necessary, to use Force for the Purpose of effecting such Entry, whether by breaking open Doors or otherwise, and to take into Custody all Persons who shall be found therein, and to seize all Lists, Cards, or other Documents relating to racing or betting found in such House or Premises.

Appeal to Quarter Sessions.

XIII. Any Person who shall be summarily convicted under this Act may appeal to the next General or Quarter Session of the Peace to be holden for the County or Place wherein the Cause of Complaint shall have arisen, provided that such Person at the Time of the Conviction give Notice of his Intention to appeal, and shall at the Time of such Conviction, or within Forty-eight Hours thereafter, enter into a Recognizance with Two sufficient Securities conditioned personally to appear at the said Session to try such Appeal, and to abide the further Judgment of the Court at such Session, and to pay such Costs as shall be by the last-mentioned Court awarded; and it shall be lawful for the Magistrate or Justices by whom such Conviction shall have been made to bind over any Party who shall have made Information against the Party convicted, and any Witnesses who shall have been examined, in sufficient Recognizances to attend and be examined at the hearing of such Appeal; and every such Witness, on producing a Certificate of being so bound under the Hand of the said Magistrate or Justices, shall be allowed Compensation for his or her Time, Trouble, and Expenses in attending the Appeal, which Compensation shall be paid in the first instance by the Treasurer of the County or Place in like Manner as in Cases of Misdemeanor under the Provisions of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for improving the Administration of Criminal Justice in* England; and in case any such Appeal shall be dismissed and the Order or Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the said Treasurer by the Appellant.

7 & 8 G. 4. c. 28.

No Objection in Matter of Form, and Certiorari taken away.

XIV. On any such Appeal no Objection shall be allowed to the Information whereon the Conviction has taken place, or to such Conviction, on any Matter of Form or on any Insufficiency of Statement, provided it shall appear to the Justices in Quarter Sessions that the Defendant has been sufficiently informed of the Charge intended to be made against him, and that such Conviction was proper on the Merits of the Case; and no Information, Conviction, or Judgment of the Justices in General or Quarter Sessions shall be removed by Certiorari into the Court of Queen's Bench.

Distress not unlawful for Want of Form.

XV. When any Distress shall be made for any Money to be levied by virtue of the Warrant of any Justice under this Act, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Warrant of Apprehension, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser from the Beginning on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case in any of Her Majesty's Courts of Record.

Tender of Amends, &c.

XVI. No Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Authority hereby

hereby given, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought, and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitation of Actions.

XVII. No Action, Suit, or Information, or any other Proceeding, of what Nature soever, shall be brought against any Person for anything done or omitted to be done in pursuance of this Act, or in the Execution of the Authorities under this Act, unless Notice in Writing shall be given by the Party intending to prosecute such Suit, Information, or other Proceeding to the intended Defendant One Calendar Month at least before prosecuting the same, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Act or Omission complained of, or in case there shall be a Continuation of Damage then within Three Calendar Months next after the doing such Damage shall have ceased.

Interpretation of Terms.

XVIII. In *Ireland* the Term "Metropolitan Police Force," and the Terms "Commissioners of the Police of the Metropolis," and the Terms "Metropolitan Police District" shall mean and include respectively the *Dublin* Metropolitan Police Force, the Commissioners of Police of *Dublin* Metropolis, and the Police District of *Dublin* Metropolis.

Commencement of Act.

XIX. This Act shall commence and come into operation on the First Day of *December* One thousand eight hundred and fifty-three.

Not to extend to Scotland.

XX. This Act shall not extend to *Scotland*.

CAP. CXX.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales*. [20th *August* 1853.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts "for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for 'and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Con-'sents thereto have been given since the Date of their Eighth Annual General Report: And whereas 'the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures 'would be expedient; but the same cannot be proceeded with without the previous Authority of 'Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Inclosures to be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1853," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Stratfield Turgiss, &c.	Southampton and Berks	6th March 1851.
Knighton	Radnor	5th January 1853.
Knaresdale Common	Northumberland	25th August 1852.
Hopesay	Salop	3d February 1853.
Llanfihangel-y-eroth	Carmarthen	10th November 1852.
Beacon Hill	Stafford	8th April 1853.
Halse	Somerset	12th April 1853.
Farnham	Surrey	21st April 1853.
Hammerwich	Stafford	21st April 1853.
Chobham	Surrey	21st April 1853.
Stroud Wood Common	Southampton	3d March 1853.
Llanfair Mountain	Cardigan	21st April 1853.
Greshaw Green	Suffolk	26th May 1853.
Dickleburgh	Norfolk	17th March 1853.
Rawreth Shot	Essex	30th June 1853.
Chardstock	Dorset	30th June 1853.
Chisenbury Farm	Wilts	2d June 1853.
Church Knowle	Dorset	30th June 1853.
Aldershot	Southampton	18th July 1853.
Souldern	Oxford	10th June 1853.

Inclosure.	County.	Date of Provisional Order.
Wormley	Hertford	21st July 1853.
Cheddington Fields	Buckingham	25th July 1853.
Pitstone	Buckingham	25th July 1853.
Longframlington	Northumberland	22d April 1853.
Old Storridge Common	Worcester	13th July 1853.
Undy and Bishton	Monmouth	13th July 1853.
Cerrig-y-druidion	Denbigh	5th July 1853.

CAP. CXXI.

An Act for providing Places of Confinement in *England* or *Wales* for Female Offenders under Sentence or Order of Transportation. [20th *August* 1853.]

'WHEREAS by Section Ten of an Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-four, it was enacted, that it should be lawful for His Majesty from Time to Time, by Warrant under His Royal Sign Manual, to appoint Places of Confinement within *England* or *Wales*, either at Land, or on board Vessels to be provided by His Majesty in the River *Thames* or some other River or within the Limits of some Port or Harbour of *England* or *Wales*, for the Confinement of Male Offenders under Sentence or Order of Transportation, which should be under the Management of a Superintendent and Overseer to be appointed by His Majesty; and that it should be lawful for One of His Majesty's Principal Secretaries of State to direct the Removal of any Male Offender who should be under Sentence of Death, but who should be reprieved, or whose Sentence should be respited during His Majesty's Pleasure, or who should be under Sentence or Order of Transportation, to any of the Places of Confinement so appointed; and by the said Act it was enacted, that it should be lawful for His Majesty to appoint a Superintendent of the said Places of Confinement, and, in case it should be deemed expedient, also an Assistant or Deputy to such Superintendent, at One or more of the said Places of Confinement, and also an Overseer of each such Place of Confinement: And whereas by an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Twenty-six, it was enacted, that upon the next Vacancy in the Office of Superintendent of Convicts in *England* under Sentence or Order of Transportation, so much of the said Act of the Fifth Year of King *George* the Fourth as provides for the Appointment of such Superintendent by Her Majesty, or any Overseer or Assistant or Deputy to such Superintendent, should be repealed, and that all Male Offenders in *England* under Sentence or Order of Transportation should be thenceforth in the Custody and Management of such Person or Persons as should be for that Purpose appointed by One of Her Majesty's Principal Secretaries of State, and that the Provisions of the said Act of the Fifth Year of King *George* the Fourth, not altered by the Act now in recital, with respect to the Superintendent and Overseer having Custody of any Offenders under the said Act, should apply to the Persons severally having the Custody and Management of such Offenders under the said Act now in recital: And whereas by an Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-nine, all such of the Powers and Duties theretofore vested in and to be performed by the said Superintendent of Convicts as by the said Act of the Ninth and Tenth Years of Her Majesty were transferred to the Person or Persons having the Custody and Management of such Offenders as aforesaid under that Act, were by the Act now in recital transferred to the Directors of Convict Prisons to be appointed thereunder, and all or any of the Powers and Duties of the said Superintendent of Convicts thereby transferred to the said Directors were thereby authorized to be exercised and performed by any One of such Directors: And whereas it is expedient that Places of Confinement should be appointed in *England* or *Wales* for Female Offenders under Sentence or Order of Transportation:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows;

5 G. 4. c. 84.

9 & 10 Vict. c. 26.

13 & 14 Vict c. 39.

Provisions for and concerning Appointment of Places of Confinement in England for Male Convicts under Sentence or Order of Transportation extended to Females.

I. All the Powers and Provisions contained in Section Ten of the said Act of the Fifth Year of King *George* the Fourth, authorizing the Appointment by Her Majesty from Time to Time of Places of Confinement as therein mentioned for Male Offenders under Sentence or Order of Transportation, and concerning the Removal to or from and Confinement in such Places of Confinement of Male Offenders in the Cases therein mentioned, shall extend and be applicable to and for the Appointment by Her Majesty of like Places of Confinement for Female Offenders under Sentence or Order of Transportation, and the Removal to or from and Confinement in such Places of Female Offenders in the like Cases; and all the Provisions now in force of the Acts herein recited, and of any other Act, concerning or relating to the Regulation and Government of the Places of Confinement appointed under the Authority contained in Section Ten of the said Act of the Fifth Year of King *George* the Fourth, and the Custody, Treatment, Management, and Control of or otherwise in relation to the Offenders confined therein, shall extend and be applicable to and in respect of the Places of Confinement appointed under this Act, and the Female Offenders to be confined therein.

CAP. CXXII.

An Act to render valid certain Marriages in the Church of the *Holy Trinity* in the Township of *Hulme* and Parish of *Manchester* in the County of *Lancaster*. [20th *August* 1853.]

'WHEREAS the Church of the *Holy Trinity* in the Township of *Hulme* and Parish of *Manchester* in the County of *Lancaster* was erected and built some time in or about the Year One thousand eight hundred and forty-three, and was duly consecrated for the Performance of Divine Service therein: And whereas under and in pursuance of the Powers given by the Act passed in the Seventh Year of King *William* the Fourth, intituled *An Act for Marriages in* England, the Lord Bishop of *Manchester* has, by a Licence under his Hand and Seal bearing Date the Twenty-eighth Day of *May* One thousand eight hundred and fifty-two, authorized the Solemnization of Marriages in the said Church: And whereas before the Date of the said Licence divers Marriages had been solemnized in the said Church by the Minister thereof and by other Clergymen, under the Opinion that according to the Terms of the Sentence of Consecration of the said Church, or otherwise, Marriages might be lawfully solemnized therein, and Entries of the said Marriages so solemnized had been from Time to Time made in Register Books kept at the said Church, in compliance with the Provisions concerning Registry of Marriages: And whereas it is expedient to remove all Doubts arising from the Circumstances aforesaid touching the Validity of the Marriages so as aforesaid solemnized in the said Church:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

6 & 7 W. 4. c. 85.

Marriages solemnized in Holy Trinity Church, Hulme, declared valid.

I. All Marriages heretofore solemnized in the said Church and the Publication of Banns in such Church previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Collegiate or Cathedral and Parish Church of *Manchester*.

Ministers having solemnized Marriages indemnified.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so as aforesaid solemnized the same respectively.

Registers to be Evidence.

III. The Registers of the Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

CAP. CXXIII.

An Act to amend the Laws relating to the Investments of Friendly Societies. [20th *August* 1853.]

'WHEREAS by the Acts now in force relating to Friendly Societies such Societies are authorized and required to invest their Funds in the Manner and upon the Securities mentioned in the said Acts: And whereas it is expedient to grant other Facilities for investing their Funds to such Societies:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Friendly Societies may invest their Funds otherwise than as required by 13 & 14 Vict. c. 115.

I. Any Friendly Society duly established under any Act of Parliament, and which is empowered by its Rules to assure to or on the Death of any Person a Sum exceeding Two hundred Pounds, or to grant an Annuity on any Life exceeding Thirty Pounds *per Annum*, may invest the Funds of such Society after the passing of this Act, not only in the Manner and upon the Securities mentioned in the Twelfth Section of an Act passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of Her present Majesty, but also upon the Security of any Rates, Tolls, Duties, Assessments, Bonds, Debentures, or other Securities of any Body or Company incorporated by Act of Parliament or Charter which such Body or Company is authorized by such Act or Charter to raise, levy, or mortgage, or on the Security of any Policy or Policies of Assurance effected upon a Life or Lives of adequate Value.

Societies not to invest under this Act and with National Debt Commissioners.

II. If any such Society shall invest any Portion of its Funds which may now by Law be invested with the Commissioners for the Reduction of the National Debt in any of the Securities enumerated in this Act, it shall not be lawful for such Society to invest thereafter any further Portion of the Funds of such Society with the said Commissioners.

If Societies have no Account with said Commissioners, none to be opened.

III. No such Friendly Society which previously to the passing of this Act has not opened an Account with the Commissioners for the Reduction of the National Debt shall be allowed, after the passing of this Act, to invest its Funds or any Part thereof with the said Commissioners.

CAP. CXXIV.

An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts.

[20th *August* 1853.]

'WHEREAS under an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty (Chapter Fifty-three), "to consolidate and continue the Copyhold and Inclosure Commissions, and to provide for the Completion of Proceedings under the Tithe Commutation Acts," certain Powers of appointing Commissioners and other Officers as therein mentioned are limited to continue for Two Years next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament, and no Commissioner or other Officer or Person appointed or continued under that Act is to hold his Office for a longer Period than Two Years next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament: And whereas it is expedient that the Powers of the said Act should be continued as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: The Powers of appointing Commissioners and other Officers limited to continue as aforesaid by the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be further continued until the First Day of *August* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office under the said Act shall in like Manner be extended until the said First Day of *August* One thousand eight hundred and fifty-four, and thenceforth until the End of the then next Session of Parliament.

14 & 15 Vict. c. 53.

Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued for One Year.

CAP. CXXV.

An Act to continue and amend the Metropolitan Sewers Acts. [20th *August* 1853.]

'WHEREAS an Act was passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, "to consolidate and continue in force for Two Years, and to the End of the then next Session of Parliament, the Metropolitan Commissions of Sewers," and such Act has been amended by an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-three, and has been further amended and has been continued by an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five, and an Act of the last Session, Chapter Sixty-four, and now stands continued until the Seventh Day of *August* One thousand eight hundred and fifty-three: And whereas it is expedient to continue the said Acts for such Period as herein mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

11 & 12 Vict. c. 112. 12 & 13 Vict. c. 93. 14 & 15 Vict. c. 75. 15 & 16 Vict. c. 64.

I. The said first-mentioned Act as amended by the other Acts herein-before mentioned shall continue in force until the Seventh Day of *August* One thousand eight hundred and fifty-four, in like Manner as if the Time so limited had been the Time originally limited by the said firstly-mentioned Act for the Continuance thereof.

Metropolitan Sewers Acts continued till 7th August 1854.

II. 'And whereas by the said first-recited Act it is enacted, that it shall be lawful for the Commissioners, for the Purpose of defraying any Expenses incurred or to be incurred by them in the Execution of the said Act, to borrow and take up at Interest, on the Credit of all or any of the Rates authorized to be made or collected under the said Act, any Sums of Money necessary for defraying such Expenses, and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as therein-before mentioned, the Commissioners may mortgage and assign over to the Persons by or on behalf of whom such Sums shall be advanced, the respective Rates upon the Credit of which such Sums shall be borrowed; and by the said secondly-recited Act the said Commissioners may, for raising Money for the Purposes of the said Acts, grant Annuities for Lives or Years, to be paid out of the said Rates: And whereas the Commissioners have, in pursuance of the Powers vested in them by and under the said herein-before recited Acts, borrowed, on the Security of the said Rates, Sums amounting in the whole to the Sum of Thirty-eight thousand eight hundred Pounds, which Sums have been appropriated for the Purposes of the said Acts, and are still due and owing; and there is now due and owing by the said Commissioners, in respect of certain Securities made and entered into before the issuing of the First Commission under the said first-recited Act, the Sum of Sixty thousand eight hundred and thirteen Pounds One Shilling and Fourpence, making together the Sum of Ninety-nine thousand six hundred and thirteen Pounds One Shilling and Fourpence: And whereas it is expedient that the Amount of the Money borrowed, raised, and taken up, and to be borrowed, raised, and taken up on the Security of the Rates by the said recited Acts and this Act authorized to be made, and of the Money so due and owing in respect of the said Securities, should be limited:' Be it therefore enacted, That the Sum of Three hundred thousand Pounds, including therein the said Sum of Ninety-nine thousand six hundred and thirteen Pounds One Shilling and Fourpence so due and owing by the said Commissioners as aforesaid, shall be the Limit and Extent of the Debt due and owing on the Security of the said Rates at any One and the same Period of Time: Provided always, that in case the whole or any Part of the said Debt shall at any

Power to borrow.

Time be called in or required to be paid off and discharged, it shall be lawful for the said Commissioners from Time to Time to borrow and take up, on the Security of the said Rates, any Sum or Sums in lieu of so much of the said Debt as shall have been so called in or required to be paid off and discharged; but so that, after Payment or Satisfaction of the Money so called in or required to be paid off and discharged, the said Limit of Three hundred thousand Pounds shall not be exceeded; and in estimating the Amount of Money at any Time due and owing upon the Security of the said Rates, the Amount due in respect of every Annuity granted by the said Commissioners, and then subsisting, shall be reckoned at the just Value of such Annuity, according to the Number of Years then remaining unexpired of the Term for which, or (as the Case may be), the increased Age of the Person upon whose Life the same shall have been granted.

Persons lending Money.

III. No Person lending Money to the Commissioners shall be bound to see or obliged to inquire whether the Money so lent is required for the Purposes of the said recited Acts or this Act, nor to see to the Application of the Money so lent, but the Order of the Commissioners for borrowing such Money, and the Entry upon the Register of the Mortgage or Annuity which shall or may have been granted for securing the Payment thereof, shall be binding and conclusive upon all Parties.

Securities to continue valid.

IV. Notwithstanding any Act shall not pass for the Renewal or Continuance of the said Acts, and this Act, or in case a Commission or Commissions of Sewers for the Limits aforesaid shall not be issued, all Mortgages and Annuities which shall or may have been granted under the Authority of the said Acts or this Act, and which shall for the Time being be existing and unredeemed, shall be and continue valid and in full force, and shall be and continue charged on the Districts upon which the same were originally charged; and the Justices of the Peace for the several Counties of *Middlesex*, *Surrey*, *Kent*, and *Essex*, in Quarter Sessions assembled, shall as to the Parts within the Limits of the Commission or Commissions aforesaid subject to their respective Jurisdictions, make, collect, demand, and levy, and exercise all and every the Powers and Authorities for and with reference to the making, demanding, collecting, and levying all and every such Rate and Rates, for the Payment of the Principal Money borrowed under the Authority of the said Acts and this Act, and Interest thereof, and the borrowing of Money to pay off Mortgages and Annuities, as the said Commissioners might or could do or have done in case such Commission were then in existence and the said recited Acts had been renewed or continued.

Saving as to certain Provisions of 12 & 13 Vict. c. 93.

V. Provided always, That this Act shall not be taken to abridge the Continuance of so much of the said Act of the Twelfth and Thirteenth Years of Her Majesty as will not expire on or before the said Seventh Day of *August* One thousand eight hundred and fifty-three.

CAP. CXXVI.

An Act to confirm certain Provisional Orders of the General Board of Health for *Accrington*, *Bangor*, and *Uxbridge*, and to provide for conducting the First Election of a Local Board of Health at *Elland*. [20th *August* 1853.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, certain Provisional Orders contained in the Schedule annexed; and it is expedient that the said Orders should be confirmed: And whereas a Provisional Order applying the Public Health Act, 1848, to the District of *Elland* was duly confirmed by "The Public Health Supplemental Act, 1853 (No. 1.)" in which Order *David Meredith*, Clerk, and *George Bayldon Baker* were respectively named to conduct the First Election of a Local Board for the said District and discharge the other Duties pertaining to such Election: And whereas the said *David Meredith* has died before the Time appointed for such Election, and the said *George Bayldon Baker* has left the said District, so as to be unable to conduct the said Election and perform the said Duties, by reason of which no such Election has or could legally have taken place:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons to conduct First Election of the Local Board of Health for Elland.

I. The Reverend *Edward Sandford* of *Elland* shall be substituted for *David Meredith*, Clerk, and *Charles Musgrave Norris* Esquire, of *Elland* aforesaid, for *George Bayldon Baker*, to conduct the First Election of the Local Board for the District of *Elland*, and to perform all Duties appertaining thereto, under the Public Health Act, and the Day of such First Election shall be the Thirty-first Day of *August* One thousand eight hundred and fifty-three, anything in the "Public Health Supplemental Act, 1853 (No. 1.)" contained to the contrary notwithstanding; and the Provisional Order applying the said Public Health Act to the said District shall be construed as if the Names of the said *Edward Sandford* and *Charles Musgrave Norris* stood in the Place of those of the said *David Meredith* and the said *George Bayldon Baker* respectively, in the Provisional Order herein-before recited.

Certain Provisional Orders of the General Board of Health confirmed.

II. The Provisional Orders of the General Board of Health contained in the Schedule to this Act annexed shall from and after the passing of this Act, so far as they are authorized by the Public Health Act, (except as to the Words in the Section, Number 2, in the Provisional Order in the said Schedule applying the Public Health Act, 1848, to the District of *Bangor*, "That from and after the Day "appointed by the Act of Parliament confirming this present Order for the First Election of the Local "Board of Health for the District hereby constituted," which Words shall be omitted from the said Order,) be absolute and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

III. The

III. The First Election of the Local Board of Health for the District of *Accrington* in the County of *Lancaster*, for the Purposes of the said Public Health Act, shall take place on the Thirty-first Day of *August* One thousand eight hundred and fifty-three. First Election of Local Board for Accrington.

IV. The First Election of the Local Board of Health for the District of *Uxbridge* in the County of *Middlesex*, as constituted by the Provisional Order contained in the Schedule hereunto annexed, for the Purposes of the said Public Health Act, shall take place on the Thirty-first Day of *August* One thousand eight hundred and fifty-three. First Election of Local Board for Uxbridge.

V. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act. Act incorporated with Public Health Act.

VI. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1853 (No. 2.)" Short Title of Act.

SCHEDULE.

ACCRINGTON.

Provisional Order for the Application of the Public Health Act to the District of Accrington in the County of Lancaster.

GENERAL BOARD OF HEALTH.

WHEREAS, upon the Petition of not less than One Tenth of the Inhabitants rated to the Relief of the Poor of and within the Townships of Old and New Accrington in the County of Lancaster, (the Number of such Petitioners greatly exceeding Thirty in the whole,) the General Board of Health, appointed for the Purposes of the Public Health Act, 1848, have, in pursuance of the Provisions of that Act, directed Benjamin Herschell Babbage, a Superintending Inspector, appointed for the Purposes of the same Act, to visit the said Townships, and to make public Inquiry, and to examine Witnesses, as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Townships for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Townships, or having relation to the Purposes of the said Public Health Act, also as to the natural Drainage Areas, and the existing Municipal, Parochial, or other Local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the Act:

And whereas the said Superintending Inspector, having previously given Notices directed by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the said several Matters with respect to which he was directed to inquire, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of that Act:

And whereas Copies of the said Report, accompanied by a Notice stating that within the Time directed by the said Act written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas it having appeared to the said General Board that the Townships of Old and New Accrington might advantageously be included in One District, the said Board caused William Ranger, a Superintending Inspector, appointed for the Purposes of the aforesaid Act, to visit the Parts within the Boundaries so proposed to be adopted for the Purposes of the said Act, and to make further Inquiry and Report thereon according to the Provisions of that Act:

And whereas the said last-mentioned Superintending Inspector, after having given such Notice as is required by the said Act, did hear all Persons desirous of being heard before him on the Subject of the said Report, and did make further Inquiry and Report according to the Directions of the said Board:

And whereas Copies of such further Report, accompanied by a Notice stating that within the Time directed by the said Act written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said further Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been required by the said Board have been duly deposited as required by that Act:

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to a District comprising the Townships of Old and New Accrington, such Townships being the Parts within and with respect to which the said Inquiry and further Inquiry have been made:

Now, therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order, under our Hands and Seal, order and direct:—

1. That from and after the Day fixed for the First Election and Selection of the Local Board of Health by any Act of Parliament confirming this present Order, the Public Health Act, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers,

Printers, shall apply to and be in force within and throughout the entire Area, Places, and Parts of Places comprised within the said Townships of Old and New Accrington in the County of Lancaster, and such Area, Places, and Parts of Places shall be and constitute a District, for the Purposes of the said Public Health Act accordingly.

2. That the Local Board of Health, to be elected under the said Public Health Act, shall consist of Eighteen Persons, the whole of whom shall be elected for the whole of the said District.
3. That One Third of the said Members shall go out of Office on the 1st Day of September in each Year subsequently to that in which the First Election of the said Local Board shall take place.
4. That every Person shall, at the Time of his Election as Member of the said Local Board, and so long as he shall continue in Office by virtue of such Election, be resident as in the Public Health Act, 1848, is required, and be seised and possessed of Real or Personal Estate, or both, to the Value or Amount of not less than Five hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place of which some Part is within the said District, upon the net annual Value of not less than Fifteen Pounds.
5. That at the First Election of Members of the said Local Board, Robert Hargreaves of Bank House, Accrington, shall have the Powers and perform the Duties vested in or imposed upon the Chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any Election by Owners of Property and Ratepayers, and shall perform all other Duties which it may be requisite for him to perform in conducting and completing the said First Election; and in case the said Robert Hargreaves, from Illness or other sufficient Cause, shall be unable to exercise or discharge such Powers or Duties, or shall be absent, or shall refuse to act, then James Grimshaw, Plantation Mills, Accrington, shall exercise and perform such of the said Powers and Duties as then remain to be exercised or performed.
6. That the Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle him to vote at the said First Election shall be given to the said Robert Hargreaves at the Court House, or in case he shall refuse or be unable to receive the same, then to the said James Grimshaw, at the Court House.

Given under our Hands and under the Seal of the General Board of Health, this Twenty-third Day of June, in the Year of our Lord One thousand eight hundred and fifty-three.

(Signed) SHAFTESBURY.
(L.S.) EDWIN CHADWICK.

BANGOR.

Provisional Order for altering the Boundaries of the District of Bangor in the County of Carnarvon, as constituted for the Purposes of the Public Health Act, 1848.

GENERAL BOARD OF HEALTH.

WHEREAS by Order of Her Majesty, by and with the Advice of Her Privy Council, bearing date the 14th Day of August 1850, and made under the Provisions of the Public Health Act, 1848, the said Public Health Act has been duly applied to the Parliamentary Borough of Bangor in the County of Carnarvon, and within the Boundaries of the same Borough, as fixed for the Purposes of an Act passed in the Second and Third Years of the Reign of King William the Fourth, intituled "An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs in England and Wales, in so far as respects the Election of Members to serve in Parliament:"

And whereas it appears to the General Board of Health appointed for the Purposes of the said Act, that the Boundaries of the said District, as determined by the said Order, should be altered and amended in the Manner prescribed by the said Act:

And whereas the said General Board have, in pursuance of the Provisions of the said Act, directed Thomas Webster Rammell, a Superintending Inspector appointed for the Purposes of the said Act, to visit the said District, and to make public Inquiry, and to examine Witnesses as to the Boundaries, not being the Boundaries of the said Borough so fixed as aforesaid, which might most advantageously be adopted for the Purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Public Health Act, proceeded upon the said further Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the said Matter with respect to which he was directed to inquire:

And whereas Copies of the Report on such further Inquiry, accompanied by a Notice stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas the Alteration of the Boundaries of the said District cannot be effected without the Authority of Parliament:

Now, therefore, in pursuance of the Power vested in the said General Board of Health by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and Seal of Office, order and direct as follows; that is to say:—

That

That from and after the passing of any Act of Parliament confirming this present Order—

1. The Boundary of the said District for the Purposes of the said Public Health Act shall be the Boundary described in the Schedule to this Order, and marked by the dotted Lines referred to as the "Existing Boundary of Borough," and "Proposed Extended Boundary" in the Plan appended to and forming Part of the Report of the said Superintending Inspector on such further Inquiry as aforesaid.
2. That from and after the Day appointed by the Act of Parliament confirming this present Order for the First Election of the Local Board of Health for the District hereby constituted, the Public Health Act, 1848, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire Area comprised within the Boundary aforesaid; and that the Parts within the said Boundary shall be and constitute a District for the Purposes of the said Public Health Act accordingly, under the Name of the "Bangor District."
3. The present Local Board of Health for the Time being for the District of Bangor, as originally constituted by the herein-before recited Order in Council, shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District constituted by this Order and the Act of Parliament confirming the same.
4. At every Election of Members of the said Local Board which shall take place after the passing of the Act of Parliament confirming this Order, the Members to be elected shall be elected for the whole of the District constituted by this Order, and by the Votes of Owners of and Ratepayers in respect of Property situate within the said District; and any Person residing in the said District, or within Seven Miles thereof, may be elected a Member of the said Local Board; but the Number and Qualification of such Members, and the Day of such Election, shall remain as fixed by the herein-before recited Order in Council, bearing Date the 14th Day of August 1850.

Given under our Hands and under the Seal of the General Board of Health, this Fourteenth Day of June, in the Year of our Lord One thousand eight hundred and fifty-three.

(L.S.)

(Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The Boundary of the District of the Local Board of Health of Bangor, constituted by the preceding Order, commences at the extreme North-western Point of the present District, being on the Sea Shore at or near Low-water Mark, and thence the Line runs Westward along the Sea Shore as far as the Old Bangor Ferry Road; thence in a South-eastern Direction along the Left-hand Side of that Road, as far as Penychwintan; thence along the Left-hand Side of the Road, passing by the Glanadda Brewery to the Junction of that Road with the Turnpike Road leading from Bangor to Carnarvon; thence across such Turnpike Road, and along the Left-hand Side of the Road leading to Pentir, as far as the Cross Road at Minffordd; thence along the Left-hand Side of such Cross Road to the Road leading from Bangor to Glasynfryn; thence Southward along the Left-hand Side of that Road as far as the nearest Road leading down to the River Cegin; thence along the Left-hand Side of that Road, and across the River Cegin; thence Northward, along the Right Bank of the River Cegin, as far as the Intersection by that River of the present Boundary; and thence towards the Sea Shore along the present Boundary to the first-mentioned Point.

UXBRIDGE.

Provisional Order for altering the Boundaries of the District of Uxbridge in the County of Middlesex, as constituted for the Purposes of the Public Health Act, 1848.

GENERAL BOARD OF HEALTH.

WHEREAS by a Provisional Order of the General Board of Health, bearing Date the 23d Day of July 1849, made under the Provisions of the Public Health Act, 1848, and confirmed by the Public Health Supplemental Act, 1849, the said Public Health Act has been duly applied to the District of Uxbridge in the County of Middlesex:

And whereas it appears to the General Board of Health appointed for the Purposes of the said Act, that the Boundaries of the said District, as determined by the said Order, should be altered and amended in the Manner prescribed by the said Act:

And whereas the said General Board have, in pursuance of the Provisions of the said Act, directed William Ranger, a Superintending Inspector appointed for the Purposes of the said Act, to visit the said District, and to make further public Inquiry, and to examine Witnesses, as to the altered Boundaries which might most advantageously be adopted for the Purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said further Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the said Matter with respect to which he was directed to inquire:

And whereas Copies of the Report on such further Inquiry, accompanied by a Notice stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted

omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas it appears to the said General Board to be expedient that the Boundaries of the said District should be altered, as recommended by the said Superintending Inspector, but the same cannot be done without the Authority of Parliament:

Now, therefore, in pursuance of the Power vested in the said General Board of Health by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and Seal of Office, order and direct as follows; that is to say:

That from and after the passing of any Act of Parliament confirming this present Order—

1. The Boundary of the said District for the Purposes of the said Public Health Act shall be the Boundary described in the Schedule to this Order.
2. That from and after the Day appointed by the Act of Parliament confirming this present Order for the First Election of the Local Board of Health for the District hereby constituted, the Public Health Act, 1848, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire Area comprised within the Boundary aforesaid; and that the Parts within the said Boundary shall be and constitute a District for the Purposes of the said Public Health Act accordingly, under the Name of the "Uxbridge District;" and the firstly herein-before mentioned Provisional Order shall be and the same is hereby declared to be void and of none Effect, except as to the Re-enactment of any Part of any Local Act repealed by such Order, but that for Purposes of such Repeal the said Order shall continue effectual.
3. That from and after the Day fixed for the First Election of a Local Board of Health for the District hereby constituted by any Act of Parliament confirming this Order, the existing Local Board of Health for the District of Uxbridge, as constituted by the firstly herein-before mentioned Provisional Order, shall be dissolved, and the Powers, Authorities, and Duties of the Members of the said Board shall wholly cease and determine; and those of their Treasurer, Clerk, Surveyor, Inspector of Nuisances, Collector, or other Officers shall cease and determine from any Time appointed by the Local Board to be elected under this Order and the Act of Parliament confirming the same.
4. That the Local Board of Health for the District to be constituted by this Order, and the Act of Parliament confirming the same, shall consist of Eighteen Persons, to be elected for the whole of the said District by the Owners of and Ratepayers in respect of Property within the said District.
5. That every One of the Eighteen Persons so to be elected as last aforesaid shall at the Time of such Election, and so long as he shall continue in Office by virtue of such Election, be resident as in the Public Health Act is required, and be seised or possessed of Real or Personal Estate, or both, to the Value or Amount of not less than Five hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place, of which some Part is within the said District, upon an annual Value of not less than Thirty Pounds.
6. That One Third of the Members of the said Local Board shall go out of Office on the Day after the Expiration of a Year from the Day fixed by the Act of Parliament confirming this Order for the First Election of a Local Board for the District hereby constituted, and so on yearly; but in case the Day so appointed shall fall on a Sunday, or on a Day appointed for a public Fast or Thanksgiving, then such One Third shall go out of Office on the Day next following.
7. That at the First Election of the Members of the said Local Board Thomas Hurry Riches of Uxbridge shall have the Powers and perform the Duties vested in or imposed upon the Chairman of the Local Board of Health by the said Public Health Act, in relation to the Election by Owners of Property and Ratepayers, and shall perform all other Duties which it may be requisite for him to perform in conducting and completing the said First Election; and in case the said Thomas Hurry Riches, from Illness or other sufficient Cause, shall be unable to exercise or discharge such Powers or Duties, or shall be absent, or shall refuse to act, then Charles Woodbridge of Uxbridge shall exercise and perform such of the said Powers and Duties as then remain to be exercised or performed.
8. That the Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election, shall be given to the said Thomas Hurry Riches, at the Office of the present Local Board of Health at Uxbridge; or in case he shall refuse or be unable to receive the same, then to the said Charles Woodbridge at the same Place.
9. That from and after the Day fixed for the First Election of a Local Board for the District hereby constituted by the Act of Parliament confirming this Order, all Lands, Buildings, Works, Rates, Tolls, Duties, and Hereditaments, Utensils, Materials, Books, Plans, Maps, Deeds, Effects, Contracts, Papers, Monies, and Securities for Money, and all other Property and Estate whatsoever, belonging to or vested in the Local Board of Health elected under the firstly herein-before mentioned Provisional Order, shall be transferred to, vested in, belong to, and be recovered by the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, as fully as the same would or could have belonged to, been vested in, or recovered by the

the firstly herein-before mentioned Local Board of Health, and shall, as near as Circumstances will permit, be held by the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, upon the same Trusts, and for the same Uses, Intents, and Purposes as the same were or would be held by the said firstly herein-before mentioned Local Board.

10. That from and after the passing of any Act of Parliament confirming this Order, all Bonds, Mortgages, Annuities, Contracts, Debts, Monies, and Securities for Money, made, given, contracted, or payable by the Local Board of Health elected under the firstly herein-before mentioned Provisional Order, shall be paid and satisfied by the Local Board to be elected under this Order and the Act of Parliament confirming the same, out of such Parts of the said transferred Property and Estate as would or ought to have been charged or chargeable in respect of the same, if this Order had not been made; and shall, as near as Circumstances will permit, have the same Priority, and be paid and satisfied within the same Times, and be recovered from the said last-mentioned Local Board as the same might have been recovered from the firstly herein-before mentioned Local Board.

11. Provided always, that this Order shall not annul, defeat, lessen, or otherwise prejudicially affect any Rate, Assessment, Imposition, Composition, Charge, Purchase, Sale, Conveyance, Grant, Demise, Lease, Mortgage, Annuity, Assignment, Bond, Contract, Covenant, Agreement, Security, Matter, or Thing whatsoever before the passing of any Act of Parliament confirming this Order made, entered into, or done under or by virtue or in pursuance of the firstly herein-before mentioned Provisional Order, or with reference to the Purposes of the same; but, notwithstanding this Order, all such Acts, Deeds, Matters, and Things shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, as if the same had been made, entered into, or done by, to, or with reference to that Board instead of the Members of the Local Board elected under the firstly herein-before mentioned Provisional Order, and may be proceeded on and enforced in the same Manner in all respects as if the Local Board to be elected under this Order and the Act of Parliament confirming the same, instead of the Local Board elected under the firstly herein-before mentioned Provisional Order, had been party or privy to the same, and had been named or referred to therein.

Given under our Hands and under the Seal of the General Board of Health, this Fourteenth Day of June, in the Year of our Lord One thousand eight hundred and fifty-three.

(L.S.)

(Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

The said District is bounded by the following Parcels or Pieces of Ground, Lands, Tenements, and Hereditaments, numbered in the Hillingdon Inclosure Award Map by the Numbers here following their respective Names, but so as not to include within it any Portion of the said Parcels or Pieces of Ground, Lands, Tenements, and Hereditaments; that is to say, commencing at the extreme North-easterly Point,—

The District is bounded—

	Section of Plan.	No. on Plan.
On the North by Allotment on Uxbridge Common	A	44
On the North by Allotment on Uxbridge Common	—	3
On the North-west by Mercers Meadow	—	38
On the North-west and West by Parish of Denham, Bucks.		
On the West by Iver Parish, Bucks.		
On the South by the Iver Road	F	108
On the East by Mr. Fountain's Orchard	—	1,330
On the East by the Fox Orchard	—	1,328
On the East by Mr. Hardy's Orchard	—	1,325
On the East by Cowley Parish.		
On the South by Cowley Parish.		
On the West by Cowley Parish.		
On the South by Mr. Hilliard's Meadow	—	1,292
On the South by Cowley Parish, till the dividing Line meets the Cowley Brook, near Stratford Bridge.		
On the East by Stratford Green Meadow	E	1,118
On the South-east by Stratford Green	—	1,117
On the South-east by Brook Plantation	B	545
On the South-east by Patch Close	—	546
On the East by Part of High Seats	—	550
On the East by High Seats	—	572
On the East by Buffalo Close	—	573
On the East by the Paddock	—	577
On the East by Rickyard Meadow	—	582

	Section of Plan.	No. on Plan.
On the East by Brookfield	—	594
On the East by Brookfield Allotment	—	595
On the North by the Eighty Acres	—	508
On the North by the late Miss Horne's Field	—	507
On the East by the late Miss Horne's Field	—	507
On the East by the Eighty Acres	—	508
On the North by Pale Well Field	—	497
On the East by Pale Well Field	—	497
On the East by Allotment on Uxbridge Common	—	496
On the East by Allotment on Uxbridge Common	—	495
On the East by Belmont Pond	—	494
On the East by Allotment on Uxbridge Common	—	492
On the East by Allotment on Uxbridge Common	—	491

CAP. CXXVII.

An Act to reduce the Duties payable in respect of Hackney Carriages used in the Metropolis, and to amend the Laws relating to the granting of Licences and Payment of Duties in respect of Metropolitan Stage and Hackney Carriages, and to make Provision as to the Charge for the Hire of Hackney Carriages in certain Cases. [20th *August* 1853.]

'WHEREAS it is expedient to reduce the Duties now payable in respect of Hackney Carriages used in the Metropolis:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Duties in respect of Hackney Carriages in the Metropolis.

I. From and after the respective Times herein-after appointed in that Behalf the Duties granted and now payable under the Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, Chapter Twenty-two; (that is to say,) for and upon every Licence to keep, use, employ, and let to hire any Hackney Carriage within the Distance of Five Miles from the General Post Office in the City of *London* the Duty of Five Pounds, and for and in respect of every such Licence as aforesaid weekly and every Week during the Continuance thereof the Sum of Ten Shillings, shall respectively cease and determine, and shall be and the same are hereby repealed; save and except as to any of the said Duties which shall have been charged or incurred on or before the said respective Times, and any Arrear thereof, and as to all Fines and Penalties incurred or which may be incurred in respect of the said Duties or Arrears or in relation thereto; all which said Duties and Arrears, Fines and Penalties, so excepted as aforesaid, shall respectively be sued for and recovered, levied, paid, and applied in the same Manner as if this Act had not been passed.

Grant of new Duties on Hackney Carriages in lieu of Duties repealed.

II. In lieu of the said Duties hereby repealed there shall be granted, raised, levied, collected, and paid, from and after the respective Times herein-after appointed in that Behalf, unto and for the Use of Her Majesty, Her Heirs and Successors, for and in respect of every Hackney Carriage which shall be kept, used, or let to hire within the Limits of this Act as herein-after defined the several Duties following; (that is to say,)

	£	s.	d.
For and upon every Licence to be taken out yearly to keep, use, and let to hire any such Hackney Carriage	1	0	0
And for and in respect of every such Hackney Carriage as aforesaid, weekly and every Week, where the Licence for such Carriage shall authorize the using and letting to hire of the same on every Day of the Week, the Sum of — Weekly Duty.	0	7	0
And where such Licence shall authorize the using and letting to hire of such Carriage on every Day of the Week except *Sunday*, the Sum of	0	6	0

Commencement of Repeal and Grant of Duties.

III. The Repeal of the said several existing Duties, and the Grant in lieu thereof of the said several new Duties by this Act, shall respectively commence and take effect from and after the respective Times following; (that is to say,) as to the said several weekly Duties payable in respect of every such Hackney Carriage as aforesaid from and after the Tenth Day of *July* One thousand eight hundred and fifty-three, and as to the said Duty for and upon every such Licence as aforesaid from and after the passing of this Act.

Duties granted to be Duties of Excise under the Care of the Commissioners of Inland Revenue.

IV. The said Duties by this Act granted shall be denominated and deemed to be Duties of Excise, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, Clauses, Regulations, and Directions, Fines, Forfeitures, and Penalties contained in or enacted by any Act or Acts in force for levying, collecting, and securing the said Duties hereby repealed or any other Duties of Excise, or otherwise in relation thereto in all Cases not herein expressly provided for, and so far as the same are not superseded or expressly repealed by and are consistent with the express Provisions of this Act, shall be duly observed, applied, practised, and put in execution for the granting of Licences under this Act, and for charging, raising, levying, collecting, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually to all Intents and Purposes as if the same Powers, Provisions, Clauses, Regulations, Directions, Fines, Forfeitures,

feitures, and Penalties were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted.

Licences granted under 1 & 2 W. 4. c. 22. to cease, and Hackney Carriages to be licensed under this Act.

V. From and after the Tenth Day of *October* One thousand eight hundred and fifty-three every Licence granted and in force under the said Act of the First and Second Years of King *William* the Fourth, Chapter Twenty-two, or any subsequent Act or Acts amending or altering the same, to keep, use, employ, and let to hire any Hackney Carriage at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, shall cease and determine; and no Hackney Carriage shall be kept, used, employed, or let to hire at any Place within the said Distance or within the Limits of this Act without a Licence authorizing the same granted under this Act.

Persons possessed of Licences in force to keep Hackney Carriages to have new Licences granted to them in exchange.

VI. Provided always, That every Person who shall be possessed of any Licence or Licences granted to him to keep, use, or let to hire any Hackney Carriage within the Distance of Five Miles from the General Post Office in the City of *London*, and in force at the Time of the passing of this Act, shall be entitled, upon Production of the proper Certificate or Certificates required by Law in that Behalf, to have the same or any less Number of new Licences granted to him under this Act without Payment of the Duty by this Act imposed on every such Licence, provided he shall produce and deliver up to the proper Officers of Excise authorized to grant Licences under this Act the said Licence or Licences of which he shall be so possessed, together with the numbered Plate or Plates appertaining thereto, and shall apply for such new Licence or Licences within the Period of One Calendar Month next after the Tenth Day of *October* One thousand eight hundred and fifty-three, and such Person shall also be entitled, upon Production of such Certificate or Certificates as aforesaid, to have such Licence or Licences renewed under this Act without Payment of the said Duty imposed thereon until the First *Monday* in the Month of *January* One thousand eight hundred and fifty-seven.

Commencement and Termination of Licences.

VII. Every Licence which shall be granted under this Act to keep, use, and let to hire any Hackney Carriage shall have effect and continue in force from the Day of the Date thereof until the Day hereinafter appointed for the Expiration thereof; and every such Licence which shall be granted before the Second Day of *January* One thousand eight hundred and fifty-four, shall expire on the First Day of *January* One thousand eight hundred and fifty-four; and every such Licence which shall be granted upon or at any Time after the said Second Day of *January* One thousand eight hundred and fifty-four shall expire on the First *Sunday* in the Month of *January* in the Year next following that in which such Licence shall be granted; and every such Licence shall be renewed from Year to Year on Payment of the Duty by this Act chargeable thereon.

A proportionate Part only of the yearly Duty to be charged on Licences before 2d Jan. 1854.

VIII. Provided always, That for and upon every such Licence as aforesaid which shall be taken out after the passing of this Act, and before the Second Day of *January* One thousand eight hundred and fifty-four, there shall be charged and paid in respect of the Portion of a Year for which the same will be granted One Fourth Part only of the annual Duty by this Act charged on a yearly Licence.

Renewal of Licences.

IX. Every Person who shall be desirous of renewing any such Licence shall give Notice in Writing Twenty-one Days at least before the Expiration of the current Licence to him granted of his Intention to renew the same to the proper Collector, Supervisor, or other Officer authorized to grant such Licences; and where such Notice shall have been given the new Licence shall bear Date on the Day next after the Day of the Expiration of the former Licence, but if such Notice shall not have been given the Licence shall bear Date on the Day of the Application for the same.

Numbered Plate to be delivered up on Expiration of Licences, or in default Duty to continue payable.

X. Provided always, That whenever any Licence granted under this Act shall cease or expire or be discontinued, the Person to whom such Licence shall have been granted shall, within Three Days next after the Expiration or Discontinuance thereof, deliver up to the Commissioners of Inland Revenue, or to the proper Officers or One of them, by whom such Licence was granted, the numbered Plate mentioned in such Licence, or in default thereof such Person shall continue to be subject and liable to the Payment of the weekly Duty chargeable under this Act in respect of the Hackney Carriage mentioned in such Licence; and such Person shall be charged with the said Duty accordingly to the Time of delivering up the said Plate; and such Duty shall be recoverable by the same Ways and Means as if such Licence had continued in force.

Numbered Plates on Hackney Carriages not licensed to be used on Sundays to be distinguished from those on Carriages licensed to be used on every Day of the Week.

XI. The numbered Plates to be provided by the Commissioners of Inland Revenue, and to be fixed on Hackney Carriages not authorized by Licence to be used or let to hire on *Sundays*, shall be distinguished in such Manner as the said Commissioners may think proper from the numbered Plates to be fixed on Hackney Carriages authorized by Licence to be used and let to hire on every Day of the Week; and if any Hackney Carriage which shall be authorized by Licence to be used or let to hire on every Day of the Week except *Sunday* shall be used or let to hire on any *Sunday*, or if any Hackney Carriage shall be used or let to hire on *Sunday* having fixed or placed thereon any such numbered Plate as aforesaid provided for any Hackney Carriage not authorized to be used or let to hire on *Sunday*, every such Hackney Carriage shall be deemed to be used and let to hire without a Licence in that Behalf; and the Owner of such Hackney Carriage, if there shall be no such Plate as aforesaid fixed or placed thereon, or the Person to whom such Plate (if any be fixed or placed thereon) shall have been delivered, with any Licence relating thereto, shall be deemed to be the Person using and letting to hire such Hackney Carriage without having a Licence in force so to do, and shall incur and be liable to the Penalty imposed by Law in that Behalf.

1 & 2 W. 4. c. 22. 2 & 3 W. 4. c. 120.

XII. 'And whereas, under and by virtue of the Laws in force, Licences for or in respect of Hackney 'Carriages and for or in respect of certain Stage Carriages are required to be granted at the Chief 'Office of Inland Revenue, and the Duties payable in respect of such Hackney Carriages and Stage

'Carriages respectively are required to be paid at the said Chief Office, and it is expedient to make 'other Provision in that Behalf:'

Where Licences for Hackney and Metropolitan Stage Carriages are to be granted and the Duties paid.

It shall be lawful for the Commissioners of Inland Revenue, and they are hereby authorized and empowered, from Time to Time to order and direct that all or any of such Licences as aforesaid shall be granted, and that the Duties payable in respect of all or any of such Hackney Carriages and Stage Carriages as aforesaid respectively shall be paid, at such Place or Places within the Limits of this Act as the said Commissioners shall deem to be most proper and convenient for the Purpose, anything in any former Act or Acts contained to the contrary notwithstanding.

1s. a Mile to be paid for every Mile beyond the Circumference of a Circle 4 Miles from Charing Cross.

XIII. It shall be lawful for the Driver of any Hackney Carriage within the Limits of this Act to charge One Shilling *per* Mile for every Mile (or Part of a Mile) which he shall be required to drive beyond the Circumference of a Circle the Radius of which shall be Four Miles from *Charing Cross*, provided such Carriage shall be discharged beyond such Circumference, anything contained in the Thirty-third Chapter of an Act of the Sixteenth and Seventeenth Year of the Reign of Her present Majesty, or in the Schedule thereto, notwithstanding.

6d. in addition to Fare for each Person above Two for the whole Hiring.

XIV. Whenever more than Two Persons shall be conveyed by any Hackney Carriage drawn by One Horse only, a Sum of Sixpence for each Person above the Number of Two shall be paid for the whole Hiring in addition to the Fare now directed to be paid for Two Persons under the said Act of the Sixteenth and Seventeenth Year of the Reign of Her present Majesty, Chapter Thirty-three; and Two Children under Ten Years old shall be considered as One Adult Person for the Purposes of this Clause.

As to Hackney Carriage hired by Time.

XV. When any Hackney Carriage within the Limits of this Act hired for a Fare to be paid according to Time shall be hired or used by the Hirer thereof for any longer Time than One Hour, Sixpence shall be paid for every Fifteen Minutes, or any Portion of Fifteen Minutes not completed, above One Hour.

Proprietors of Hackney Carriages withdrawing Carriages from Hire beyond a certain Time liable to a Penalty.

XVI. The Proprietor of every Hackney Carriage or Metropolitan Stage Carriage licensed to ply for Hire within the Limits of this Act who shall withdraw his Carriage from Hire for Two consecutive Days, or for any Two Days in One Week, without just Cause, of which the Magistrate before whom the Complaint is heard shall be the Judge, shall be liable to a Penalty of a Sum not exceeding Twenty Shillings in respect of every Carriage for each Day he shall so withdraw the same, and the Licence of such Proprietor shall be suspended or recalled and taken away at the Discretion of the said Commissioners of Police: Provided always, that it shall be lawful for such Proprietor, upon giving Ten Days Notice to the Commissioners of Police, to withdraw his Carriage from Hire.

"The Limits of this Act" defined.

XVII. The Limits of this Act shall be deemed to be and to include every Part of the Metropolitan Police District and the City of *London;* and all Provisions of any former Act in force referring to Hackney Carriages licensed under the said Act of the First and Second Years of His late Majesty, or to Hackney Carriages kept, used, employed, or let to hire within the Distance of Five Miles from the General Post Office in the City of *London*, or to any Act, Matter, or Thing committed or done in relation to such Hackney Carriages within the said Distance, shall from and after the passing of this Act be deemed to refer and apply to Hackney Carriages licensed under this Act, or to Hackney Carriages kept, used, employed, or let to hire within the Limits of this Act, and to any Act, Matter, or Thing committed or done in relation to Hackney Carriages within the said Limits.

None but Officers of Inland Revenue or of the Metropolitan Police to prosecute before Justices for Penalties.

XVIII. From and after the passing of this Act it shall not be lawful for any Person other than the Solicitor or some other Officer of Inland Revenue, or some Officer of the Metropolitan Police, to inform or prosecute before any Justice of the Peace for the Recovery of any Penalty imposed by or incurred under any Act or Acts now in force, or this Act, for or on account of the keeping, using, or letting to hire by any Person of any Hackney Carriage at any Place within the Limits of this Act without having a Licence in force so to do, or without having the proper numbered Plate properly placed and fixed upon such Hackney Carriage in the Manner required by Law.

CAP. CXXVIII.

An Act to abate the Nuisance arising from the Smoke of Furnaces in the Metropolis and from Steam Vessels above *London Bridge*. [20th *August* 1853.]

'WHEREAS it is expedient to abate the Nuisance arising from the Smoke of Furnaces in the 'Metropolis and from Steam Vessels above *London Bridge*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Furnaces in the Metropolis to consume their own Smoke.

I. From and after the First Day of *August* One thousand eight hundred and fifty-four every Furnace employed or to be employed in the Metropolis in the working of Engines by Steam, and every Furnace employed or to be employed in any Mill, Factory, Printing House, Dyehouse, Iron Foundry, Glasshouse, Distillery, Brewhouse, Sugar Refinery, Bakehouse, Gasworks, Waterworks, or other Buildings used for the Purpose of Trade or Manufacture within the Metropolis, (although a Steam Engine be not used or employed therein,) shall in all Cases be constructed or altered so as to consume or burn the Smoke arising from such Furnace; and if any Person shall after the First Day of *August* One thousand eight hundred and fifty-four within the Metropolis use any such Furnace which shall not be constructed so as to consume or burn its own Smoke, or shall so negligently use any such Furnace as that the Smoke arising therefrom shall not be effectually consumed or burnt, or shall carry on any Trade or Business

which

which shall occasion any noxious or offensive Effluvia, or otherwise annoy the Neighbourhood or Inhabitants, without using the best practicable Means for preventing or counteracting such Smoke or other Annoyance, every Person so offending, being the Owner or Occupier of the Premises, or being a Foreman or other Person employed by such Owner or Occupier, shall upon a summary Conviction for such Offence before any Justice or Justices, forfeit and pay a Sum not more than Five Pounds nor less than Forty Shillings, and upon a Second Conviction for such Offence the Sum of Ten Pounds, and for each subsequent Conviction a Sum double the Amount of the Penalty imposed for the last preceding Conviction: Provided always, that nothing in this Act shall extend or apply to any Glass Works or Pottery Works established and existing within the Metropolis before the passing of this Act, with the Exception however of all Steam Engine Furnaces and Slip Kiln Furnaces employed in and belonging to such Works respectively, to which Furnaces the Provisions of this Act shall extend and apply.

Steam Vessels on the Thames above London Bridge to consume their own Smoke.

II. From and after the First Day of *August* One thousand eight hundred and fifty-four every Steam Engine and Furnace used in the working of any Steam Vessel on the River *Thames* above *London Bridge* shall be constructed so as to consume the Smoke arising from such Engine and Furnace; and if after the said First Day of *August* One thousand eight hundred and fifty-four any Steam Engine or Furnace by which any Steam Vessel shall be worked while the same shall be above *London Bridge* shall not be constructed so as to consume or burn its own Smoke, or such Steam Engine or Furnace which shall be so constructed shall be wilfully or negligently used so that the Smoke arising therefrom shall not be effectually consumed or burnt, the Owner or Master or other Person having Charge of such Vessel shall, on a summary Conviction for such Offence before any Justice or Justices, forfeit and pay any Sum not greater than Five Pounds nor less than Forty Shillings, and upon a Second Conviction for such Offence a Sum of Ten Pounds, and upon every other subsequent Conviction for such Offence a Sum double the Amount of the Penalty imposed for the last preceding Conviction.

Penalty not to attach where only Fuel not emitting Smoke is used.

III. Provided always, That the Words "consume or burn the Smoke" shall not be held in all Cases to mean "consume or burn all the Smoke," and that the Justice or Justices before whom any Person shall be summoned may remit the Penalties enacted by this Act if he or they shall be of opinion that such Person has so constructed or altered his Furnace as to consume or burn as far as possible all the Smoke arising from such Furnace, and has carefully attended to the same, and consumed or burned as far as possible the Smoke arising from such Furnace.

Constables may be empowered to enter and inspect Furnaces and Steam Engines.

IV. If the Owner or Occupier of any Premises or the Commander of any Steam Vessel to which the Provisions of this Act shall apply shall refuse to allow their Premises or Steam Vessel to be inspected by a Person duly authorized by the Commissioners of Police for that Purpose, it shall be lawful for any Constable authorized by Warrant under the Hand of One of Her Majesty's Principal Secretaries of State, or (in the Metropolitan Police District) by the Order in Writing of the Commissioners of Police of the Metropolis, or (in the City of *London* or Liberties thereof) by the Order in Writing of the Commissioner of Police of the said City and Liberties, with or without any Assistant, to enter into and upon any Building or Premises in the Metropolis in which any Furnace may be, or in which such noxious Trade or Business may be carried on, or into any Steam Vessel on the River *Thames* between *London Bridge* and *Richmond Bridge*, and to examine into the Construction of such Furnace, into the Manner of carrying on such Trade or Business, or into the Construction of the Steam Engine and Furnace by which such Vessel shall be worked; and any Person obstructing any such Constable or his Assistant in the Execution of any such Warrant or Order shall, upon a summary Conviction for such Offence before any Justice or Justices, forfeit and pay any Sum not exceeding Twenty Pounds.

No Information to be laid except by Authority of Secretary of State or Police Commissioners.

V. Provided always, That no Information shall be laid against any Person for the Recovery of any Penalty under this Act, except by the Authority of One of Her Majesty's Principal Secretaries of State, or in the Metropolitan Police District by the Commissioners of Police of the Metropolis, or in the City of *London* or Liberties thereof by the Commissioner of Police of the said City and Liberties respectively acting under the Orders and Directions of such Secretary of State.

Definition of Metropolis. 15 & 16 Vict. c. 85.

VI. In this Act the Expression "the Metropolis" shall have the same Meaning and Construction as is assigned to such Expression for the Purposes of the Act of the last Session of Parliament, Chapter Eighty-five, "to amend the Laws concerning the Burial of the Dead in the Metropolis."

Not to affect certain Local Acts.

VII. Nothing in this Act shall be held to alter or repeal any of the Provisions of the City of *London* Sewers Act, 1851, or of the *Whitechapel* Improvement Act, 1853.

Penalties recoverable under 11 & 12 Vict. c. 43.

VIII. All Penalties by this Act imposed shall be recoverable according to the Provisions of the Act of the Twelfth Year of Her present Majesty, Chapter Forty-three.

CAP. CXXIX.

An Act further to amend the Law relating to Pilotage. [20th *August* 1853.]

Union of Trinity House and Cinque Port Pilots.

"WHEREAS it is expedient that the Right of piloting Ships Outwards from the Port of *London*, and the Right of piloting Ships Inwards to the same Port, should be vested in One Body of Pilots, and that such Pilots should be subject to uniform Authority and Control:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of 6 G. 4. c. 125. as relates to

I. So much of the Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, as relates to the Society or Fellowship of the *Trinity House* of *Dover*, *Deal*, and the *Isle*

of

Cinque Port Pilots, and 9 G. 4. c. 86., repealed.

of Thanet, or to the Pilots of the said Society or Fellowship, commonly called the Cinque Port Pilots, and the whole of the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-six, shall be repealed, save as herein-after mentioned.

Power to the Trinity House to license Pilots for the Passage from Dungeness Inwards as well as Outwards.

II. It shall be lawful for the *Trinity House*, after such Examination and in such Manner as by the Second Section of the said Act of the Sixth Year of the Reign of King *George* the Fourth is provided in respect of the Pilots to be licensed under the Authority therein contained, to license Pilots as well for the Purpose of conducting Vessels from or by *Dungeness* up the Rivers *Thames* and *Medway* to *London Bridge* and *Rochester Bridge*, and all the Channels, Creeks, and Docks of the same, and from the South Buoy of the *Brake* Westward as far as the West End of the *Owers*, as for the Purpose of conducting Vessels within the Limits and in the Manner within and in which Pilots may be licensed to act under the said Second Section of the said last-mentioned Act; and all the Provisions of the said Act and of any other Act now in force, and all Byelaws, Rules, Orders, or Ordinances, applicable to Pilots licensed under the said Section, shall be applicable to Pilots licensed under the Authority of this Act to the same Extent and in the same Manner as if such last-mentioned Authority had been contained in the said Section; and no Licences granted by any other Corporation, Body, or Persons to pilot any Vessels Inwards or Outwards within the Limits aforesaid shall be of any Force or Effect whatever: Provided always, that no such Licence shall be granted until Three Months after the Regulations herein-after provided to be made by the *Trinity House* shall have been published and sent to the Court of Loadmanage, and to the Society or Fellowship of Cinque Port Pilots.

Present Cinque Port Pilots to be competent to pilot Vessels either Inwards or Outwards within the Limits for which they are now licensed,

III. All Cinque Port Pilots duly licensed and authorized before this Act comes into operation to pilot any Vessels from *Dungeness* or the *Downs* up the Rivers *Thames* or *Medway* shall, notwithstanding the Repeal and Enactment herein-before contained, be authorized to pilot the like Vessels within the same Limits and in the same Manner within and in which they might have lawfully piloted the same before the passing of this Act according to the Terms of their existing Licences, and shall also by virtue of such existing Licences (without any Licence from the *Trinity House* in that Behalf) be authorized to pilot the like Vessels down the said Rivers *Thames* and *Medway*, or from those Rivers to the *Downs* or *Dungeness*, or from the West End of the *Owers* to the South Buoy of the *Brake*, within the Limits within which such existing Licences authorize them to act in piloting such Vessels from the *Downs* to the said Rivers, and up the same, or from the South Buoy of the *Brake* to the West End of the *Owers*; and it shall be lawful for the *Trinity House* by a supplemental Licence to authorize any such Cinque Port Pilot to pilot any Vessels in any Parts of the Rivers *Thames* and *Medway* or in any of the Seas or Channels leading to or from such Rivers to which his existing Licence may not extend, after Examination in respect of the further Limits within which he is to be so licensed to act, and upon the Payment of such Fee, if any, as the said *Trinity House* may, with the Consent of the Board of Trade, appoint for the Purpose; and such supplemental Licence shall be taken to be Part of and to be held upon the same Conditions and subject to the same Regulations in all respects as such existing Licence.

The above-mentioned Cinque Port Pilots to be subject to the same Rules, &c. as Trinity House Pilots.

IV. The said Cinque Port Pilots who have been so licensed as aforesaid before this Act comes into operation shall be subject to all the Provisions of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and Twenty-five, and of any other Act now in force, which relate to Pilots licensed by the *Trinity House* (except such of them as are contained in the Fourth Section of the said Act of the Sixth Year of King *George* the Fourth), and shall likewise be subject to the Government and Regulations of the *Trinity House*, and to all Byelaws, Rules, Orders, or Ordinances duly issued by it for the Purpose of insuring the good Conduct and constant Attendance of Pilots upon their Duty, and to such Penalties as may be duly annexed to the Breach of the said Regulations, Byelaws, Rules, Orders, or Ordinances, in the same Manner and to the same Extent in and to which Pilots licensed by the said *Trinity House* are subject thereto.

Present Trinity House Pilots may pilot Ships Inwards within the Limits of their Licences.

V. All Pilots licensed before this Act comes into operation by the said *Trinity House* to pilot any Vessels upon the Rivers *Thames* and *Medway*, or from *London Bridge* to the *Downs*, or from the *Isle of Wight* to *London Bridge*, shall be authorized to pilot the like Vessels from or by *Dungeness* up the Rivers *Thames* and *Medway*, and from the South Buoy of the *Brake* to the Westward to the End of the *Owers*, or within such or so much of the same Limits as under their present Licenses they might act within in piloting such Vessels down the said Rivers or Outwards or to the Westward: Provided always, that nothing herein contained shall be deemed to confer any Privilege of piloting above *Gravesend* and *Stangate Creek* respectively upon any Pilots by whatever Authority they may be licensed, except with the Concurrence of the *Trinity House* in the Case of each Pilot.

Power to the Trinity House to make Regulations for a constant Supply of Pilots at Dungeness.

VI. A sufficient Number of duly qualified Pilots shall always be ready to take charge of Vessels coming from the Westward past *Dungeness*; and the *Trinity House* shall make such Regulations with respect to the Body of Pilots under its Control as may be necessary in order to provide for an unintermitted Supply of Pilots for such Vessels, and to insure their constant Attendance upon and due Performance of their Duty, both by Night and Day, whether by cruizing between the *South Foreland* and *Dungeness*, or by going off from Shore upon Signals made for the Purpose, or by both of such Means, or by any other Means, and whether in rotation or otherwise, as the said *Trinity House* may think fit; and if any Pilots affected by the said Regulations, or any Masters or Owners or Insurers of Ships, being not less than Six in Number, consider themselves aggrieved by such Regulations, or by any Defect or Omission therein, they may appeal to Her Majesty in Council, and Her Majesty in Council may thereupon revoke or alter any of such Regulations, or may make Additions thereto, in such Manner as, having regard to the Object

of

of this Enactment and to the Interests of the Persons concerned, may appear to be just and expedient, and every Order so made shall be conclusive in the Matter.

Union of Trinity House and Cinque Port Pilots.

VII. Every Master or other Person in command of any Vessel coming from the Westward and bound to any Place in the Rivers *Thames* and *Medway* (unless she has a duly qualified Pilot on board or is exempted from compulsory Pilotage), shall, on the Arrival of such Vessel off *Dungeness*, and thenceforth until she has passed the South Buoy of the *Brake*, or a Line to be drawn from *Sandown Castle* to the said Buoy, or until a duly qualified Pilot has come on board, display and keep flying the usual Signal for a Pilot; and if any Pilot duly qualified for the Passage to be made by such Vessel is within Hail, or is approaching and within Half a Mile, and has the proper distinguishing Flag flying in his Boat, such Master or other Person as aforesaid shall, by heaving-to in proper Time or shortening Sail, or by any practicable Means consistent with the Safety of his Vessel, facilitate such Pilot getting on board, and shall give the Charge of piloting his Vessel to such Pilot; or if there are Two or more of such Pilots offering at the same Time, to such One of them as may according to the Regulations for the Time being in force be entitled or required to take such Charge; and if any such Master or other Person as aforesaid fails to display or keep flying the usual Signal for a Pilot in manner herein-before required, or to facilitate any such duly qualified Pilot as aforesaid getting on board as herein-before required, or to give the Charge of piloting his Vessel to such Pilot as herein-before mentioned in that Behalf, he shall forfeit double the Sum which might have been demanded for the Pilotage of his Vessel, such Sum to be paid to the *Trinity House*, and to be recoverable in the same Manner in which Forfeitures are recoverable under the said Act of the Sixth Year of the Reign of King *George* the Fourth.

Vessels coming past Dungeness not having a Pilot already on board, to take the first qualified Pilot who offers.

Penalty on Masters failing to display the usual Signal for a Pilot.

VIII. Until any such Alteration as herein-after provided for be made, the Rates and Prices to be demanded and received by all Pilots performing the Duties hitherto performed by Cinque Port Pilots shall be such Rates and Prices as have immediately before this Act comes into operation been lawfully demanded and received by such last-mentioned Pilots; and it shall be lawful for the said *Trinity House* to increase, reduce, alter, or modify all or any of the said Rates or Prices, or to substitute other Rates or Prices in lieu thereof, with the same Consent, in the same Manner, and subject to the same Conditions with, in, and subject to which the *Trinity House* is empowered to increase, reduce, alter, and modify the Rates and Prices to be demanded and received by Pilots licensed by it, or to substitute other Rates and Prices in lieu of such last-mentioned Rates and Prices, but so that in no Case shall any higher Rate be imposed or demanded than might have been imposed or demanded if this Act had not passed.

Rates to be demanded for Duties hitherto performed by Cinque Port Pilots.

IX. All Rates and Prices which may be lawfully demanded or received by the said Cinque Port Pilots licensed before this Act comes into operation, or by any other Pilots licensed by or under the Government of the *Trinity House*, shall be recoverable in the same Manner in which Rates and Prices lawfully demanded or received by Pilots licensed by the *Trinity House* under the said Act of the Sixth Year of King *George* the Fourth are by that Act made recoverable; and all Rates or Prices which may be lawfully demanded or received by any Pilots under the Government of the said *Trinity House* for the Pilotage of Foreign Vessels, the Owners, Masters, Agents, or Consignees of which claim, by virtue of any Treaty of Reciprocity, to be entitled to the Privileges of *British* Vessels, shall be recoverable from the same Persons, in the same Manner, and subject to the same Conditions from whom and in and subject to which Pilotage Rates on *British* Vessels are recoverable under the Forty-fourth and Forty-fifth Sections of the said Act.

Existing Cinque Port Pilots to have same Remedies for the Recovery of Rates as Trinity House Pilots.

Rates on Foreign Vessels claiming Benefit of Reciprocity Treaties.

X. All Property of every kind, whether real or personal, which may belong to or be held by the Court of Loadmanage or the said Society of Cinque Port Pilots, or any Branch thereof, or any Officer of the said Society, or any other Person as Trustee for the said Society, or any Branch thereof, or which may be legally applicable for the Benefit of the said Society or of the Members thereof, or for any Purposes connected with Pilotage, (including a Piece of Land near *Dover* which was by Indentures of Lease and Release, dated respectively the Sixteenth and Seventeenth Days of *August* One thousand seven hundred and twenty-six, conveyed to Trustees therein named, upon certain Trusts, for the Poor of the *Trinity House* of *Dover*,) shall, upon the passing of this Act, belong to and become vested in the *Trinity House of Deptford Strond;* and the said *Trinity House* shall have Power to sell the same or any Part thereof as Occasion may require, and to give full Discharges for the Purchase Money of any Part thereof which may be sold; and all Monies which if this Act had not passed would have been paid for any Purpose connected with the Relief or Benefit of Cinque Port Pilots, their Appointees, Widows, or Issue, either in respect of surplus Duties on Foreign Vessels, or by way of Fees or Contributions from Cinque Port Pilots licensed before this Act comes into operation, and all Sums which would if this Act had not passed been payable by such Pilots as *Trinity* Money or Clerks Fees, and all Penalties or Fines payable by or in respect of such Pilots, shall, save as such Contributions, *Trinity* Money, or Clerks Fees may be varied or remitted under the Regulations to be made and approved as herein-after mentioned, and save also such of the said Contributions as may cease by reason of any such Purchases or Commutations of Claims as herein-after provided for, be paid to the *Trinity House*, and the said Property and Monies shall be carried to and form Part of the Pilotage Funds of the *Trinity House*.

Property of Society of Cinque Port Pilots to be transferred to Trinity House.

Payments to Cinque Port Pilots Fund to be made henceforth to the Trinity House.

XI. The said *Trinity House* shall, out of their said Pilotage Fund, pay all Debts, if any, lawfully and properly incurred by the said Court of Loadmanage before this Act comes into operation, and also such Compensation or Superannuation Allowances (if any) as the Board of Trade may in its Discretion allow to any Persons now in the Employ or Service of the Court of Loadmanage, or of the Lord Warden of the Cinque Ports, or of the Society of Cinque Port Pilots, who may be deprived of Salaries or Emoluments by reason of the passing of this Act, so that no such Compensation or Superannuation Allowance shall exceed

Trinity House to pay Debts and to settle the Claims of Persons now in receipt of Relief, and of existing Cinque Port Pilots.

Union of Trinity House and Cinque Port Pilots.

exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four; and may in the next place, subject to the Regulations to be made and approved as herein-after mentioned, either purchase out of the said Funds the Claims of all or any of the Persons who, but for the passing of this Act, would have been in the Receipt of Pensions or other Relief either out of the said Cinque Port Pilots Fund, or under any Byelaws of the said Society now in force, or who have already paid Widows Dues, or have otherwise contributed to the Relief of superannuated Cinque Port Pilots, or of the Widows, Appointees, or Issue of Cinque Port Pilots, such Purchases to be made upon such Terms as may be determined by the said Regulations, or may, subject as aforesaid, continue to pay out of the said Funds Pensions or other Relief to all or any of the Persons who might if this Act had not passed have received the same out of the said Funds, or under any Byelaws of the said Society now in force, such Pensions or other Relief to be of such Amount as may be determined by the said Regulations to be made and approved as herein-after mentioned; and the *Trinity House* may, subject to such Regulations, make Arrangements for enabling any Person who, but for the passing of this Act, would be entitled to a Pension or other Relief under the Byelaws of the said Society of Cinque Port Pilots now in force, or any Cinque Port Pilot licensed before this Act comes into operation, to purchase an Interest in the said *Trinity House* Pilots Fund; and the Terms of such Purchase, including the Amount and Nature of such Interest, and the Consideration payable for the same, shall be determined by such Regulations as aforesaid; and every Cinque Port Pilot who chooses to make such Purchase shall thereafter pay to the said *Trinity House* the same Contributions, whether by way of Poundage or otherwise, as are for the Time being payable by Pilots licensed by the *Trinity House*.

Trinity House may enable existing Cinque Port Pilots to purchase an Interest in the Trinity House Pilots Fund.

As to Charges on Trinity House Pilotage Fund, and its future Management.

XII. The said *Trinity House* shall also out of their said Pilotage Funds pay all such Superannuation Allowances or other Relief to Pilots licensed by them before this Act comes into operation, or to the Widows and Children of such Pilots, as might have been payable by the said *Trinity House* if this Act had not passed; and, subject to the Charges aforesaid, the said *Trinity House* Pilots Fund shall be chargeable in the first instance with such Expenses as the said *Trinity House* may duly incur in the Performance of its Duties in respect of Pilots and Pilotage, so nevertheless that no Superannuation Allowance to any Person in the Employ of the said *Trinity House* which is included in such Expenses shall exceed the Proportion of his Salary which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances for the Time being in force; and, subject thereto, the said *Trinity House* Pilots Fund shall be administered by the said *Trinity House* for the benefit of such Pilots licensed by the said *Trinity House* after this Act comes into operation as are incapacitated for the Performance of their Duty by reason of Age, Infirmity, or Accident, and of the Widows and Children of Pilots so licensed, or of such incapacitated Pilots only, upon such Conditions and under such Regulations as the said *Trinity House*, with the Consent of the Board of Trade, may think fit to adopt; and if it appears to the said *Trinity House* that the Contributions for the Time being payable to the said *Trinity House* Pilots Fund are insufficient to enable them to grant Allowances of proper and adequate Amount, it shall be lawful for the said *Trinity House*, with such Consent and subject to such Regulations as aforesaid, from Time to Time to increase and alter the Amount of the annual Contribution, or of the Poundage upon the Sums earned by Pilots, which under the Fourth Section of the said Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, Pilots licensed by the said *Trinity House* are required to pay to the said Pilotage Fund.

Recital of Principles upon which Claims of Cinque Port Pilots are to be settled.

XIII. 'And whereas it is intended that Cinque Port Pilots licensed before this Act comes into operation, 'their Widows and Appointees, shall, as a Body, receive, under the Provisions herein-before contained, 'Benefits equal in Amount to the Benefits which they might lawfully and properly have received out of 'the several Funds and Payments so transferred to the *Trinity House* as aforesaid if this Act had not 'passed: And whereas it has been estimated that the Funds and Payments so transferred, including the 'Principal as well as the Interest of the said Funds, would, if duly applied, be sufficient to carry the said 'Intention into effect: but in consequence of the numerous Contingencies involved it is impossible to 'calculate with Certainty the Amount which will be necessary for that Purpose, or to determine with 'Precision the Manner in which such Amount shall be applied, and it is therefore expedient that all due 'Claims of the said Cinque Port Pilots, their Widows, Appointees, and Issue, should be provided for by 'the said *Trinity House* out of their General Pilotage Funds as herein-before provided, and that the Board 'of Trade and the *Trinity House* should be intrusted with such Powers as are necessary for settling the 'said Claims, and for carrying into effect the Provisions herein-before contained in respect thereof:' Be it enacted, That for the Purpose of carrying the said Intention and Provisions into effect the said *Trinity House* may, with the Approval of the Board of Trade, from Time to Time make Regulations for altering and determining the Payments and Contributions to be made by Cinque Port Pilots licensed before this Act comes into operation, and for settling, purchasing, and commuting the Claims of Persons now in receipt of Relief from the said Cinque Port Pilots Fund, and of the said Cinque Port Pilots licensed before this Act comes into operation, their Widows, Appointees, and Issue, and for determining the Terms and Conditions on which such Settlement is to be made, and in framing such Regulations due Regard shall be had to the Intention herein-before expressed; and the said *Trinity House* may also, with such Consent as aforesaid, from Time to Time make Regulations for the future Management of the *Trinity House* Pilots Fund, and also for the Management and Maintenance of any Pilot Boats or

Trinity House, with Consent of Board of Trade, may make Regulations for settling the above Claims.

Cutters

Cutters belonging to the said Cinque Port Pilots, or to any Pilots for the Time being under the Government of the said *Trinity House*, and for the Distribution of the Earnings (if any) of such Boats or Cutters, and for the Succession to, Purchase of, or Transfer of any Interests therein; and all such Regulations, after being approved of by the Board of Trade, shall be binding upon all Parties.

Licensing Masters and Mates.

Power to the Board of Trade to examine and grant Pilotage Certificates to Masters and Mates on the Pilotage Authorities refusing to do so under 12 & 13 Vict. c. 88.

XIV. 'And whereas by the Act of the Thirteenth Year of the Reign of Her present Majesty, Chapter 'Eighty-eight, Provision was made for enabling a Master or Mate to pilot his own Vessel without the 'Assistance of a licensed Pilot upon his passing an Examination before or under the Direction of the 'proper Pilotage Authorities, and obtaining a Certificate as therein mentioned, but the Institution of such 'Examination was left to the Option of the said Authorities: And whereas it is expedient to extend and 'amend the Provisions of the said Act:' Be it enacted, That if upon Complaint to the Board of Trade it appear to such Board that any such Authority as aforesaid have without reasonable Cause refused or neglected to examine any Master or Mate who has applied to them for the Purpose, or after he has passed have without reasonable Cause refused or neglected to grant him a Certificate, or that the Examination of any such Master or Mate has been unfairly or improperly conducted, or that any Terms imposed or sought to be imposed by such Authority are unfair or improper, the Board of Trade may, if in their Judgment the Circumstances appear to require it, appoint Persons to examine such Master or Mate, and if he be found fit to pilot his Vessel within the Limits for which he is examined, may grant him a Certificate setting forth the Limits and the Vessel for which he is certified, upon such Terms and Conditions, and subject to such Regulations, as such Board may think fit; and such Certificate shall be in force for One Year, and may be renewed from Year to Year either by the said Authorities in the Manner and upon the Terms in the said Act mentioned, or by the Board of Trade, if such Board so think fit, such Renewal to be indorsed on the said Certificate either by such Person as the Board of Trade may appoint for the Purpose, or in the Manner by the said Act provided as to the Certificates therein mentioned; and all Certificates granted under this Act shall have the same Effect as Certificates granted under the said last-recited Act.

Fees to be paid upon such Licences and the Renewals thereof.

XV. All Masters or Mates to or for whom any such Certificates as aforesaid are granted or renewed by any Pilotage Authority shall pay to such Authority, or as it may direct, such Fees upon their respective Certificates and upon the Renewals thereof as may from Time to Time be fixed for that Purpose by the said Authority, with the Consent of Her Majesty in Council; and all Masters and Mates to or for whom any such Certificates are granted or renewed by the Board of Trade shall pay to such Board or as it may direct such Fees upon their Certificates and upon the Renewals thereof as may be fixed by such Board, so nevertheless that in the Case of Certificates granted or renewed by the Board of Trade such Fees shall in no Case be less than the Fees payable by the Pilots in the same District upon their Licences and the Renewal thereof; and such Fees shall in the Case of Certificates and Renewals granted by Pilotage Authorities be applicable either to paying the Expense of the Examinations, or any other general Expenses connected with Pilotage incurred by such Authorities, or to the Pilots Superannuation Fund (if any), or otherwise for the Benefit of the Pilots licensed by such Authorities, as such Authorities may think fit; and such Fees shall in the Case of Certificates granted or renewed by the Board of Trade be applicable to the Expense of the Examinations, and the Surplus (if any) shall be applied for the Benefit of the Pilots of the Port or District in such Manner as such Board may think fit.

Power to withdraw Certificates.

XVI. If at any Time it appears to the Board of Trade or to any Pilotage Authority that any Master or Mate to whom a Certificate has been granted by such Board or Authority under the Provisions of the said last-mentioned Act or of this Act has been guilty of Misconduct, or has shown himself incompetent to pilot his Vessel, such Board or such Authority (as the Case may be) may thereupon withdraw his Certificate, and such Certificates shall thenceforth cease to be of any Effect whatever.

Returns and Accounts.

Pilots to make Returns of their Earnings to the Bodies by whom they are licensed.

XVII. 'And whereas it is expedient to make Provision for ascertaining and making public the 'Amount of Pilotage Rates levied on Shipping, with other Particulars relating to Pilotage:' Be it enacted, That every Person duly authorized or licensed to act as a Pilot shall, before the Thirty-first Day of *January* in each Year, give to the Pilotage Authority by whom he is so authorized or licensed a full Account of all Sums of Money earned by him as a Pilot in the course of the preceding Year, with the Names and Descriptions of the Vessels in respect of which, and a Statement of the Services by means of which, the same have been earned; and if any such Pilot upon being applied to for such Account fail to deliver the same within One Month after such Application, the Pilotage Authority by whom he has been licensed or authorized is hereby empowered and required to withdraw his Licence, or to deprive him of his Authority to act as Pilot, until the said Account is delivered.

Pilotage Authorities to make full Returns to the Board of Trade of various Particulars connected with Pilotage.

XVIII. Every Pilotage Authority shall deliver periodically to the Board of Trade, in such Form and at such Times as it may require, Returns of the following Particulars with regard to Pilotage within the Port or District under the Jurisdiction of such Authority; that is to say,

All Byelaws, Regulations, Orders, or Ordinances relating to Pilots or Pilotage for the Time being in force:

The Names and Ages of all Pilots or Apprentices licensed or authorized to act by such Authority, and of all Pilots or Apprentices acting either mediately or immediately under such Authority, whether so licensed or authorized or not:

The Service for which each Pilot or Apprentice is licensed:

The Rates of Pilotage for the Time being in force, including therein the Rates and Descriptions of all Charges upon Shipping made for or in respect of Pilots or Pilotage:

Returns and Accounts.

The total Amount received for Pilotage, distinguishing the several Amounts received from *British* Vessels and from Foreign Vessels respectively, and the several Amounts received in respect of different Classes of Vessels paying different Rates of Pilotage, according to the Scale of such Rates for the Time being in force, and the several Amounts received for the several Classes of Service rendered by Pilots; and also the Amount paid by such Vessels (if any) as have before reaching the Limits of Pilotage Water if Outward-bound, or their Port of Destination if Inward-bound, to take or pay for Two or more Pilots, whether licensed by the same or by different Pilotage Authorities; together with the Numbers of the Vessels of each of the several Classes paying such several Amounts as aforesaid:

The Receipt and Expenditure of all Monies received by or on behalf of such Authority, or by or on behalf of any Sub-Commissioners appointed by them, in respect of Pilots or Pilotage:

And shall allow the Board of Trade, or any Persons appointed by such Board for the Purpose, to inspect any Books or Documents in its or their Possession relating to the several Matters herein-before required to be returned to the Board of Trade.

If any of the local Authorities fail to give the required Returns, they may be deprived of their Authority, and the Power of appointing Pilots shall vest in the Trinity House.

XIX. If any of such Pilotage Authorities as aforesaid (other than the said *Trinity House* or Sub-Commissioners of Pilotage appointed by it) fail to deliver to the Board of Trade the periodical Returns herein-before required within One Year of such Time as may be fixed by that Board for the Purpose, or if any of such Authorities do not allow the said Board, or any Persons who may be appointed by it for the Purpose, to inspect any Books or Documents in their Possession relating to the Matters herein-before required to be returned by them, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to direct that all the Rights and Powers of such Authorities in respect of Pilotage shall cease or be suspended during such Time as Her Majesty may direct; and thereupon the said *Trinity House* shall thereafter or during such Time as such Suspension may continue have and exercise the same Powers of appointing Sub-Commissioners of Pilotage and of licensing Pilots, and of establishing and altering Rates of Pilotage, within the District within which the Authority so making Default has previously appointed or licensed Pilots, as the said *Trinity House* is by the said Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter One hundred and twenty-five, authorized to exercise in all Ports or Places in *England* for which no particular Provision is made by any Act of Parliament or Charter for the Appointment of Pilots, and shall also during such Time as aforesaid have and exercise the same Rights, Title, and Powers to and in respect of any Pilotage Funds or other Pilotage Property which the said Pilotage Authorities would or might have had or exercised if not so suspended as aforesaid.

Such Returns to be laid before Parliament.

XX. The Board of Trade shall, without Delay, cause the several Returns herein-before required to be made to such Board to be laid before both Houses of Parliament.

Power to make Alterations.

XXI. 'And whereas it is expedient to give Facilities for amending the System of Pilotage, and for 'reducing or otherwise altering the Rates payable in respect thereof:' Be it enacted, That it shall be lawful for every Pilotage Authority, by Regulation or Byelaw made with the Consent of Her Majesty in Council, from Time to Time to do all or any of the following Things in relation to Pilots and Pilotage within their respective Districts; *viz.*

Pilotage Authorities, with Consent of Her Majesty, may—

Fix and alter Qualifications of Pilots:

To determine the Qualifications to be required from Persons applying to be licensed as Pilots, whether in respect of their Age, Skill, Time of Service, Character, or otherwise, and from Time to Time to alter any Regulations for the Time being in force with respect to such Qualifications:

Make and alter Regulations for the Government of Pilots, and of certificated Masters and Mates:

To make and from Time to Time to alter Regulations for the Government of the Pilots licensed by them, and for insuring the good Conduct of such Pilots, and their constant Attendance on and effectual Performance of their Duty either at Sea or on Shore, and for licensing and regulating Pilot Boats; and to make, and from Time to Time to alter, the Terms, Conditions, and Regulations upon which such Certificates as herein-before mentioned are granted by such Pilotage Authority to Masters and Mates; and for punishing any Breach of such Regulations as aforesaid committed by such Pilots or by such Masters and Mates by the Withdrawal or Suspension of their Licences or Certificates, as the Case may be, or by the Infliction of Penalties, to be recoverable summarily before Two Justices, so that no such Penalty be made to exceed the Sum of Twenty Pounds, and so that every such Penalty be capable of Reduction at the Discretion of the Justices by whom the same is inflicted:

Alter and reduce Rates of Pilotage:

To fix and from Time to Time to alter the Rates and Prices or other Remuneration to be demanded and received by Pilots licensed by such Authority, or to substitute other Rates and Prices in lieu of those for the Time being demanded or received, or to alter the Mode of remunerating Pilots, in such Manner as such Authority may, with such Consent as aforesaid, think fit, so that no higher Rates or Prices be demanded or received from the Masters or Owners of Ships than the Rates and Prices which might, if this Act had not passed, have been demanded or received:

Make and extend Exemptions from compulsory Pilotage:

To exempt the Masters of any Ships or Vessels, or of any Classes of Ships or Vessels, from being compelled to employ Pilots, and to annex any Terms or Conditions to such Exemptions, and from Time to Time to revoke and alter any Exemptions so made, and to revise and extend any Exemptions now existing by virtue of any Act of Parliament or Charter, upon such Terms and Conditions and in such Manner as such Authority, with such Consent as aforesaid, may think fit:

Arrange the Limits of Pilotage Districts.

To make such Arrangements with any other Pilotage Authority in the same or any neighbouring Port or District for altering the Limits of their respective Districts, and for extending the Powers of such neighbouring Authority or the Privileges of the Pilots licensed by such Authority or any of them to all or any Parts of its own District, or for limiting its own Powers or the Privileges of its own Pilots

or

or any of them, or for sharing the said last-mentioned Powers and Privileges with the said other Authority and the Pilots licensed by it, as may appear to such Pilotage Authorities to be desirable for the Purpose of facilitating Navigation, or reducing Charges on Shipping:

Power to make Alterations.

And every Regulation or Byelaw duly made by any Pilotage Authority in exercise of the Powers hereby given to it, and with such Consent as aforesaid, shall be valid and effectual, notwithstanding any Act of Parliament, Rule, Law, or Custom to the contrary.

XXII. In Ports, Places, or Districts for which no Sub-Commissioners of Pilotage have hitherto been appointed, no such Sub-Commissioners shall hereafter be appointed without the Consent of Her Majesty in Council, and no Pilotage District under the Jurisdiction of any Sub-Commissioners of Pilotage shall hereafter be extended without such Consent.

No new Sub-Commissioners to be appointed, or Pilotage District extended, without Consent.

XXIII. So much of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and twenty-five, as provides that no Byelaws, Rules, Orders, Regulations, or Ordinances to be made by the *Trinity House* as therein mentioned shall have Force or Effect before they have been examined, sanctioned, and approved by the Chief Justice of the Court of Queen's Bench or of the Common Pleas, shall be repealed; and all Byelaws, Rules, Orders, Regulations, or Ordinances hereafter made by the *Trinity House*, in exercise of the Powers contained in the said Act or in this Act, shall be submitted to Her Majesty in Council for Approval, and shall, if so approved, but not otherwise, have the Force and Effect of Law.

Trinity House Regulations to be approved by Her Majesty in Council instead of by a Chief Justice under 6 G 4. c. 125.

XXIV. Every Order in Council made in pursuance of the Provisions herein-before contained shall be laid before both Houses of Parliament as soon as possible after the making thereof.

All such Orders to be laid before Parliament.

Miscellaneous.

XXV. This Act shall, so far as the Context and Subject Matter admit, extend to all Ports and Districts in *Great Britain* or *Ireland* or the *Ise of Man*, or in the Rivers thereof respectively, or in the Seas or Channels adjacent thereto respectively, in which any Masters of Vessels are compelled by Law to employ Pilots, or in which any Persons are licensed or authorized to act as Pilots by or under the Authority of Law, or in which the Rates or Prices to be demanded or received for Pilotage Services are fixed by Law or under Authority derived from Law.

Places, &c. to which the Act is to extend.

XXVI. In the Construction of this Act the following Words and Expressions in this Act shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; that is to say,

Interpretation of Terms.

The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Word "*Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House of Deptford Strond:*

The Expression "Pilotage Authority" shall include the said *Trinity House*, and all other Bodies or Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise any Jurisdiction in respect of Pilotage:

The Expression "Cinque Port Pilots" shall mean the Pilots of the Society or Fellowship of the *Trinity House* of *Dover*, *Deal*, and the *Isle of Thanet.*

XXVII. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-three.

Time of Commencement.

XXVIII. This Act may be cited as the "Pilotage Law Amendment Act, 1853."

Short Title.

XXIX. No Provision contained in the First Section of an Act of the Fourth Year of the Reign of Her present Majesty, Chapter Sixty-eight, and no Order or Certificate duly made and issued by virtue thereof, shall cease or become void by reason of the passing of this Act.

Proviso as to 3 & 4 Vict. c. 68. s. 1.

CAP. CXXX.

An Act to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland.* [20th *August* 1853.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, which Act was amended by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-nine, and an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of Her Majesty, Chapter Four, and an Act passed in the same Session of Parliament, Chapter Eighty-six, and an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine: And whereas various Works for the Drainage of Lands, and Improvement of Navigation and Water Power in connexion therewith, in *Ireland*, have been undertaken and carried on by the Commissioners appointed to act in execution of the said Acts both under the ordinary Provisions and the Provisions for summary Proceedings in the said Acts respectively contained: And whereas in many Instances the Estimates of the Expenses of such Works respectively have been exceeded, and many of the said Works are still unfinished, and in certain Cases the Assents requisite to authorize the Charge on the Lands to be improved, of the Sums necessary for completing the proposed Works have not been obtained: And whereas Inquiries have been already made under the

5 & 6 Vict. c. 89. 8 & 9 Vict. c. 69. 9 & 10 Vict. cc. 4. and 86. 10 & 11 Vict. c. 79.

'Direction of the Commissioners of Her Majesty's Treasury in relation to certain of the said Works 'now remaining unfinished, and the said Commissioners have directed like Inquiries in relation to 'others of the said Works: And whereas it is expedient that Provision should be made for the Comple- 'tion of the said Works, or such of them as upon the Inquiries already made as aforesaid, or upon the 'Inquiries to be hereafter made in relation thereto, the said Commissioners of the Treasury may think 'fit, and with such Modification (if any) as to them may seem proper, and that such Commissioners 'should be authorized to direct where they see fit that the Expense of such Works to be charged against 'the Proprietors of Land should be limited to such Amount as between such Proprietors and the Public 'may appear to the said Commissioners to be just, and that the said Acts should be amended as herein- 'after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury may give Directions concerning Completion of Works.

I. The said Commissioners of the Treasury may authorize and direct the Commissioners of Public Works in *Ireland* to cause to be completed the Works commenced under the Provisions of the said Acts or any of them, or such of the same Works or such Parts thereof respectively as, upon the Inquiries already made as aforesaid, or to be hereafter made under the Directions of the said Commissioners of the Treasury, such Commissioners of the Treasury may think fit, and with any Modifications or Alterations which to the said Commissioners of the Treasury may appear expedient, or to make and execute any other Works which to them may seem fit for effecting all or any of the Objects intended to be effected by the said Works; and the said Commissioners of Public Works shall, without any Assents or further Assents of Proprietors, Notice, or other Preliminary or Proceeding by the said Acts required to be given or taken before the Execution of any Works, have full Power and Authority to cause to be executed or completed the Works so authorized and directed by the said Commissioners of the Treasury to be completed or executed, and for that Purpose to do and execute all Acts, and exercise all Powers and Authorities by the said Acts or this Act given for the Execution of any Work, and in and by an Award to be made in relation to such Works in manner provided by the said Acts upon the Completion of Works authorized to be executed thereunder to provide for the Repayment of the Amount of all Costs, Charges, and Expenses incurred under the said Acts and this Act, or any of them, in relation to such Works (inclusive of Interest on Money borrowed), or such lesser Sum as under the Provision herein-after contained may be authorized in this Behalf, with Interest from the Date of such Award as provided by the said Acts, any Provision in the said Acts or any of them requiring or concerning Assents or any other Provisions therein to the contrary in anywise notwithstanding.

Treasury may reduce the Amount to be charged against Proprietors of Lands.

II. It shall be lawful for the said Commissioners of the Treasury, where, upon any Inquiries made or to be made as aforesaid, it appears to them just that the Proprietors to be charged under the Award in relation to any Works to be executed or completed as aforesaid, or which have been completed before the passing of this Act, and in relation to which an Award has not yet been made, should be relieved from a Portion of the Amount of the Expenses incurred in relation to such Works, to authorize and direct the said Commissioners of Public Works in and by their Award to be made under the said Acts or any of them to charge upon the Lands made liable under such Award in respect of such Works such lesser Sum than the full Amount of the Expenses of and incidental to such Works (inclusive of Interest on Money borrowed) as to the said Commissioners of the Treasury may, under the Circumstances of each Case, appear just; and it shall also be lawful for the said Commissioners of the Treasury to direct that the Rate of Interest which shall be charged in such Award on the Sum or Sums payable thereunder shall be Four Pounds *per Centum per Annum:* Provided always, that in all Cases the whole Amount of the Purchase Money or Compensation payable in respect of Land taken for or injuriously affected by any Works commenced and completed or executed under the said Acts or this Act shall be included in and charged under the Award to be made in relation to such Works.

Treasury to cause Reports on Inquiries to be deposited with the Clerk of the Peace, and Notice of Deposit published, and until Directions of the Treasury are given, Works may be continued as if this Act had not been passed.

III. Provided also, That before the said Commissioners of the Treasury give any Authority or Direction, in pursuance of the foregoing Provisions, to the said Commissioners of Public Works for the Execution or Completion of any Works, or as to the Amount of Principal Money to be charged under any Award as aforesaid, the said Commissioners of the Treasury shall cause a Copy of any Report which may have been made to them in pursuance of any Inquiries to be hereafter made under their Directions as aforesaid in relation to such Works or the Amount to be charged under such Award, to be deposited by the said Commissioners of Public Works with the Clerk of the Peace of each County in which the District shall be situate, who is hereby required to receive the same, and all Persons shall have Liberty to inspect the same on the Payment of Sixpence for each Inspection; and the said Commissioners of the Treasury shall limit a Time, not less than Twenty-one Days from the Time of the Publication of Notice of such Deposit, within which Objections to such Report may be made; and the said Commissioners of Public Works shall cause Notice of such Deposit, of the Time so limited for making Objections to such Report, and of the Manner in which such Objections are to be transmitted to the said Commissioners of the Treasury, to be forthwith published in some Newspaper circulating in such District: Provided also, that until Directions shall be given by the said Commissioners of the Treasury in relation to any Works now in progress, nothing herein-before contained shall be construed to prevent the said Commissioners of Public Works from proceeding with such Works in like Manner as if this Act had not been passed.

Power to Treasury to reduce Amount

IV. It shall be lawful for the said Commissioners of the Treasury, if they see fit, (upon the Recommendation of the said Commissioners of Public Works, or of such Persons as may be appointed by the said Commissioners of the Treasury to make Inquiries for the Purposes of this Provision,) in any Case where

where a final Award has been already made, whether the same has been enrolled or not, to reduce the total Amount of Principal Money charged upon the Lands under such Award, and also, if they see fit, where the Rate of Interest charged by such Award exceeds Four Pounds *per Centum per Annum*, to reduce such Interest to that Rate, and to direct the said Commissioners of Public Works to make a rateable Reduction in the respective Portions of such Amount charged by the said Award upon the several Lands charged thereunder, and for that Purpose to make such Alteration in the Amount or Duration of the Instalments payable under such Award, or as well in the Duration as in the Amount thereof, as the said Commissioners of the Treasury may think fit, and where the said Commissioners of the Treasury so direct, to reduce the Rate of Interest to be thereafter payable in respect of the Sums charged under such Award to such Rate as aforesaid, and the said Commissioners of Public Works shall make such Reduction accordingly, and shall forthwith proceed to frame and settle a supplemental or new Award in conformity with the Directions of the said Commissioners of the Treasury without any Meeting, Notice, or other Proceeding previously to finally settling the same, and such supplemental or new Award shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland*, and a Copy thereof deposited with the Clerk of the Peace in manner directed by the said Acts concerning the final Award of the Commissioners, and a Copy of such supplemental or new Award certified by the proper Officer of the said Rolls Office shall be Evidence thereof: Provided always, that in case any Proprietor shall, under the Provisions of the said Acts, have paid off the Principal Sum charged upon his Lands by any such Award, he shall be entitled to the Benefit of any Reduction so directed by the Commissioners of the Treasury as aforesaid, and to be reimbursed accordingly.

charged under existing Awards.

V. All supplemental or new Awards to be made as aforesaid, when enrolled as aforesaid, shall be binding and conclusive, and, subject to the Provision lastly herein-before contained, all final Awards heretofore made or purporting to have been made by the said Commissioners of Public Works, and enrolled as by the said Acts required, shall be and be deemed to have been valid and binding and conclusive.

Awards when enrolled to be conclusive.

VI. Anything in the said Acts to the contrary notwithstanding, it shall be lawful for the Commissioners of Public Works, by and with the Sanction and Direction of the said Commissioners of the Treasury, from Time to Time to pay off all or any of the Certificates or Debentures heretofore issued and granted under the said Acts or any of them, on giving a Notice in the *Dublin Gazette* of their Intention so to do, and fixing a Day not sooner than Two Months from the Date of such Notice in which the Certificates or Debentures therein referred to shall be paid off; and from and after the Day in such Notice mentioned for the Payment of any such Certificates or Debentures the Interest on the Principal Money secured thereby shall cease and determine.

Commissioners may pay off Debentures on Notice.

VII. It shall be lawful for the said Commissioners of the Treasury where, under the Provisions of this Act, they authorize the Reduction of the Amount to be charged under any Award to be hereafter made, or the Amount charged under any Award already made, to direct so much of the Monies which may be payable in respect of any Loan or Loans made by the said Commissioners of Public Works for the Purposes of any Works under the said Acts or this Act as may be equal to the Sums by which the Amount charged or to be charged under such Award shall be reduced, shall be remitted and cease to be payable.

Treasury may remit Amount not charged against Proprietors.

VIII. Provided always, That where the reduced Amount which may be charged by any Award made under the Provisions of this Act may be less than the Monies which may be secured and remain unpaid on the Certificates or Debentures issued in respect of the Expenses of the Works to which such Award relates, the Commissioners of Her Majesty's Treasury shall cause to be paid off such Certificates or Debentures, or so much of the Monies secured thereby as will reduce the Amount which shall remain owing thereon to or below the Amount charged by such Award.

Saving for Creditors.

IX. The Commissioners shall cause detailed Accounts in Writing of the several Sums received by them as such Commissioners, and of the Sums expended by them, and the Mode of such Expenditure, and of the several Works made or in progress under the said Acts or this Act, to be made up to the Thirty-first Day of *December* in each Year, and such Accounts shall be laid before both Houses of Parliament within Thirty Days thereafter if Parliament be then sitting, or within Thirty Days after the First Meeting of Parliament subsequent to the Thirty-first Day of *December*; and the Commissioners shall, as often as they shall be required so to do by the Commissioners of the Treasury, transmit to them Accounts made up to such Period as such last-mentioned Commissioners shall direct, and shall also transmit to the Commissioners for auditing the Public Accounts, Accounts of the Receipt of Monies which shall come to their Hands under the said Acts or this Act, and of its Application and Expenditure, for the Purpose of Examination and final Audit.

Commissioners to account and report annually to Parliament.

X. The several Parts of Acts set forth in the Schedule to this Act annexed shall be repealed, except as to anything heretofore done, and except so far as the Provisions so repealed may be necessary for the Purpose of supporting any Proceedings heretofore taken.

Parts of Acts set forth in the Schedule to this Act repealed.

XI. It shall be lawful for the said Commissioners of the Treasury from Time to Time to appoint Two or more Persons as Occasion shall require to be Arbitrators for the Purposes herein-after mentioned, and to remove, where such Commissioners see fit, any Person so appointed.

Treasury to appoint Persons as Arbitrators.

XII. The said Commissioners are hereby authorized to purchase any Lands which they shall think it necessary or proper to purchase for accomplishing any of the Purposes of the said Acts and of this Act, making such reasonable Satisfaction and Recompence to the Persons entitled to or interested in such Land as shall be settled and ascertained in manner herein-after mentioned.

Commissioners may purchase Lands for Works.

XIII. The

Notice to be given to Proprietors and Occupiers of Land with respect to Purchase or Compensation.

XIII. The said Commissioners of Public Works shall cause Notices in Writing, specifying therein with reasonable Certainty the Quantity of Land taken or required to be taken, or injured or liable to be injuriously affected, and the Nature of the Injury that may be done or proposed to be done thereto, to be delivered to or left at the usual Places of Abode of the Proprietors or Occupiers, or reputed Proprietors or Occupiers, and all Persons interested, (where the same may be known to the Commissioners,) of and in all such Land as may be or have been taken or required to be taken for, or be or have been injured or liable to be injuriously affected by, the Works made or proposed to be made under the said recited Acts and this Act, requiring such Proprietors, Occupiers, or other Persons, on or before a Day to be named in such Notice, to prefer their respective Claims to such Commissioners for the Value of such Land, or the Compensation to be allowed for any Loss, Damage, or Injury, together with a short Statement or Particulars of the Title of the Party making such Claim thereto, and that in case the Commissioners and the Parties making such Claim shall not agree as to the Amount thereof, that a Meeting will be held by the Arbitrator to be nominated for the Purpose as herein-after mentioned for inquiring into all such Claims; and the said Commissioners shall, if they see fit, cause a like Notice to be published in some Newspaper circulating in the County or Counties in which such Land as aforesaid shall be situate.

Arbitrator to be appointed where Parties do not agree.

XIV. In all Cases in which any Corporation, Trustee, or other Person interested in or authorized by the said recited Acts to contract for, sell, and convey any Lands, shall neglect or refuse to treat or not agree with the Commissioners, or by reason of Absence or Disability cannot agree or be not found or known, or shall not prove a clear Title to the Land or to the Estate or Interest which such Corporation, Trustee, or Person shall claim therein, to the Satisfaction of the Commissioners, it shall and may be lawful for the Commissioners to nominate One of the Persons so appointed by the said Commissioners of the Treasury Arbitrators as aforesaid to be an Arbitrator for the Purpose of ascertaining the Purchase Money or Compensation (if any) to be paid for or in respect of the Lands, or any Loss, Damage, or Injury thereto, mentioned in any such Notice so given by the Commissioners.

Arbitrator may call for Papers, &c. and examine Witnesses.

XV. Such Arbitrator may call for the Production of any Documents in the Possession or Power of the Commissioners, or of any Party making any Claim under the Provisions of this Act, which such Arbitrator may think necessary for determining any Question or Matter to be determined by him under this Act, and may examine any such Party and his Witnesses; and the Witnesses for the Commissioners or the Proprietors of Lands within the District referred to in any such Notice, on Oath, and administer the Oaths necessary for that Purpose.

Arbitrator to make a Declaration.

XVI. Before any Arbitrator shall enter upon any Inquiry he shall in the Presence of a Justice of the Peace make and subscribe the following Declaration; that is to say,

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my 'Skill and Ability, hear and determine the Matters referred to me under the Provisions of the Act '(*naming this Act*). '*A.B.*

'Made and subscribed in the Presence of '

And such Declaration shall be annexed to the Award when made, and if any Arbitrator having made such Declaration wilfully act contrary thereto he shall be guilty of a Misdemeanor.

Documents to be delivered to Arbitrator, and Parties to be summoned to attend.

XVII. Upon Nomination of any such Arbitrator as aforesaid, the Commissioners shall deliver to the Person so nominated a Copy of the Notice given by them, together with a Map (if any) of the Premises referred to in the said Notice, and all Claims sent in to the Commissioners pursuant to such Notice, and such other Documents as the Commissioners shall think necessary, and thereupon such Arbitrator shall issue his Summons to all Parties concerned in the Matter so referred to his Arbitration, requiring them to attend before him at a Place and on a Day to be fixed by him in such Summons, not earlier than Fourteen Days from the Date thereof, and shall inquire and adjudicate on such Matter, and proceed to make his Award in the Premises as herein-after provided.

Arbitrator to adjudicate upon Claims and make his Award.

XVIII. The Arbitrator shall at the Time and Place mentioned in such Summons (and whether the Parties summoned, or any of them, attend before him or not,) proceed to inquire into and adjudicate upon the Value of the Lands required for the Purposes of the said Acts and this Act, or in respect of which a Claim for Compensation may be made for any Injury thereto, and the several Interests in such Lands in respect of which no Agreement shall have been come to between the Commissioners and the Parties entitled thereto, and the Purchase Money to be paid for such Lands, and the Compensation to be paid for Injury to any Lands injuriously affected by the Execution of the Works of the Commissioners; and the Arbitrator shall, after due Inquiry and Examination, frame a Draft Award setting forth the Price or Compensation to be paid by the Commissioners in respect of the several Interests in the Lands so required or injuriously affected, and also what Abatement (if any) shall be made in the Rents payable out of the Land named and described in the Award, or any Land held under the same Lease or Instrument in conjunction therewith; and where any Inquiry relates not only to the Value of the Lands to be purchased, but also to Compensation claimed for Injury done or to be done to any Lands, the Arbitrator shall award separate and distinct Sums to be paid for the Purchase of such Lands, or of any Interest therein, to which the Inquiry may relate, and for the Damage (if any) to be sustained by reason of the severing of the Lands taken from the other Lands, or otherwise injuriously affecting such other Lands by the Exercise of the Powers of the Commissioners; and such Draft Award and Copies thereof shall be deposited with the Clerk of the Peace of every County in which such Lands or any Part thereof may be situate; and the Arbitrator shall cause Notice of such Award to be given to all Persons entitled to Payment or Compensation under the same, or who shall have been heard before such Arbitrator as Claimants for Compensation,

tion, and shall in such Notice appoint a Time and Place or Times and Places for holding a Meeting or Meetings to hear Objections against such Draft Award (the first such Meeting to be not earlier than Fourteen Days after the last Day of giving such Notice), and shall hold such Meeting or Meetings accordingly, and thereat hear and determine any Objections which may then and there be made to such Draft Award by any Person interested therein, or adjourn the further Hearing thereof, if the Arbitrator see fit, to a future Meeting, and may take any Measures which he may deem proper for ascertaining the Value of any such Lands or Interests as aforesaid, or the Justice or Propriety of any other Matter of such Draft Award, and may from Time to Time, if he see Occasion, appoint and hold further Meetings for hearing and determining Objections to such Draft Award, of which further Meetings when not holden by Adjournment Notice shall be given in manner herein-before directed; and when the Arbitrator has heard and determined all such Objections, and made such Inquiries as he may think necessary in relation thereto, and made such Alterations (if any) as he may deem proper in the Draft Award, he shall make his Award under his Hand and Seal accordingly; and every such Award shall be binding and conclusive, subject to the Provisions concerning Traverse herein-after contained, upon all Persons whomsoever; and no such Award shall be set aside for Irregularity in Matter of Form; and every such Award shall be deposited with the Commissioners, and a Copy thereof shall be deposited with the Clerk of the Peace for every County in which such Lands or any Part thereof may be situate; and the Commissioners shall thereupon, in all Cases where it shall appear to them necessary so to do, require all Persons claiming to have any Right to or Interest in the Lands, the Price or Compensation to be paid in respect of which is ascertained by such Award, to deliver to the Commissioners, on or before a Day to be named by them (such Day not to be earlier than Fourteen Days from the Date of such Requisition), a short Abstract of the Title to the Interest in respect of which the Award is made, and such Abstract shall be paid for by the Commissioners, and all Sums so paid shall form Part of the Expenses incidental to the Execution of the Works in the District to which the Arbitration may relate.

Remuneration of Arbitrator.

XIX. The Salary or Remuneration, travelling and other Expenses of the Arbitrator, including all Costs reasonably and properly incurred by him, shall be paid by the Commissioners, and the Amount of such Costs, Charges, and Expenses shall from Time to Time be included in and form Part of the Expenses incidental to the Execution of the Works in the Districts in relation to which such Expenses shall be incurred, and shall be defrayed accordingly.

Arbitrator may direct by whom Costs to be paid.

XX. It shall be lawful for the Arbitrator, where he thinks fit, on the Application of the Commissioners or of the Claimant, to adjudicate by whom the Costs of such Arbitration shall be borne, and to certify the Amount of the Costs properly payable to the Party entitled thereto in relation to the Arbitration, and the Amount of the Costs so certified shall be paid by the Commissioners or the Claimant as the said Arbitrator may award.

Party dissatisfied with Award may enter a Traverse.

XXI. Where the Party named in any Award under the Provisions herein-before contained (or any Party claiming under the Party so named) shall be dissatisfied with the Amount in such Award stated to be payable, it shall be lawful for such Party, at the Assizes for the County in which the Lands are situate, or where the Lands are situate in the County of *Dublin*, or County of the City of *Dublin*, in the Term next following the making of the Award, or where such Assizes are holden or such Term begins within less than Thirty Days after the making of the Award then at the next subsequent Assize or in the next subsequent Term (as the Case may be), upon giving Fifteen Days Notice in Writing previously to such Assizes or Term respectively to the Secretary of the Commissioners of the Amount intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Claim, and which Traverse shall be entered as follows: "In the Matter of Traverser, the Proprietors of "Lands in the Drainage District of Respondents," and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had and subject to the like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of Public Monies by Grand Juries in *Ireland:* Provided always, that the Sum to be awarded or allowed as the Costs, Charges, and Expenses of the Trial of every such Traverse for Damages shall in no Case exceed the Sum of Ten Pounds, and further, that no Party shall have any other Remedy for the Purpose of impeaching the Amount of any Price or Compensation ascertained by any such Award as aforesaid other than by means of such Traverse as aforesaid, anything in any Act to the contrary notwithstanding: Provided also, that the Jury which shall try such Traverse shall be sworn a true Verdict to give whether any and what Damages will be sustained by the Traverser, regard being had to the Value of the Lands of such Traverser required, and to the Injury to any Lands of such Traverser injuriously affected by the Works of the Commissioners, and also regard being had in Cases of Mills or Factories to any Benefit resulting or which may result from any Improvement which shall be effected by the Execution of the Works in the Water Power of or Constancy of Supply of Water to such Mill or Factory, or by Relief from Back Water afforded to it.

Commissioners may convene a Meeting of Proprietors for electing a Standing Committee.

XXII. For the Purpose of the Protection of the Interests of the Proprietors in any Drainage District it shall be lawful for the Commissioners to call a Meeting of the Proprietors of the Land included in such District to make Choice of a Standing Committee to represent such Proprietors on any Arbitration, Trial of Traverse, or Proceeding under the said Acts or this Act, and such Meeting shall be convened by not less than Fourteen Days Notice in some Newspaper circulating in the County or Counties in which such District may be situate, and at such Meeting the Proprietors then present, or their known Agents, or such of the said Proprietors or Agents as may represent the greater Portion of the Lands belonging to the whole Number of Proprietors, who or whose Agents shall be present at such Meeting, shall elect not less

less than Three nor more than Thirteen Persons from among the Proprietors of Land in such District, or their known Agents, to be such Committee as aforesaid, and the Names of the Persons so elected shall be certified to the Commissioners under the Hand of the Chairman or Person presiding at such Meeting, and shall be transmitted to the Commissioners at their Office in *Dublin*, and there preserved; and any Document purporting to be a Copy of any such Certificate, signed by the Commissioners or their Secretary for the Time being, shall be received in Evidence as a true Copy of such Certificate, and of the Validity of the Original of which the same purports to be a Copy, and of the due Election according to this Act of the Persons named therein.

In case of Default of Proprietors, Commissioners may appoint such Committee.

XXIII. In case of Default on the Part of the Proprietors to meet, pursuant to such Notice as aforesaid, or at such Meeting to elect such Committee as aforesaid, or in case such Certificate as aforesaid of such Election be not transmitted to the Commissioners within Seven Days after the Time appointed for such Meeting, it shall be lawful for the Commissioners, if they see fit so to do, by Writing under their Hands, to appoint such Committee as aforesaid; and any Document purporting to be a Copy of any such Appointment, signed by the Commissioners or their Secretary for the Time being, shall be received in Evidence of such Appointment and of the Validity thereof.

Committee may appear upon Arbitration, Trial of Traverse, &c.

XXIV. In case any Member of a Standing Committee appointed as aforesaid shall die, resign, or become incapable to act, it shall be lawful for a Majority of the surviving or continuing Members of such Committee to appoint a Person to act in the Place and Stead of such Member so dying, resigning, or becoming incapable to act, and in default of such Appointment for the Space of Two Months it shall be lawful for the Commissioners to appoint a Person instead of the Member so dying, resigning, or becoming incapable to act.

On Neglect of Committee, Commissioners may appoint a Person to represent them.

XXV. The Commissioners or their Secretary shall, upon any Summons or Notice being served on or given to them or him in relation to any Arbitration, Traverse, or other Proceeding under the said Acts or this Act, forthwith communicate the same to the Committee elected or appointed for the District as herein provided; and such Committee may appear upon such Arbitration, or the Trial of such Traverse, or such other Proceeding, by any Counsel, Solicitor, or Agent to be appointed by them for such Purpose.

Filling up Vacancies in Committee.

XXVI. Upon any Arbitration or the Trial of any Traverse or other Proceeding under the said Acts or this Act, in case the said Committee neglect to appoint a Counsel, Solicitor, or Agent to represent them on such Arbitration, Trial of Traverse, or other Proceeding, it shall be lawful for the Commissioners, if they see fit, to appoint some Counsel, Solicitor, or Agent for that Purpose.

Expenses of employing Counsel, &c., to be Part of the Expenses in the District.

XXVII. The Expenses attending the Employment of any Counsel, Solicitor, or Agent, or any Clerk, appointed by any such Committee as aforesaid, or by the Commissioners as herein-before provided, when taxed and ascertained by the Commissioners, may be paid by them, and the same shall form Part of the Expenses incidental to the Works in the District in respect of which such Employment may take place, and be paid for accordingly.

Receipt to be given for Purchase Money or Compensation, and Receipt for Purchase Money to operate as a Conveyance.

XXVIII. Anything in the said Acts to the contrary notwithstanding, in every Case in which any Monies are paid by the Commissioners under the Provisions of the said Acts or this Act for such Purchase or Compensation as aforesaid, the Party receiving such Monies shall give to the Commissioners a Receipt for the same; and such Receipt for any Purchase Money shall have the Effect of a Grant, Release, and Conveyance of all the Estate and Interest of such Party, and of all Parties claiming under or through him, in the Lands in respect of which such Monies are paid, so as such Receipt shall have an *ad valorem* Stamp of the same Amount impressed thereon in respect of the Purchase Monies mentioned in such Receipt (but exclusive of the Amount of Compensation for Damage by Severance or other Injury) as would have been necessary if such Receipt had been an actual Conveyance of such Estate or Interest, every such Receipt to be prepared by and at the Costs of the Commissioners, and be charged and defrayed in like Manner as the Purchase Money or Compensation for which such Receipt shall be given.

Provisions concerning Compensation for Land to extend to Interference with Mills, &c.

XXIX. The Provisions herein contained for ascertaining the Amount of Purchase or Compensation Money to be paid in respect of Land taken for or injuriously affected by any Works made under the said Acts and this Act, shall extend and be applicable to and for the ascertaining the Amount of Purchase Money, Satisfaction, or Compensation, or Damages to be paid for or in respect of any Mill, Dam, River, Water Power, or other Matter or Thing which the Commissioners are by the said Acts or this Act authorized to purchase or interfere with for the Purpose of any Works executed by them.

Power of Entry for executing Works pending Proceedings for Purchase or ascertaining Compensation.

XXX. For the Purposes of the said Acts and of this Act the Commissioners, or any Engineer, Workman, or other Person authorized by them, at any Time pending the Purchase or ascertaining of the Price or Compensation of any Land, Mill, or Hereditament, and after Three Days previous Notice in Writing given to the Party in Occupation, may enter upon and into such Land, Mill, or Hereditament for the Purpose of executing any Works by the said Acts or this Act authorized, or doing any other Act, Matter, or Thing required in the Opinion of the Commissioners for carrying fully into effect the Purposes of the said Acts or of this Act.

Power to dig for Materials.

XXXI. The Commissioners, or any Engineer, Workman, or other Person authorized by them, after Three Days previous Notice in Writing given to the Party in Occupation, may enter into and search for, dig, take, and carry away Materials out of any Land for the Purpose of executing or repairing any Works, making such Compensation for the Surface Damage done to the Proprietors, Lessees, or Occupiers of such Lands according to their respective Interests therein as shall be agreed on; but in all Cases where the Commissioners shall take Materials from an open Quarry *bonâ fide* demised to any Person, with Liberty to raise, sell, and dispose of the Materials therein, the Value of such Materials shall be

paid

paid for by the Commissioners as shall be agreed on; and in case of Dispute concerning the Amount of such Compensation for Damages, or the Value of such Materials, such Compensation or Value shall be settled, on a Summons to be issued for that Purpose by the Party claiming such Compensation or Value by any One or more Justice or Justices of the Peace for such County in which such Land is situate at Petty Sessions; and Service of such Summons on the Engineer of the Commissioners in charge of the Works in the District for the Purpose of which such Materials shall be taken shall be sufficient: Provided always, that no such Summons shall issue or be proceeded on until the whole Extent of the Damage to be done by the Commissioners, or the whole of the Materials to be taken by them, shall be ascertained.

Summary Proceedings to be deemed to authorize Interference with Mills.

XXXII. It is hereby declared, that all the Provisions contained in the said Acts of the Ninth and Tenth Years of Her Majesty, Chapter Four, and of the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine, respecting the summary Course of Procedure by the said Acts provided, shall be deemed to authorize and justify and to have authorized and justified the Commissioners in interfering and dealing with all Mills and Factories, and the Water Power thereof, according to the said summary Course of Procedure by the said Acts provided, in such Manner as by the Commissioners may be or have been considered requisite for enabling them to carry on the Works under the said Acts and this Act, and for the due Execution thereof: Provided always, that nothing herein contained shall extend to prejudice or affect any Proceedings in any Court of Law or Equity had or commenced before the passing of this Act.

Remedy by summary Application to the Court of Chancery in the event of Commissioners failing to secure the due Amount of Water Power to the Owner of any Mill or Factory.

XXXIII. Any Person interested in any Mill or Factory permanently affected or proposed to be permanently affected by anything done or proposed to be done under the Provisions of the said Acts or of this Act may apply by Petition in a summary Way to the Court of Chancery, complaining that the due Amount of Water Power has not been properly secured to or for such Mill or Factory, or that any Act has been done or has been threatened or proposed to be done by the Commissioners, or by any Person acting or pretending to act under the Provisions of this Act, by which permanent Injury has been or may be sustained by such Mill or Factory, or by such Person so interested in respect thereof, and whether the Act complained of has been authorized by this Act or otherwise, and thereupon such Court shall make such Order directing such Proceedings as shall seem proper before One of the Masters of such Court in relation to the Matter of the said Petition; and upon the Report of such Master it shall be lawful for such Court to direct such Works to be made by such Commissioners as to such Court of Chancery shall seem necessary or proper, and to make from Time to Time such further or other Order, whether for Compensation to any Party interested in such Mill or Factory, or for restraining the Commissioners or any other Person from doing any Act or otherwise, as to such Court shall seem just, and to issue any Writ or Writs of Injunction for any of the Purposes aforesaid for which the same may be required, and such Court shall have Power to award Costs to either Party: Provided always, that such Petition shall be presented within Six Months after the Act complained of.

Commissioners and Trustees may proceed for Maintenance Rates.

XXXIV. The Commissioners and the Trustees having the Maintenance of any Works executed under the said Acts or this Act shall have the same Powers, Rights, and Remedies to enforce Payment of the Rates at any Time heretofore or hereafter to be imposed by the Commissioners or such Trustees under the Powers of the said Acts as are in and by the said Acts given to the Commissioners for Recovery of the Sums or Instalments charged under their final Award; and the Trustees in all Cases where it may be necessary to take any Proceedings in Recovery of any such Rate or otherwise may sue in the Names of Two of them.

Rents may be increased by separate Instrument.

XXXV. It shall be lawful for the Commissioners where they see fit, on determining, under the said Act of the Fifth and Sixth Years of Her Majesty, the Amount of increased Rent to be paid in respect of any Land drained or improved as therein mentioned, to signify their Decision by a separate Instrument.

Parties entitled to Purchase Money, Compensation, or Damages to have same ascertained as herein provided.

XXXVI. In all Cases where any Person shall consider himself entitled to be paid Compensation or Damages for or by reason of any Act or Omission by or on the Part of the Commissioners, or for or by reason of any Works or Acts whatsoever done or professed to be done by the Commissioners under the Authority or in pursuance of the Provisions of the said Acts or of this Act, such Person (save as hereinbefore provided) shall not be entitled to proceed at Law or in Equity for or in respect of the same, but the Right to such Compensation or Damages, and the Amount thereof, shall be ascertained in the Manner herein-before provided, and not otherwise, anything in the said Acts contained notwithstanding.

Commissioners may remove any insufficient Bridge, erecting a temporary Bridge.

XXXVII. Anything in the said first-recited Act to the contrary notwithstanding, if any existing Bridge, Culvert, or Archway for the Discharge of Water under any public Road shall in the Opinion of the Commissioners be insufficient for the free Discharge of such Water, and shall by reason of such Insufficiency cause or tend to cause the flooding of any Land to be drained or improved by the Works of the Commissioners, it shall be lawful for the Commissioners to take down and remove such Bridge, Culvert, or Archway, the Commissioners constructing a temporary Bridge, Culvert, or Archway in the Place of that so to be taken down and removed, and supporting and maintaining the same for the Space of Twelve Months, the Expense of the taking down and Removal of such Bridge, Culvert, or Archway, and constructing, supporting, and maintaining such temporary Bridge, Culvert, or Archway, to form Part of the Costs of the Works in the District within which any such Bridge, Culvert, or Archway may be situate: Provided always, that before proceeding to remove any such Bridge, Culvert, or Archway the Commissioners shall cause Thirty-one Days Notice to be given to the County Surveyor of the County or of each County (if more than One) in which such Bridge, Culvert, or Archway shall be wholly or in part situate, stating the Intention of the Commissioners to remove such Bridge, Culvert, or Archway, and communicating

communicating such precise Information, including a detailed Plan and Cross Section of the River or Stream over which a new Bridge, Culvert, or Archway is to be built, as may be requisite to show the Dimensions of the Waterway of such new Bridge, Culvert, or Archway, for the Purpose of enabling the County Surveyor to prepare a proper Plan, Specification, and Estimate for such new Bridge, Culvert, or Archway, and the Surveyor of any such County to whom such Notice shall be given shall at the next Assizes after the Receipt of such Notice lay the same, together with a proper Plan, Specification, and Estimate for such new Bridge, Culvert, or Archway, before the Grand Jury of such County.

Grand Jury to present for new Bridge.

XXXVIII. The Grand Jury of the County in which any such new Bridge, Culvert, or Archway shall be required to be built or constructed is hereby authorized and required (without any Application to Presentment Sessions) to present the Amount necessary for the building of such Bridge, Culvert, or Archway according to such Plan, Specification, and Estimate as aforesaid, or such other Plan, Specification and Estimate as such Grand Jury may approve, and the Grand Jury of such County shall thereupon appoint a Committee of not less than Three or more than Five Persons, any Three of whom shall be a Quorum, to contract and agree with any Party or Person willing to undertake the building of such Bridge, Culvert, or Archway, or the said Grand Jury may authorize and direct that the said Bridge, Culvert, or Archway may be built and constructed, out of the Money so presented, under the immediate Superintendence and Direction of the County Surveyor of such County.

Where any new Bridge, &c. is formed over a Stream between Two Counties, each to pay equal Moieties.

XXXIX. Where any such new Bridge, Culvert, or Archway shall be over any River or Stream forming a Boundary between Two Counties, the same shall be built or constructed at the Expense of such Two Counties in equal Moieties; and the Grand Jury of each such County shall (without any Application to Presentment Sessions) present the Moiety of the Sum necessary for building or constructing such new Bridge, Culvert, or Archway, and appoint a Committee, as herein-before provided in the Case of One County; and the Committees so appointed shall meet and act as a joint Committee, for the Purpose of contracting as aforesaid for the building or constructing of such new Bridge, Culvert, or Archway, at the joint Expense of the said Counties, as aforesaid; and in case both or either of such Grand Juries shall neglect to make such Presentment and appoint such Committees as aforesaid, or in case both or either of such Committees shall neglect to contract for the Construction of such Bridge, Culvert, or Archway, or if from any other Cause such Bridge, Culvert, or Archway shall not be built or constructed within Twelve Months after such Notice by the Commissioners to the Surveyor of each County, as herein-before provided, it shall be lawful for the Commissioners to have such new Bridge, Culvert, or Archway built in such Manner as to them shall seem sufficient, and by a Certificate under their Hands and Seals to signify to the Secretary of the Grand Jury of each such County the Amount of the Moiety of the Expenses incurred by them in building or constructing such Bridge, Culvert, or Archway, and the Secretary of the Grand Jury of each such County shall lay such Certificate before the Grand Jury of such County at the Assizes to be held for such Counties respectively next after the Receipt of such Certificate, and thereupon the Grand Jury of each such County shall (without any Application to Presentment Sessions) present the Amount mentioned in such Certificate, to be levied off such County immediately after such Assizes, and to be paid to the Commissioners; and in case the Grand Jury of any such County shall neglect or refuse to present the Sum so mentioned in such Certificate the Judge of Assize shall make an Order directing that the Treasurer for such County shall insert such Sum in his Warrant, and the same shall be levied off such County in the same Manner as if the same had been presented by such Grand Jury.

Foregoing Provisions applicable where Bridges have been already removed.

XL. In all Cases where before the passing of this Act any Bridge, Culvert, or Archway has, in the Execution of any Works under the said Acts, been removed by the Commissioners, and a new permanent Bridge, Culvert, or Archway has not been built or constructed or commenced, the Commissioners shall, as soon as conveniently may be after the passing of this Act, give Notice to the County Surveyor of any or every County in which any such Bridge, Culvert, or Archway so removed was wholly or in part situate, containing the like Information, for the building or constructing of such new Bridge, Culvert, or Archway as herein-before required in the Case of a Bridge, Culvert, or Archway hereafter removed; and the Provision herein-before contained for rebuilding or re-constructing any Bridge, Culvert, or Archway upon Notice of any existing Bridge, Culvert, or Archway being about to be removed, shall be applicable for the rebuilding or Re-construction of any such Bridge, Culvert, or Archway so already removed as aforesaid.

Trustees having Maintenance of Works to appoint a Superintendent.

XLI. For the Purpose of more effectively preserving and maintaining the Works executed by the Commissioners under the said Acts, the Trustees for the Time acting under the said Acts for such Purposes in any District shall meet in the Month of *February* in every Year, and at such other Times as they think fit, and shall appoint the County Surveyor or any other competent Person to be the Superintendent of the Works in such District, at such Salary, to be paid out of the Rates imposed by such Trustees, as they may think proper, and such Superintendent shall, in the Month of *February* in each Year, and from Time to Time as Occasion may require, report to the said Trustees the State of the whole of the principal Rivers and Main Drains forming Part of the Works improved or executed in such District, and whether any and what Repairs or Works are necessary for cleansing and preserving the same, and shall generally direct the carrying into effect of such Works as the Trustees may from Time to Time direct and approve for the Purposes aforesaid.

Proprietors or Occupiers may complain to Superintendent.

XLII. In case any Proprietor or Occupier of Land within any such District shall complain to such Superintendent of any Injury to the Works or Obstruction to the free Discharge of the Waters in such District, it shall be lawful for the Party so complaining to require such Superintendent to examine into the Matter so complained of, and to make his Report to the Trustees thereon; and thereupon it shall be

be lawful for the Trustees or any Two of them, if they see fit, on receiving such Report, to require that such Injury shall be remedied or such Obstruction removed by such Superintendent.

Parties may appeal to Petty Sessions.

XLIII. In case the Trustees shall decline or refuse to have the necessary Works executed for the Removal of such Injury or Obstruction, it shall be lawful for the Party complaining to apply in a summary Way to the Justices assembled at the next Petty Session for the District in which the Cause of Complaint may arise, and thereupon such Justices shall proceed to hear the Matter of such Complaint and make such Order thereon as to such Justices shall seem proper, and thereby (if they see fit) to authorize and require such Superintendent to remove such Injury or Obstruction, and thereupon such Superintendent shall remove the same in like Manner as if the same had been authorized and directed by the said Trustees.

Acts to be construed as One Act.

Interpretation of "the Commissioners."

XLV. The several Acts mentioned in this Act and this Act shall be construed together as One Act; and the several Words and Expressions to which an extended Signification is given in the said Acts, or any of them, shall have the like Signification in this Act; and (save where such Construction would be inconsistent with the Context) the Expression "the Commissioners," where used in this Act, shall mean the Commissioners of Public Works in *Ireland*.

The SCHEDULE to which the foregoing Act refers.

Date of Act.	TITLE.	Extent of Repeal.
5 & 6 Vict. c. 89.	An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland.	Sections 52. 54. 65. 66. 70. 71. 72. 73. 74. 75. 84. 105. 129.
9 Vict. c. 4.	An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland; and to afford Facilities for increased Employment for the Labouring Classes in Works of Drainage during the present Year.	Section 41

CAP. CXXXI.

An Act to amend various Laws relating to Merchant Shipping. [20th *August* 1853.]

'WHEREAS it is expedient to amend various Laws relating to Merchant Shipping:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Interpretation of Terms in this Act.

I. In the Construction of this Act the following Words and Expressions shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter; (that is to say,)

The Expression "Board of Trade" shall mean the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

The Word "*Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of *Trinity House of Deptford Strond*:

The Expression "Commissioners of Northern Lighthouses" shall mean the Commissioners in whom the Management of *Scotch* Lighthouses is vested by the Act of the Twenty-sixth Year of the Reign of King *George* the Third, Chapter One hundred and one, and by various other Acts:

The Expression "the Port of *Dublin* Corporation" shall mean the Corporation for preserving and improving the Port of *Dublin*:

The Word "Lighthouse" shall include Lighthouse, Light, Floating Light, Beacon, Buoy, or other Mark, Sign, or Signal of the Sea:

The Word "Lighthouse Tolls" shall include every Species of Duty or Payment payable by Owners or Masters of Ships or otherwise received in respect of Lighthouses:

The Word "Ballastage Rates" shall include all Rates and other Monies received by the *Trinity House* in respect of their exclusive Right of supplying Ballast to Vessels in the River *Thames*, under the Local Act of the Seventh Year of Her present Majesty, Chapter Fifty-seven, for the Regulation of Lastage and Ballastage in the River *Thames*, or otherwise:

The Expression "Consular Officer" shall include Consul General, Consul, and Vice-Consul, and any Person for the Time being discharging the Duties of Consul, Consul General, or Vice-Consul:

The Word "Owner," when applied to a Ship, shall include all the Persons, if more than One, to whom the Ship belongs, and shall also, if the Master and Crew are the Servants of the Charterer or Charterers, include such Charterer or Charterers:

Preliminary.

The Word "Master" shall include every Person (except a Pilot) having Command or Charge of a Ship:

The Word "Seaman" shall include every Person (except Masters and Pilots) employed or engaged to serve in any Capacity on board any Ship:

The Word "Salvor" shall mean the Person or Persons in command of any Ship or Ships by which, or by the Crews or any Part of the Crews of which, Salvage Services are rendered:

The Word "Ship" shall include every Seagoing Vessel:

The Expression "Her Majesty's Dominions" shall include Her Majesty's Dominions strictly so called, and all Territories under the Government of the *East India* Company, and all other Territories, if any, governed by any Charter or Licence from the Crown or Parliament of *Great Britain*, and the *Ionian* Islands.

Short Title.

II. This Act may be cited as "The Merchant Shipping Law Amendment Act, 1853."

Commencement of Act.

III. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-three.

Light Dues and other Dues on Shipping.

6 & 7 Vict. c. lvii. (Local and Personal), 13 & 14 Vict. c. 93., 14 & 15 Vict. c. 96., 14 & 15 Vict. c. 79.

IV. 'And whereas the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of 'Dublin Corporation receive, under various Acts of Parliament, Grants, and Charters, certain Light-'house Tolls, and the said *Trinity House*, in respect of their exclusive Right of supplying Vessels in the 'River *Thames* with Ballast, receive certain Ballastage Rates under the said Act of the Seventh Year 'of Her present Majesty, Chapter Fifty-seven: And whereas the Board of Trade receive certain Fees 'and other Payments under "The Mercantile Marine Act, 1850," "The Mercantile Marine Act 'Amendment Act, 1851," and "The Steam Navigation Act, 1851:" And whereas the *Trinity House* 'have, so far as relates to the said Tolls and Rates so received by them, agreed that the Account thereof 'shall be kept at the Bank of *England*, and that certain Regulations shall be adopted for the Purpose of 'reducing the same from Time to Time as the Requirements of the Services for which they are levied 'will permit, and for the Purpose of subjecting the Receipt and Expenditure thereof to effective Super-'vision and Control: And whereas it is expedient that the whole of the aforesaid Tolls, Rates, Fees, 'and Payments should be made subject to similar Regulations with a view to the Supervision and 'Control of the Receipt and Expenditure thereof, and to the Application thereof to the several Services 'in respect of which they are paid, and to the Reduction thereof respectively whenever Circumstances 'will permit:' Be it enacted, That all Lighthouse Tolls received by or on account of the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively, and all Ballastage Rates received by the *Trinity House*, and all Fees or Payments received by the Board of Trade under the several Acts herein-before mentioned in that Behalf, shall be carried to One aggregate Fund, to be called "The Mercantile Marine Fund;" and such aggregate Fund shall be applicable to the Purposes of the Services in respect of which the said Tolls, Rates, Fees, and Payments are levied, and to the Execution of Works necessary or expedient for permanently reducing the Expense of such Services, and, save as herein-after specially mentioned, to no other Purposes whatever.

Light Dues payable to Trinity House, Northern Light Commissioners, and Ballast Board, and Ballast Rates of Trinity House to form the Mercantile Marine Fund.

Account of the said Fund to be kept by Her Majesty's Paymaster General.

V. An Account of the said Fund, to be entitled "The Mercantile Marine Fund Account," shall be opened with Her Majesty's Paymaster General; and the said Paymaster General shall keep separate Accounts of the several Monies so received as aforesaid by the said several Bodies respectively, and shall also keep separate Accounts of the Monies received by the *Trinity House* for Lighthouse Tolls and Ballastage Rates respectively, and shall keep the Accounts of all Monies received by the *Trinity House* in such Names as the *Trinity House* may from Time to Time appoint; and all Monies received on account of such Tolls, Rates, Fees, or Payments as aforesaid after the Time at which this Act comes into operation, and all Cash Balances arising from such Tolls, Rates, Fees, or Payments which at that Time are in the Hands of the *Trinity House*, the Commissioners of Northern Lighthouses, the Port of *Dublin* Corporation, or the Board of Trade, shall, as the Board of Trade may direct, either be applied to defray Expenses, or be remitted to the said Paymaster General to be placed to the Credit of the said Mercantile Marine Fund Account; and all Investments arising from any such Tolls as aforesaid which at the Time when this Act comes into operation are in the Hands of the Commissioners of Northern Lighthouses or of the Port of *Dublin* Corporation shall be sold, and the Produce thereof shall be applied and remitted in like Manner; and all Monies so remitted shall, so far as regards the Application thereof, be treated as forming One aggregate Fund, and shall be from Time to Time transferred and applied as the Board of Trade may direct for all or any of the Purposes specified in this Act.

Establishments for Lighthouses and Ballastage charged on the Mercantile Marine Fund to be fixed by Her Majesty in Council.

VI. Her Majesty may from Time to Time, by and with the Advice of Her Privy Council, fix the Establishments to be maintained by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively on account of the Services of Lighthouses, and to be maintained by the *Trinity House* on account of the Services to which the said Ballastage Rates are to be applied aforesaid, or the annual or other Sums to be paid out of the said Mercantile Marine Fund in respect of such Establishments; and if it appears that any Part of the Establishments of the *Trinity House*, or of the Commissioners of Northern Lighthouses, or of the Port of *Dublin* Corporation respectively is maintained for the Purposes of this Act, and also for other Purposes, to fix and from Time to Time alter the Portion of the Expense of such Establishments to be paid out of the said Mercantile Marine Fund; and no Increase of any Establishment or Part of an Establishment so fixed shall be made without the Consent of the Board of Trade.

Estimates, &c. to be approved by Board of Trade.

VII. The *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively shall from Time to Time submit to the Board of Trade Estimates of all Expenses in respect

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respect of the Services aforesaid, other than the Establishment Expenses for the Time being allowed by Order in Council as aforesaid; and shall also, whenever in providing for any sudden Emergency it is necessary to incur Expense in respect of such Services without waiting until an Estimate can be sanctioned, as soon as possible send to the Board of Trade a full account of such Expense; and the Board of Trade shall consider and may approve such Estimates and Accounts, either with or without Variation.

No Expense to be allowed unless sanctioned by Board of Trade.

VIII. No Expense of the said *Trinity House*, the Commissioners of Northern Lighthouses, or the Port of *Dublin* Corporation in respect of the said Services shall be paid out of the said Mercantile Marine Fund, or allowed in Account, other than the Sums so allowed for Establishment Expenses as aforesaid, or included in Estimates of Accounts approved by the Board of Trade.

For the Purpose of erecting and repairing Lighthouses, &c., Treasury may advance Money.

IX. For the Purpose of the Erection and Repairs of Lighthouses, and of other extraordinary Expenses connected with the said Services or any of them, the Commissioners of Her Majesty's Treasury are authorized from Time to Time, upon the Application of the Board of Trade, to advance out of the growing Produce of the Consolidated Fund of the United Kingdom such Sums of Money, upon such Terms, and at such Rate of Interest as they may think fit, and to pay the same into the said Mercantile Marine Fund Account, so nevertheless that the whole Sum for the Time being due in respect of such Advances shall never at any One Time exceed Two hundred thousand Pounds; and upon any Advance being so made, the Sum so advanced and the Interest shall be a Charge on the said Mercantile Marine Fund, and upon the Tolls, Rates, Fees, and Payments so to be carried thereto as aforesaid; and the Board of Trade shall make such Provision for the Repayment thereof out of the said Fund, either by forming a Sinking Fund or otherwise, as the said Commissioners may require; provided that no such Advance shall prevent any lawful Reduction of any of the said Tolls, Rates, Fees, or Payments if such Reduction be assented to by the said Commissioners.

Power to Board of Trade to borrow Money on the Credit of the Fund.

X. The Board of Trade may also, for the Purpose last aforesaid, raise Money by mortgaging the said Mercantile Marine Fund, and the several Tolls, Rates, Fees, and Payments so to be carried thereto as aforesaid, or any of them, or any Part thereof, to any Body Corporate or Person; and every such Mortgage shall be in such Form, and under the Hand and Seal of such Person or Persons, as the President of the said Board for the Time being may direct; and no Body Corporate or Person lending Money upon any such Mortgage shall be bound to see to the Purpose for which the same is raised, or to the Mode in which it is applied.

Her Majesty may, by Order in Council, fix Tolls to be taken for new Lighthouses.

XI. Upon the Erection of any new Lighthouse Her Majesty may by Order in Council fix such Toll in respect thereof to be paid by the Master or Owner of every Ship which passes the same or derives Benefit therefrom as Her Majesty may deem reasonable, and may from Time to Time alter the Amount thereof; and such Toll shall be paid and collected in the same Manner, by the same Means, and subject to the same Conditions in, by, and subject to which the Lighthouse Tolls mentioned in the Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, are paid and collected.

Provisions for existing Debts and Charges.

XII. All Debts and Liabilities which have been duly incurred or undertaken by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively, before the passing of this Act, and which are such as if this Act had not been passed ought to have been paid out of the said Tolls and Rates, shall be paid or provided for out of the said Mercantile Marine Fund; and all Expenses of the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, in respect of any charitable or other Pensions, Superannuations, or other Allowances which have been lawfully granted or allowed by them respectively before the passing of this Act, and which are such as if this Act had not been passed ought to have been paid out of the said Tolls and Rates, shall be paid out of the said Mercantile Marine Fund during the respective Lives or Continuance in Office of the Persons receiving the same, or other Periods for which the same may have been granted or allowed; and if it appear that any Debts or Liabilities so incurred as aforesaid, or any of the Expenses in respect of charitable or other Pensions, and Superannuation or other Allowances, are Debts, Liabilities, or Expenses which if this Act had not been passed would have been paid partly out of the said Tolls and Rates and partly from other Sources, such Part thereof as the Board of Trade shall under the Circumstances of the Case think just shall be paid out of the said Mercantile Marine Fund; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation respectively shall submit to the Board of Trade Statements of all such Debts and Liabilities, and of all such Expenses or Parts of Expenses in respect of charitable or other Pensions, Superannuations or other Allowances, as are to be paid out of the said Mercantile Marine Fund, and also Estimates of the Sums which may be from Time to Time required to provide for the same; and no Payment in respect of any such Debt, Liability, or Expense shall be made out of the said Mercantile Marine Fund unless provided for by such Estimates, and approved by the Board of Trade.

Power to commute Pensions and grant Superannuation Allowances.

XIII. The *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation may from Time to Time, with the Sanction of the Board of Trade, commute any charitable or other Pensions or other Allowances payable out of the said Mercantile Marine Fund, or grant Superannuations or Compensations to Persons whose Salaries may be charged on the said Fund, and who may be discharged or may retire, so nevertheless that no Superannuation Allowance or Compensation to any Person so discharged or retiring shall exceed the Proportion of his Salary which might be granted under similar Circumstances to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances or Compensations for the Time being in force; and such Commutations,

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Superannuations, and Compensations shall from Time to Time be included in the Estimates to be submitted as aforesaid, and paid out of the said Fund.

Application of Ballastage Rates.

XIV. 'And whereas the Monies arising from Ballastage Rates are derived from local Sources, and it 'is expedient that the same should be applied for local Purposes:' Be it enacted, That, subject to the Payment of such Proportion of the Debts, Liabilities, and Expenses herein-before mentioned as may in the Opinion of the Board of Trade be fairly chargeable thereon, such Monies shall be applicable only to Services performed for the Purpose of supplying Ballast to or providing for the Safety or Convenience of such Ships as navigate the said River *Thames*, and the Seas and Channels leading thereto between *Orfordness* on the North and *Dungeness* on the South: Provided that if, in addition to the Duties hitherto performed in consideration of the said Ballastage Rates, the *Trinity House*, at the Request or with the Consent of the Owners or Masters of or Agents for any Ships, undertake to place Ballast on board thereof, or to unload Ballast therefrom, they shall be entitled to charge for such additional Duties such reasonable additional Rate *per* Ton for Ballast so placed on board or unladen as Her Majesty by Order in Council may from Time to Time approve.

Light Dues, &c. to be revised by Her Majesty in Council.

XV. Her Majesty may, by and with the Advice of Her Privy Council, from Time to Time, as Circumstances may appear to Her Majesty to permit, reduce all or any of the said Tolls or Rates received by the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, and may also from Time to Time increase or vary any of such Tolls or Rates; so that no Toll or Rate levied under any Authority existing at the Time of the passing of this Act be made to exceed the Amount which might have been demanded or received in respect thereof if this Act had not passed.

Fees received by the Board of Trade to be applied only in Payment for Services.

XVI. Subject to all Liabilities duly incurred or undertaken by or with the Sanction of the Board of Trade before the passing of this Act, such Part of the said Mercantile Marine Fund as arises from Fees and Payments received by the Board of Trade under the Acts herein-before mentioned in that Behalf shall be applied exclusively in or towards the Payment of Expenses duly incurred in carrying on the several Services herein-before mentioned, and for no other Purpose whatever; and it shall be lawful for the Board of Trade from Time to Time to reduce or alter the said Fees in such Manner as such Board may think fit, so that no Fee be demanded of greater Amount than could have been demanded if this Act had not passed.

Trinity House, &c. to account for Receipt and Expenditure to the Board of Trade.

XVII. The Sixty-second Section of the Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, shall be repealed; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation shall respectively account to the Board of Trade for their Receipts from the said Tolls and Rates so received by them as aforesaid, and for their Expenditure as regards Expenses paid out of the Mercantile Marine Fund, in such Form, and at such Times, and with such Details, Explanations, and Vouchers, as the Board of Trade may require, and shall, when required by the said Board, permit all Books of Accounts kept by or under their respective Direction to be inspected and examined by such Persons as the said Board may appoint for that Purpose.

Accounts of Mercantile Marine Fund to be audited by Commissioners of Audit.

XVIII. The Board of Trade shall render to the Commissioners for auditing the Public Accounts periodical Accounts of the whole of the Receipts and Expenditure of the said Mercantile Marine Fund, such Accounts to be signed and declared to by the Accountant appointed by the Board of Trade for that Purpose; and in case of Default it shall be lawful for the Commissioners of Her Majesty's Treasury to make or direct such Allowance as under the Circumstances of the Case they may think fit in respect thereof.

Accounts to be laid before Parliament.

XIX. The Board of Trade shall as soon as practicable after the Meeting of Parliament in every Year cause the Account of the Mercantile Marine Fund for the then preceding Year to be laid before both Houses of Parliament.

Board of Trade may appoint Persons to inspect Lighthouses.

XX. The Board of Trade may, upon Complaint to the Effect that any Lighthouse under the Management of the *Trinity House*, the Commissioners of Northern Lighthouses, or the Port of *Dublin* Corporation, or any Work connected therewith, is inefficient, or improperly managed, or unnecessary, authorize Persons to inspect the same; and every Person so authorized may enter and inspect the same accordingly, and make such Inquiries in respect thereof, and of the Management thereof, as he may think fit; and all Officers and others having the Care of such Lighthouses or concerned in the Management thereof, shall furnish all such Information and Explanations in relation thereto as he may require; and the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, and their respective Officers, shall at all Times give to the Board of Trade all such Returns, Explanations, or Information in relation to such Lighthouses and the Management thereof, and in relation to the several Services aforesaid, as such Board may from Time to Time require.

Section 43. of 6 & 7 W. 4. c. 79. repealed, and Trinity House, with Sanction of Board of Trade, to make Suggestions and give Directions to the other Lighthouse Boards.

XXI. The Forty-third Section of the said Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, shall be repealed; and the *Trinity House* may, with the Sanction of the Board of Trade, exercise the Powers given to them by the Forty-second Section of the same Act, and may further, with such Sanction as aforesaid, direct the Commissioners of Northern Lighthouses and the Port of *Dublin* Corporation respectively to erect any new Lighthouse, and to continue, remove, or alter any Lighthouse on or near the Coasts and Islands within their respective Jurisdictions, in such Manner as the *Trinity House* may think fit and as the Board of Trade may approve: Provided always, that the said *Trinity House*, on making Application to the Board of Trade to give their Sanction to any Directions or Suggestions proposed by the said *Trinity House* under the said Act of the Seventh Year of King *William* the Fourth, Chapter Seventy-nine, or under this Act, shall give Notice to the said Commissioners

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sioners or Corporation respectively of such their Application, by causing written Notice of the said Application and a Copy of the said proposed Directions or Suggestions to be left at the Office of the said Commissioners in *Edinburgh*, or at the Office of the said Corporation in *Dublin*, as the Case may be, and that after Opportunity has been afforded to the said Commissioners or Corporation respectively to submit their Observations, if they see fit, with respect to such Application to the said *Trinity House*, (a Copy of which Observations the said Commissioners and Corporation respectively may, if they see fit, transmit to the Board of Trade,) then if the said *Trinity House*, with the Concurrence of the Board of Trade, shall adhere to their said Directions or Suggestions, it shall be the Duty of the said Commissioners and Corporation respectively, and they are hereby required, to carry into effect within a reasonable Time thereafter any Directions or Suggestions proposed by the said *Trinity House* and sanctioned by the Board of Trade as aforesaid.

Property used for the Purpose of the said Services to be exempt from all Rates and Taxes.

XXII. All Lighthouses and Lighthouse Tolls, and all other Fees or Payments accruing to or forming Part of the said Mercantile Marine Fund, and all Premises or Property belonging to the *Trinity House*, the Commissioners of Northern Lighthouses, the Port of *Dublin* Corporation, or the Board of Trade, which are used or applied for the Purpose of any of the Services for which such Tolls, Fees, and Payments are received, shall be exempted from all public, parochial, or local Taxes of every Kind; and the Ships of the said *Trinity House*, Commissioners, and Corporation shall be privileged to enter or resort to all Ports, Piers, or Harbours in the United Kingdom and *Isle of Man*, without Payment of any Tolls, Dues, or Rates for the same.

Provisions of 8 & 9 Vict. c. 19. to apply to Land purchased for Lighthouses.

XXIII. The Lands Clauses Consolidation (*Scotland*) Act, 1845, shall apply to all Lighthouses erected by the Commissioners of Northern Lighthouses under any Powers given to them by any Act or Acts of Parliament, and to any Land which by any such Act or Acts they may be empowered to purchase; and all the Provisions of the said Lands Clauses Consolidation (*Scotland*) Act shall, so far as the same are in their Nature applicable thereto, apply to such Lighthouses and Land, and shall be construed as if the same were incorporated with the special Act or Acts by which such Powers as aforesaid are given.

Dues levied on Ships not to be sold or charged without Consent of the Board of Trade.

XXIV. No Dues, Tolls, Rates, or Charges, of what Nature soever, levied or leviable, or hereafter to be levied or leviable, on any Ships, or on any Goods carried in any Ships, in any Port of *Great Britain* or *Ireland* for any Purpose whatever, shall be sold, mortgaged, or charged in any Manner or for any Purpose without the Consent of the Board of Trade first obtained, such Consent to be signified by Writing under the Hand of One of the Secretaries or Assistant Secretaries to such Board; and any Sale, Mortgage, or Charge of any such Dues, Tolls, Rates, or Charges made after the passing of this Act without such Consent shall be absolutely void, except in the following Cases; that is to say, in the Case of any Sale, Mortgage, or Charge of any Dues, Tolls, Rates, or Charges levied for the Use of any Dock or other Undertaking intended solely for the Benefit of Shipping, where the Monies raised by the Sale, Mortgage, or Charge are to be applied exclusively for the Purposes of the Undertaking for the Use of which such Dues, Rates, Tolls, or Charges are levied or leviable, in the Case of any Mortgage or Charge made under the Authority of any Act of Parliament for the Purpose of raising Money to pay the Costs of any Work constructed or duly contracted for before the passing of this Act; and in the Case of any Mortgage or Charge made or continued under any Powers of reborrowing or continuing Money on Mortgage or Bond given by any Act of Parliament for the Purposes of any Work so constructed or contracted for as aforesaid.

Board of Trade Accounts.

Certain Sections of 13 & 14 Vict. c. 93. and 14 & 15 Vict. cc. 96. and 102 repealed.

XXV. The Eighteenth, One hundred and seventeenth, and One hundred and eighteenth Sections of "The Mercantile Marine Act, 1850," the Twenty-ninth and Thirty-first Sections of "The Mercantile Marine Act Amendment Act, 1851," and the Twenty-seventh, Twenty-eighth, Thirty-sixth, Fifty-first, and Fifty-sixth Sections of "The Seamen's Fund Winding-up Act, 1851," shall be repealed.

Penalties under Merchant Seamen's Act to be paid into Exchequer.

XXVI. All Penalties, Fines, and Forfeitures which under "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," "The Steam Navigation Act, 1851," and "The Seamen's Fund Winding-up Act, 1851," are made payable to the Board of Trade or as it may direct, shall, notwithstanding anything to the contrary in such Acts contained, be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Mode of dealing with Wages, &c. of deceased Seamen.

XXVII. In Cases of Wages or Effects of deceased Seamen received by the Board of Trade under "The Seamen's Fund Winding-up Act, 1851," to which no Claim is substantiated within Six Years after the Receipt thereof by such Board, it shall be in the absolute Discretion of such Board, if any subsequent Claim is made, either to allow or to refuse the same; and the Board of Trade shall from Time to Time pay any Monies arising from the unclaimed Wages and Effects of deceased Seamen, which in the Opinion of such Board it is not necessary to retain for the Purpose of satisfying Claims, into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and such Monies shall be carried to and made Part of the Consolidated Fund of the United Kingdom.

Property belonging to Merchant Seamen's Fund to be paid into Exchequer.

XXVIII. All Monies which under "The Seamen's Fund Winding-up Act, 1851," now are or may hereafter become Part of or applicable to the Purposes of the General Fund therein mentioned, shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct; and all Property, not being Money so forming Part of or being applicable to the Purposes of the said Fund as aforesaid, shall be sold, and the Produce thereof shall be paid into the Receipt of Her Majesty's Exchequer in like Manner; and all Monies so paid into the

Receipt

Board of Trade Accounts.

Receipt of Her Majesty's Exchequer shall be carried to and made Part of the Consolidated Fund of the United Kingdom.

Expenses of Merchant Seamen's Fund to be provided for by annual Vote.

XXIX. The several Payments and Expenses which by the said "Seamen's Fund Winding-up Act, 1851," are charged partly on the said General Fund therein mentioned, and partly on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, shall, except as regards the Payment to the Seamen's Hospital Society herein-after mentioned, be provided for by annual Votes of Parliament.

Gross Sum to be paid to Seamen's Hospital Society in lieu of annual Payments.

XXX. In lieu of the Payments heretofore made to the Seamen's Hospital Society under the said Seamen's Fund Winding-up Act, 1851, the Commissioners of Her Majesty's Treasury shall and they are hereby authorized, immediately on the passing of this Act, to direct the Payment to such Society, out of the Consolidated Fund of the United Kindom, of the Sum of Two thousand three hundred and fifty-one Pounds Five Shillings; and the said Commissioners shall also, at the End of each Year, direct Payment to such Society out of the said Consolidated Fund of an annual Sum equal in Amount to the Sum paid into the Exchequer in the same Year on account of Fines or Penalties inflicted under the Twenty-second Section of the Act of the Eighth Year of Her Majesty Queen *Victoria*, Chapter One hundred and twelve, to be applied by such Society according to the Directions contained in the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Nine.

Manning.

Part of 12 & 13 Vict. c. 29. as to manning repealed.

XXXI. So much of the Act of the Twelfth Year of Her Majesty Queen *Victoria*, Chapter Twenty-nine, as requires every *British* Ship to be navigated by a Master who is a *British* Subject and by a Crew of whom the whole or such Proportion as therein mentioned are *British* Subjects, shall be repealed.

Declaration to be made by Transferees of British Ships for the Purpose of proving themselves to be British Subjects.

XXXII. Whenever any Share or Shares in any *British* registered Ship is or are transferred to any Purchaser or Purchasers, unless such Ship is thereupon registered *de novo*, each such Transferee shall make and subscribe the following Declaration; (that is to say,)

'I [*or* we] [*Name or Names of the Transferee or Transferees*] do truly declare, That I [*or* we] am [*or* are] bonâ fide a British Subject [*or* British Subjects]. And I [*or* we] do further truly declare, that no Foreigner hath directly or indirectly any Interest whatever in the Share [*or* Shares] within transferred to me [*or* us].

'Declared before me this Day of 18 .

'Signature _____ { Collector, Comptroller, *or* Justice of the Peace, *as the Case may be.*'

And each such Transferee shall, if he resides at any Port or within Five Miles of the Custom House of any Port, make and subscribe the same before the Collector or Comptroller of such Port, and if he resides elsewhere, before some Justice of the Peace; and such Declaration shall be indorsed on the Bill of Sale or other Instrument of Transfer; and no such Bill of Sale or Instrument of Transfer as aforesaid shall be registered unless such Declaration has first been duly indorsed thereon and subscribed as herein-before required.

Ships unduly assuming British Character may be seized and brought in for Adjudication.

XXXIII. 'And whereas it is expedient to prevent the undue Assumption of the *British* Flag and 'National Character:' Be it enacted, That if any Person or Persons use the *British* Flag and assume the *British* National Character on board any Ship, owned in whole or in part by any Persons not being entitled by Law to own *British* Ships and navigate them under *British* Colours and Papers, for the Purpose of making such Ship appear to be a *British* Ship, it shall be lawful for any Officer on Full Pay in the Naval Service of Her Majesty, or any Officer of Customs, to seize and detain such Ship on the High Seas or in any *British* Port, and to bring her for Adjudication before the High Court of Admiralty or any Vice-Admiralty Court in Her Majesty's Dominions.

If the Simulation is proved, the Ship may be condemned.

XXXIV. If it is made to appear to such Court by competent Evidence that such Ship has been navigated under the *British* Flag and *British* Papers, though owned in whole or in part by any Person or Persons not entitled to own *British* Ships, contrary to the true Intent and Meaning of this Act, the said Court may pronounce the said Ship to be confiscated to Her Majesty, Her Heirs and Successors.

Volunteering into the Navy.

So much of 7 & 8 Vict. c. 112. as to Wages, instead of being paid at once, to be given to the Queen's Officer on account of the Seaman, repealed.

XXXV. So much of the Fifty-first Section of the Act of the Eighth Year of Her present Majesty, Chapter One hundred and twelve, as requires the proportionate Amount of the Wages of any Seaman who quits his Ship and enters Her Majesty's Naval Service, up to the Time of such Entry, to be paid to him thereupon, shall be repealed; and in all such Cases such proportionate Amount of Wages shall be paid as follows; that is to say, the Master of the said Ship shall pay the same, either in Money or by Bill drawn upon the Owner and payable at sight, to the Officer in command of Her Majesty's Ship into which the Seaman enters; and the Receipt of such Officer shall be a Discharge for the Money or Bill so given; and if such Wages are paid in Money, such Money shall be credited in the Muster Book of the Ship to the Account of the said Seaman, and if such Wages are paid by Bill, such Bill shall be sent home to the Accountant General of Her Majesty's Navy, who shall present the same or cause the same to be presented for Payment, and shall credit the Produce thereof to the Account of the said Seaman; and such Money or Produce, as the Case may be, shall be paid to the said Seaman at the Time when the Wages of the Crew of the Ship into which he enters are paid; provided that no Officer who receives any such Bill as aforesaid shall be subject to any Liability in respect thereof, except for the safe Custody thereof until sent to the said Accountant General as aforesaid; and if any such Bill is not duly paid when presented, the Seaman on whose Behalf the same is given may sue thereon, or may recover the Wages due to him by all or any of the same Means by which Wages due to Merchant Seamen are recoverable.

XXXVI. If

Volunteering into the Navy.

If new Seamen are engaged instead of the original Seamen, the Owner may apply for Repayment of the extra Expense he has been put to.

XXXVI. If in consequence of any Seaman so quitting his Ship without the Consent of the Master or Owner thereof, it becomes necessary for the Safety and proper Navigation of the said Ship to engage a Substitute or Substitutes, and if the Wages or other Remuneration paid to such Substitute or Substitutes for subsequent Service exceed the Wages or Remuneration which would have been payable to the said Seaman under his Agreement for similar Service, the Master or Owner of the said Ship may apply to the Registrar of the High Court of Admiralty in *England* for a Certificate authorizing the Repayment of such Excess; and such Application shall be in such Form, and shall be accompanied by such Documents, and by such Statements, whether on Oath or otherwise, as the Judge of the said Court may from Time to Time direct; and the said Registrar shall upon receiving any such Application give Notice thereof in Writing, and of the Sum claimed, to the Secretary to the Commissioners of the Admiralty, and shall proceed to examine the said Application, and may call upon the Registrar General of Seamen to produce any Papers in his Possession relating thereto, and may call for further Evidence; and if the whole of the Claim appears to him to be just, he shall give a Certificate accordingly, but if he considers that such Claim or any Part thereof is not just, he shall give Notice of such his Opinion in Writing under his Hand to the Person making the said Application or his Attorney or Agent; and if within Sixteen Days from the giving of such Notice such Person do not leave or cause to be left at the Office of the Registrar of the said Court a written Notice demanding that the said Application shall be referred to the Judge of the said Court, then the said Registrar shall finally decide thereon, and certify accordingly; but if such Notice be left as aforesaid, then the said Application shall stand referred to the said Judge in his Chambers, and his Decision thereon shall be final, and the said Registrar shall certify the same accordingly; and the said Registrar and Judge respectively shall in every Proceeding under this Act have full Power to administer Oaths, and to exercise all the ordinary Powers of the Court, as in any other Proceeding within its Jurisdiction; and the said Registrar or Judge (as the Case may be) may, if he thinks fit, allow, for the Costs of any Proceeding under this Act, any Sum not exceeding Five Pounds for each Seaman so quitting his Ship as aforesaid; and such Sum shall be added to the Sum allowed, and shall be certified by the said Registrar accordingly.

Application to be decided on, and Certificate for Amount given.

Costs not exceeding 5*l.* per Man may be given.

XXXVII. Every Certificate so given shall be sent by Post or otherwise to the Person making the Application, his Attorney or Agent, and a Copy thereof shall be sent to the Accountant General of Her Majesty's Navy; and such Accountant General shall, upon Delivery to him of the said original Certificate, together with a Receipt in Writing purporting to be a Receipt from the Master or Owner making the Application, pay to the Person delivering the same, out of the Monies applicable to the Naval Service of Her Majesty and granted by Parliament for the Purpose, the Amount mentioned in such Certificate; and such Certificate and Receipt shall absolutely discharge the said Accountant General and Her Majesty from all Liability in respect of the Monies so paid or of the said Application.

Accountant General to pay Sums so certified.

Desertion.

Seamen imprisoned for Desertion or Breach of Discipline may be sent on board before the Termination of the Sentence.

XXXVIII. If any Seaman or Apprentice is imprisoned in any Part of Her Majesty's Dominions on the Ground of his having neglected or refused to join any Ship in which he is engaged to serve, or of having deserted or otherwise absented himself therefrom without Leave, or of his having committed any other Breach of Discipline, and if during such Imprisonment, and before his Engagement is at an end, his Services are required on board his Ship, any Justice may, at the Request of the Master or of the Owner or his Agent, cause such Seaman or Apprentice to be conveyed on board his said Ship for the Purpose of proceeding on the Voyage, or to be delivered to the Master or any Mate of the Ship, or the Owner or his Agent, to be by them so conveyed, notwithstanding that the Termination of the Period for which he was sentenced to Imprisonment has not arrived.

Lascar Seamen for Australia.

Contracts may be made with Natives in India under certain Conditions binding them to go to Australia, and thence to serve in other Ships to the United Kingdom.

XL. 'And whereas it is expedient to give Facilities for obtaining Seamen in the *Australian* Colonies:' Be it enacted, That it shall be lawful for any Master of a Ship, or any Owner of a Ship, or his Agent, to enter into Contracts with Lascars or Natives of the Territories of the *East India* Company, binding them to proceed to any Port or Ports in the *Australian* Colonies either as Seamen or as Passengers, and there to engage themselves as Seamen in any Ship bound to the United Kingdom, or to any other Part of Her Majesty's Dominions; provided that every such Contract shall be in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country and for other Purposes, as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the Contract is made in Council may direct; and if any Lascar or other Person who has bound himself by any such Contract is, on arriving in any of the said Colonies, required to enter into an Agreement to serve as a Seaman in any Ship bound for the United Kingdom or to any other Part of Her Majesty's Dominions, and if it is certified by some Officer appointed for that Purpose by the Governor of the said Colony that such Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Contract, and that the Ship to which such Agreement relates is a proper Ship for such Lascar or other Person to serve in, and is properly supplied with Provisions, and that there is not in the Opinion of such Officer any Objection to the full Performance of the said Contract, such Lascar or other Person shall be bound to enter into the said Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes One of the Crew of the Ship; and if he refuses to enter into such Agreement he shall, notwithstanding such Refusal, be liable to the same Consequences, and be dealt with in all respects in the same Manner, as if he had voluntarily entered into the same; and for every Lascar or other Person in respect of whom such Certificate is applied for, the Person applying for the same shall pay to such Officer as aforesaid such Fee as the Governor of the Colony may appoint.

Salvage.

As to Salvage Services rendered by Her Majesty's Ships.

XXXIX. In Cases where Salvage Services are rendered by any Ship belonging to Her Majesty, or by the Commander or Crew thereof, no Claim shall be made or allowed for any Loss, Damage, or Risk thereby caused to such Ship, or to the Stores, Tackle, or Furniture thereof, or for the Use of any Stores or other Articles belonging to Her Majesty supplied in order to effect the Salvage Service, or for any other Expense or Loss sustained by Her Majesty by reason of such Services.

Steps to be taken when Salvage Services have been rendered by Her Majesty's Ships abroad.

XLI. Whenever Services for which Salvage is claimed are rendered to any Ship or Cargo, or to any Part of any Ship or Cargo, or to any Appurtenances of any Ship, at any Place out of the United Kingdom of *Great Britain* and *Ireland* and the Four Seas adjoining thereto, by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, the Property alleged to be salved shall, if the Salvor is justified by the Circumstances of the Case in detaining it at all, be taken to some Port where there is either a Consular Officer or Vice-Admiralty Court; and within Twenty-four Hours after arriving at such Port the said Salvor and the Master or other Person in charge of the Property alleged to be salved shall each deliver to the Consular Officer or Vice-Admiralty Judge there a Statement verified on Oath, specifying, so far as they respectively can, and so far as the Particulars required apply to the Case,

a. The Place, Condition, and Circumstances in which the said Ship, Cargo, or Property was at the Time when the Services were rendered for which Salvage is claimed;

b. The Nature and Duration of the Services rendered:

And the Salvor shall add to his Statement,

c. The Proportion of the Value of the said Ship, Cargo, and Property, and of the Freight which he claims for Salvage, or the Values at which he estimates the said Ship, Freight, Cargo, and Property respectively, and the several Amounts that he claims for Salvage in respect of the same;

d. Any other Circumstances he thinks relevant to the said Claim:

And the said Master or other Person in charge of the said Ship, Cargo, or Property shall add to his Statement,

e. A Copy of the Certificate of Registry of the said Ship, and of the Indorsements thereon, stating any Change which (to his Knowledge or Belief) has occurred in the Particulars contained in such Certificate;

f. The Name and Place of Business or Residence of the Freighter (if any) of the said Ship, and the Freight to be paid for the Voyage she is then on;

g. A general Account of the Quantity and Nature of the Cargo at the Time the Salvage Services were rendered;

h. The Name and Place of Business or Residence of the Owner of such Cargo and of the Consignee thereof;

i. The Values at which the said Master estimates the said Ship, Cargo, and Property, and the Freight respectively, or, if he thinks fit, in lieu of such estimated Value of the Cargo, a Copy of the Ship's Manifest;

j. The Amounts which the Master thinks should be paid as Salvage for the Services rendered;

k. An accurate List of the Property saved, in Cases where the Ship is not saved;

l. An Account of the Proceeds of the Sale of the said Ship, Cargo, or Property, in Cases where the same or any of them are sold at such Port as aforesaid;

m. The Number, Capacities, and Condition of the Crew of the said Ship at the Time the said Services were rendered;

Any other Circumstances he thinks relevant to the Matters in question;

A Statement of his Willingness to execute a Bond, in the Form in the Schedule hereto annexed, in such Amount as the said Consular Officer or Vice-Admiralty Judge shall fix.

Consular Officer or Judge to fix Amount for which a Bond is to be given;

XLII. The said Consular Officer or Vice-Admiralty Judge, as the Case may be, shall, within Four Days after receiving the aforesaid Statements, fix the Amount to be inserted in the said Bond at such Sum as he shall to the best of his Judgment think to be sufficient to answer the Demand for the Salvage Services rendered, but so that such Sum shall never exceed One Half of the Value which he puts upon the said Ship, Freight, and Cargo, or those of them or the Parts thereof in respect of which Salvage is claimed; and the said Consular Officer or Judge may, if either of the aforesaid Statements is not delivered to him within the Time hereby required, proceed *ex parte;* but he shall in no Case under this Act require the Cargo to be unladen; and the said Consular Officer may in any Proceeding under this Act relating to Salvage take Affidavits and receive Affirmations.

and send Notice thereof to the Master.

XLIII. The said Consular Officer or Judge shall send Notice of the Sum which he has so fixed as aforesaid to the said Salvor and the said Master or other Person in charge as aforesaid; and upon such Master or other Person executing a Bond in the Form in the Schedule hereto annexed, with the said Sum inserted therein, in the Presence of the said Consul or Judge (who shall attest the same), and delivering the same to the said Salvor, the Right of the said Salvor to detain or retain Possession of the said Ship, Cargo, or Property, or any of them, in respect of the said Salvage Claim, shall cease.

On Master executing Bond, Right of Detention to cease.

Provision for additional Security in the Case of Ships owned by Persons resident out of Her Majesty's Dominions.

XLIV. Provided, That if the Ship, Cargo, or Property in respect of which the Claim for Salvage is made, is not owned by Persons domiciled in Her Majesty's Dominions, the Right of the Salvor to detain or retain Possession thereof shall not cease unless the Master or other Person in charge thereof procures, in addition to the said Bond, such Security for the due Performance of the Conditions thereof as the said Officer or Judge considers sufficient for the Purpose, and places the same in the Possession or Custody of the said Officer or Judge, or, if the Salvor so desires, in the Possession or Custody of the said Officer or Judge jointly with any other Person whom the said Salvor may appoint for the Purpose.

XLV. The

Salvage.

XLV. The said Consular Officer or Judge shall at the earliest Opportunity transmit the said Statements and Documents so sent to him as aforesaid, and a Notice of the Sum he has so fixed as aforesaid, to the High Court of Admiralty of *England*, or if the said Salvor and the said Master or other Person in charge as aforesaid agree that the said Bond shall be adjudicated upon by any Vice-Admiralty Court, to such Court.

Documents to be sent to England.

XLVI. The said Bond shall bind the respective Owners of the said Ship, Freight, and Cargo, and their respective Heirs, Executors, and Administrators, for the Salvage adjudged to be payable in respect of the said Ship, Freight, and Cargo respectively.

Whom the Bond shall bind.

XLVII. The said Bond shall be adjudicated on and enforced by the High Court of Admiralty in *England*, or if the said Salvor and Master or other Person at the Time of the Execution of the said Bond agree upon any Vice-Admiralty Court, then by such Vice-Admiralty Court; and any such Vice-Admiralty Court shall and may, in every Proceeding under this Act, have and exercise all and singular the Powers and Authorities whatsoever which the said High Court of Admiralty now has or at any Time may have in any Proceeding whatsoever before it; and in Cases where any Security for the due Performance of the Conditions of the said Bond has been placed in the Possession or Custody of the said Consular Officer or Vice-Admiralty Judge, or of such Officer or Judge jointly with any other Person, they shall respectively deal with the said Security in such Manner as the Court which adjudicates on the Bond may direct.

Court in which it is to be adjudicated on.

XLVIII. The said High Court of Admiralty shall have Power to enforce any Bond given in pursuance of this Act in any Vice-Admiralty Court in any Part of Her Majesty's Dominions; and all Courts in *Scotland*, *Ireland*, and the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man* exercising Admiralty Jurisdiction shall upon Application aid and assist the High Court of Admiralty in enforcing the said Bonds.

Power of High Court of Admiralty to enforce Bonds.

XLIX. Any such Salvor as aforesaid of any Ship, Cargo, or Property who may elect not to proceed under this Act, shall have no Power to detain the said Ship, Cargo, or Property, but may proceed otherwise for the Enforcement of his Salvage Claim as if this Act had not been passed; and nothing in this Act contained shall abridge or affect the Rights of Salvors, except in the Cases by it provided for.

Saving Clause.

L. Whenever Services for which Salvage is claimed are rendered either by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, or of any other Ship, and the Salvor voluntarily agrees to abandon his Lien upon the Ship, Cargo, and Property alleged to be salved, upon the Master or other Person in charge thereof entering into a written Agreement, attested by Two Witnesses, to abide the Decision of the said High Court of Admiralty or of any Vice-Admiralty Court, and thereby giving Security in that Behalf to such Amount as may be agreed on by the Parties to the said Agreement, such Agreement shall bind the said Ship and the said Cargo and the Freight payable therefor respectively, and the respective Owners of the said Ship, Freight, and Cargo for the Time being, and their respective Heirs, Executors, and Administrators, for the Salvage which may be adjudged to be payable in respect of the said Ship, Cargo, and Freight respectively to the Extent of the Security so given as aforesaid, and may be adjudicated upon and enforced in the same Manner as the Bonds above mentioned; and upon such Agreement being made, the Salvor and the Master or other Person in charge as aforesaid shall respectively make such Statements as are herein-before required to be made by them in case of a Bond being given, except that such Statements need not be made upon Oath; and the Salvor shall, as soon as practicable, transmit the said Agreement and the said Statements to the Court in which the said Agreement is to be adjudicated upon.

Voluntary Agreements may be made which shall have the same Effect as Bonds above mentioned.

LI. All Bonds, Statements, Agreements, and other Documents made or executed in pursuance of such Parts of this Act as relate to Salvage shall, if so made or executed out of the United Kingdom, be exempt from Stamp Duty, and shall be received in Evidence, though unstamped.

Documents free from Duty.

Penal Cla ses.

LII. Every Person who, in making or supporting any such Application as aforesaid to the Registrar of the High Court of Admiralty, or who in any Proceeding under this Act in respect of Salvage, fraudulently forges, alters, or procures to be forged or altered, any Document, and every Person who in making or supporting any such Application or in any such Proceeding puts off or makes use of any such forged or altered Document, or who in making or supporting any such Application or in any such Proceeding gives or makes or procures to be given or made, or assists in giving or making or procuring to be given or made, any false Evidence or Representation, knowing the same to be false, or who in any such Declaration as herein-before required upon the Purchase of any Share or Shares in any Ship makes any false Statement or Representation, shall be punishable with Imprisonment, with or without Hard Labour, for a Period not exceeding Two Years, or, if summarily prosecuted and convicted, by Imprisonment, with or without Hard Labour, for a Period not exceeding Six Months.

Punishment for Forgery and false Representations.

LIII. All Criminal Proceedings under this Act shall be carried on in the same Manner as similar Proceedings under the said Mercantile Marine Act, 1850, and all Rules of Law, Practice, and Evidence which are applicable to such last-mentioned Proceedings shall be applicable to Criminal Proceedings under this Act.

Mode of Procedure in Criminal Cases.

Procedure in Scotland under Merchant Service Acts.

LIV. All Offences which by the Act of the Eighth Year of Her present Majesty, Chapter One hundred and twelve, the Act of the Ninth Year of Her present Majesty, Chapter One hundred and sixteen, "The Mercantile Marine Act, 1850," "The Mercantile Marine Act Amendment Act, 1851," "The Steam Navigation Act, 1851," "The Seamen's Fund Winding-up Act, 1851," or this Act, are described as Misdemeanors, or are made punishable by Imprisonment for Periods exceeding Six Months, may, in *Scotland*, be prosecuted by Indictment or Criminal Letters at the Instance of Her Majesty's Advocate before

All Offences under 7 & 8 Vict. c. 112.,

8&9 Vict. c. 116., 13 & 14 Vict. c. 93. 14 & 15 Vict. c. 96., 79., & 103., punishable as Misdemeanors.

before the High Court of Justiciary, or by Criminal Libel at the Instance of the Procurator Fiscal of the County before the Sheriff, and shall be punishable with Fine and with Imprisonment with or without Hard Labour in default of Payment, or with Imprisonment with or without Hard Labour, or with both, as the Court may think fit; and such Court may also, if it think fit, order Payment by the Offender of the Costs and Expenses of the Prosecution: Provided always, that nothing herein contained shall be held or construed to extend to the Prosecution of Offences punishable by Transportation.

Summary Proceedings. Penalties how to be sued for.

LV. All Prosecutions, Complaints, Actions, or Proceedings, whether of a criminal or civil Nature, under any of the said last-mentioned Acts, other than Prosecutions for Offences described as Misdemeanors or punishable by Transportation, may be brought in a summary Form before the Sheriff of the County, or before any Two Justices of the Peace of the County or Burgh where the Cause of such Prosecution or Action arises, or where the Offender or Defender may be for the Time.

LVI. All Penalties imposed by the said Acts may be sued for and recovered, with the Costs of Prosecution, before the Sheriff or any Two Justices as aforesaid, at the Instance of the Party to whom such Penalty is made payable in whole or in part, with Concurrence of the Procurator Fiscal of Court, or at the Instance of the Procurator Fiscal of Court where such Penalty is not made payable either in whole or in part to any private Party.

Form of Complaint, &c.

LVII. All Prosecutions, Complaints, Actions, or other Proceedings under the said Act may be brought either in a written or printed Form, or partly written and partly printed, and where such Proceedings are brought in a summary Form it shall not be necessary in the Complaint to recite or set forth the Clause or Clauses of the Act on which such Proceeding is founded, but it shall be sufficient to specify or refer to such Clause or Clauses, and to set forth shortly the Cause of Complaint or Action, and the Remedy sought; and when such Complaint or Action is brought in whole or in part for the Enforcement of a pecuniary Debt or Demand, the Complaint may contain a Prayer for Warrant to arrest upon the Dependence.

Mode of requiring Appearance of Defender and Witnesses.

LVIII. On any Complaint or other Proceeding brought in a summary Form under the said Acts being presented to the Sheriff Clerk or Clerk of the Peace, he shall grant Warrant to cite the Defender to appear personally before the said Sheriff or Justices of the Peace on a Day fixed, not less than Three Days after a Copy of the Complaint or other Proceeding has been served upon him, and at the same Time shall appoint a Copy of the same to be delivered to him by a Sheriff Officer or Constable, as the Case may be, along with the Citation; and such Deliverance shall also contain a Warrant for citing Witnesses and Havers to compear at the same Time and Place, to give Evidence and produce such Writs as may be specified in their Citation; and where such Warrant has been prayed for in the Complaint or other Proceeding, the Deliverance of the Sheriff Clerk or Clerk of the Peace shall also contain Warrant to arrest upon the Dependence in common Form: Provided always, that Service made on any Party or Witness by leaving a Copy of Citation for him on board of any Ship to which he may belong shall be of equal Force and Effect as Service made at his Dwelling House.

Backing Arrestments.

LIX. When it shall become necessary to execute such Arrestment on the Dependence against Goods or Effects of the Defender within *Scotland*, but not locally situated within the Jurisdiction of the Sheriff or Justices of the Peace by whom the Warrant to arrest has been granted, it shall be competent to carry the Warrant into execution on its being indorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh respectively within which such Warrant comes to be executed.

Compelling Attendance of Witnesses.

LX. That in all Proceedings under the said Acts the Sheriff or Justices of the Peace shall have the same Power of compelling Attendance of Witnesses and Havers as in Cases falling under their ordinary Jurisdiction.

Proceedings to be vivâ voce.

LXI. The whole Procedure in Cases brought in a summary Form before the Sheriff or Justices of the Peace shall be conducted *vivâ voce*, without written Pleadings, and without taking down the Evidence in Writing, and no Record shall be kept of the Proceedings other than the Complaint and the Sentence or Decree pronounced thereon.

Power to adjourn.

LXII. It shall be in the Power of the Sheriff or Justices of the Peace to adjourn the Proceedings from Time to Time to any Day or Days to be fixed by them, in the event of Absence of Witnesses or of any other Cause which shall appear to them to render such Adjournment necessary.

Sentence to be in Writing.

LXIII. All Sentences and Decrees to be pronounced by the Sheriff or Justices of the Peace upon such summary Complaints shall be in Writing; and where there is a Decree for Payment of any Sum or Sums of Money against a Defender, such Decree shall contain Warrant for Arrestment, Poinding, and Imprisonment in default of Payment, such Arrestment, Poinding, or Imprisonment to be carried into effect by Sheriffs Officers or Constables, as the Case may be, in the same Manner as in Cases arising under the ordinary Jurisdiction of the Sheriff or Justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the Fifth and Sixth Years of *William* the Fourth, intituled *An Act for abolishing, in* Scotland, *Imprisonment for Civil Debts of small Amount.*

Imprisonment to be inflicted in default of Payment.

5 & 6 W. 4. c. 70.

Sentence, Penalties, &c. in default of Defender's Appearance.

LXIV. In all summary Complaints and Proceedings for Recovery of any Penalty or Sum of Money, if a Defender who has been duly cited shall not appear at the Time and Place required by the Citation, he shall be held as confessed, and Sentence or Decree shall be pronounced against him in Terms of the Complaint, with such Costs and Expenses as to the Court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such Decree at any Time before the same be fully implemented, by lodging with the Clerk of Court a Reponing Note, and consigning in his Hands the Sum decerned for and the Costs which had been awarded by the Court, and on the same Day delivering

or

or transmitting through the Post to the Pursuer or his Agent a Copy of such Reponing Note; and a Certificate by the Clerk of Court of such Note having been lodged shall operate as a Sist of Diligence till the Cause shall have been reheard and finally disposed of, which shall be on the next Sitting of the Court, or on any Day to which the Court shall then adjourn it. *Procedure in Scotland.*

LXV. In all summary Complaints or other Proceedings not brought for the Recovery of any Penalty or Sum of Money, if a Defender, being duly cited, shall fail to appear, the Sheriff or Justices may grant Warrant to apprehend and bring him before the Court. Warrant to apprehend in default of Appearance.

LXVI. In all Cases where Sentences or Decrees of the Sheriff or Justices require to be enforced within *Scotland*, but beyond the Jurisdiction of the Sheriff or Justices by whom such Sentences or Decrees have been pronounced, it shall be competent to carry the same into execution, upon the same being endorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh within which such Execution is to take place. Backing Sentences or Decrees.

LXVII. No Order, Decree, or Sentence pronounced by any Sheriff or Justice of the Peace under the Authority of this Act shall be quashed or vacated for any Misnomer, Informality, or Defect of Form; and all Orders, Decrees, and Sentences so pronounced shall be final and conclusive, and not subject to Suspension, Advocation, Reduction, or to any Form of Review or Stay of Execution, except on the Ground of Corruption or Malice on the Part of the Sheriff or Justices, in which Case the Suspension, Advocation, or Reduction must be brought within Fourteen Days of the Date of the Order, Decree, or Sentence complained of: Provided always, that no Stay of Execution shall be competent to the Effect of preventing immediate Execution of such Order, Decree, or Sentence. Orders not to be quashed for Want of Form; and to be final.

LXVIII. Such of the general Provisions with respect to Procedure and Penalties contained in the said last-mentioned Acts as are not inconsistent with the special Rules herein-before laid down for the Conduct of legal Proceedings and the Recovery of Penalties in *Scotland*, shall, so far as the same are applicable, extend to such last-mentioned Proceedings and Penalties. General Rules, so far as applicable, to extend to Penalties and Proceedings in Scotland.

The SCHEDULE referred to in the foregoing Act.

BOND IN PURSUANCE OF "THE MERCHANT SHIPPING LAW AMENDMENT ACT, 1853."

[N.B.—*Any of the Particulars not known, or not required, by reason of the Claim being only against the Cargo, &c., may be omitted.*]

WHEREAS certain Salvage Services are alleged to have been rendered by the Ship [*insert Names of Ship and of Commander*], Commander, to the Merchant Ship [*insert Names of Ship and Master*], Master, belonging to [*Name and Place of Business or Residence of Owner of Ship*], freighted by [*the Name of the Freighters*], and to the Cargo therein, consisting of [*state very shortly the Descriptions and Quantities of the Goods and the Names and Addresses of their Owners and Consignees*]:

And whereas the said Ship and Cargo have been brought into the Port of [*insert Name and Situation of Port*], and a Statement of the Salvage Claim has been sent to [*insert the Name of the Consular Officer or Vice-Admiralty Judge, and of the Office he fills*], and he has fixed the Amount to be inserted in this Bond at the Sum of [*state the Sum*]:

Now I, the said [*Master's Name*], do hereby, in pursuance of the above-mentioned Act, bind the several Owners for the Time being of the said Ship and of the Cargo therein, and of the Freight payable in respect of such Cargo, and their respective Heirs, Executors, and Administrators, to pay among them such Sum not exceeding the said Sum of [*state the Sum fixed*], in such Proportions and to such Persons as [*if the Parties agree on any other Court, substitute the Name of it here*] the High Court of Admiralty in England shall adjudge to be payable as Salvage for the Services so alleged to have been rendered as aforesaid.

In witness whereof I have hereunto set my Hand and Seal this [*insert the Date*] Day of

Signed, sealed, and delivered by the said [*Master's Name*].

(L.S.)

In the Presence of [*Name of Consular Officer or Vice-Admiralty Judge, and of the Office he fills.*]

CAP. CXXXII.

An Act to extend the Provisions of an Act of the present Session for redeeming or commuting the Annuity payable to the *South Sea* Company and certain Annuities of Three Pounds *per Centum per Annum*, and to provide for Payments to be made under the said Act.

[20th *August* 1853.]

'WHEREAS under the Act of the present Session of Parliament (Chapter Twenty-three), "for "redeeming or commuting the Annuity payable to the *South Sea* Company and certain Annuities "of Three Pounds *per Centum per Annum*, and for creating new Annuities of Three Pounds Ten "Shillings *per Centum per Annum* and Two Pounds Ten Shillings *per Centum per Annum*, and issuing "Exchequer Bonds," certain Periods of Time were allowed to the said *South Sea* Company and to the 'Proprietors of the Annuities therein mentioned to signify their Assents for the Commutation or 'Exchange of their respective Annuities into or for the new Annuities and Exchequer Bonds to be 'created and issued under the said Act: And whereas the *South Sea* Company have not signified any 16 Vict. c. 23.

'Assent

'Assent within the Period allowed to them as aforesaid: And whereas under the Constitution of the 'South Sea Company no Persons are capable of voting at any General Court of the Company save those 'who have Five hundred Pounds or more of the Capital Stock of the Company in their own Name and 'Right: And whereas it is expedient that the Parties interested in the Stock in respect of which no Vote 'could be given in the General Court of the Company should be enabled to commute the same as herein-'after mentioned, and that the said Company should be allowed to commute upon the like Terms such 'Sum as may be invested as a Guarantee Fund in case they should be authorized by Parliament to under-'take the Administration of private Trusts: And whereas it is necessary to provide for paying off such 'Parties as have not and shall not signify their Assent to Commutation under the said Act or this Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

South Sea Company may commute, according to the Provisions of 16 Vict. c. 23., or for 3*l.* 5*s.* per Cent. Annuities, 1844, Annuity on their Stock belonging to Proprietors disabled from voting in General Courts.

I. If the *South Sea* Company shall, in pursuance of any Offer of Commutation to be made by the Commissioners of Her Majesty's Treasury under the Powers of this Act, signify to the Commissioners of Her Majesty's Treasury in Writing, under the Common Seal of such Company, their Assent to commute and exchange any Part or Parts of the Annuity or Interest on their Trading or Capital Stock into or for any One or more of the New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds authorized to be created and issued respectively by the said Act of the present Session, Chapter Twenty-three, and the Three Pounds Five Shillings *per Centum* Annuities and New Three Pounds *per Centum* Annuities created under Two Acts of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapters Four and Five, or like Annuities to be created under this Act (herein-after referred to as Three Pounds Five Shillings *per Centum* Annuities, 1844), the said Company shall be permitted to make such Commutation or Exchange accordingly, upon the Terms herein-after mentioned; (that is to say,) such Commutation or Exchange into or for the said Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds respectively to be upon the Terms and subject to the Conditions upon and subject to which such Commutation or Exchange was authorized under the said Act of the present Session, Chapter Twenty-three, and such Commutation or Exchange into or for the said Three Pounds Five Shillings *per Centum* Annuities, 1844, to be upon such Terms and subject to such Conditions as the Commissioners of Her Majesty's Treasury may see fit to offer; provided that the said Company shall, upon signifying any such Assent as aforesaid, certify that the Annuities and Bonds respectively to be taken by them under such Commutation and Exchange will, under the Authority of an Act enabling the said Company to enter into Arrangements with the Proprietors thereof, and by virtue of Consents or Authorities previously signified under the Provisions of such Act, be appropriated in respect of Shares of their Trading or Capital Stock standing in the Names of the Accountants General of the Courts of Chancery of *England* and *Ireland* respectively, and of the Accountant in Bankruptcy in *England*, and of Trustees and others disabled from voting in respect of such Shares in the General Court of the said Company, or in the Names of some of the Parties aforesaid, as the Case may be.

South Sea Company, if authorized to undertake private Trusts, may commute for the Purpose of forming a Guarantee Fund.

II. In case the said *South Sea* Company shall by any Act of the present Session of Parliament have been authorized to undertake the Administration of private Trusts, and the said Company or the Court of Directors thereof, under their Common Seal, or under the Hands of Six of the Directors of the said Company, shall, in pursuance of any Offer of Commutation to be made by the Commissioners of Her Majesty's Treasury under the Powers of this Act, signify their Assent to commute or exchange any Part of the Annuity or Interest payable on their Trading or Capital Stock, for the Purpose of the Investment of the Annuities or Bonds to be received under such Commutation or Exchange as a Guarantee Fund for such Administration of private Trusts, the said Company or such Court of Directors thereof shall be permitted to make such Commutation or Exchange accordingly into any One or more of the said Annuities and Bonds authorized to be created and issued by the said Act of the present Session, Chapter Twenty-three, or the said Three Pounds Five Shillings *per Centum* Annuities, 1844, upon the same Terms and subject to the like Conditions as are herein granted in respect of the Commutation and Exchange of such other Part of the Annuity or Interest on their Trading or Capital Stock as the Company are permitted to commute or exchange.

Treasury to appoint Times within which Assents of Company to commute shall be signified, and to fix Terms of Commutation into 3*l.* 5*s.* per Cent. Annuities.

III. It shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or from Time to Time before the Twenty-fifth Day of *December* One thousand eight hundred and fifty-three, by Warrant under their Hands to offer to the *South Sea* Company such Commutation as is authorized by this Act, either for the Purposes of an Appropriation of Annuities or Bonds in respect of the Shares of the Parties herein-before mentioned, or any of them, or for the Purpose of the said Guarantee Fund, and to limit the Time or respective Times with reference to the Purposes for which such Commutation is to be made, but not later in any Case than the Fifth Day of *January* One thousand eight hundred and fifty-four, within which the said *South Sea* Company or the Court of Directors thereof shall be permitted to signify their Assent to commute or exchange in pursuance of such Offer, and the said Commissioners shall in every such Warrant specify the Price or Rate at which Three Pounds Five Shillings *per Centum* Annuities, 1844, may be taken by the said Company on any Commutation in pursuance of such Offer into such Annuities of any Part of the Annuity or Interest payable on their Trading or Capital Stock.

Provisions of 16 Vict. c. 23. to extend to

IV. All the Provisions of the said Act of the present Session, Chapter Twenty-three, in relation to the Commutation and Exchange thereby authorized, and the Stock and Exchequer Bonds to be created and issued respectively for the Purposes of such Commutation and Exchange, shall extend to the Commutation and

and Exchange authorized by this Act, and to the Stocks and Exchequer Bonds to be created and issued for the Purposes of such Commutation and Exchange, save as herein expressly provided.

Commutation under this Act.

V. In case the said *South Sea* Company shall, under the Provisions of this Act, signify to the Commissioners of Her Majesty's Treasury their Assent to commute or exchange any Part of the Annuity or Interest payable on their Trading or Capital Stock into or for Three Pounds Five Shillings *per Centum* Annuities, 1844, the Commissioners of Her Majesty's Treasury shall thereupon, by Warrant under their Hands, authorize and direct the Governor and Company of the Bank of *England* to enter or cause to be entered into the Name of the said *South Sea* Company in the Books of the said Governor and Company the Amount or Amounts of Three Pounds Five Shillings *per Centum* Annuities, 1844, to which the said Company may be entitled under such Assent.

Treasury may give Directions for creating the 3*l.* 5*s.* per Cent. Annuities to which the Company may be entitled on Commutation.

VI. The Annuities which shall be created from Time to Time as aforesaid by virtue of this Act shall be deemed and taken to be and shall from Time to Time be added to and shall form Part of the Capital of the said Three Pounds Five Shillings Annuities and New Three Pounds *per Centum* Annuities created under the said Acts of the Seventh Year of Her Majesty, Chapters Four and Five, and the Dividends arising thereon shall, as the same shall become due, be charged upon and issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in like Manner as the Dividends on the Annuities now forming the said Capital.

Annuities so created to form Part of the Capital of 3*l.* 5*s.* per Cent. Annuities, 1844.

VII. Provided always, That a Quarter of a Year's Dividends or Interest, and no more, shall be paid on the Fifth Day of *April* One thousand eight hundred and fifty-four, on any Sum or Share of the said Three Pounds Five Shillings *per Centum* Annuities for or into which any Part of the Annuity or Interest on the Trading or Capital Stock of the said Company may have been commuted or exchanged under this Act.

On First Dividend Day only One Quarter's Dividend on 3*l.* 5*s.* per Cent. to be payable.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to direct to be charged upon and to be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, from Time to Time, such Sum or Sums of Money as shall be required for paying off any of the Proprietors of the Capital Stocks of Old *South Sea* Annuities, New *South Sea* Annuities, Bank Annuities, 1726, and Three Pounds *per Centum* Annuities, 1751, mentioned in the said Act of the present Session, Chapter Twenty-three, in respect of whose Annuities Assents to commute shall not have been signified according to the said Act, and also for paying to the said *South Sea* Company the Sum payable to such Company under the said Act in respect of the Amount of the Trading or Capital Stock of the said Company, or the Part thereof the Interest or Annuity on which shall not have been commuted or exchanged according to the said Act of the present Session of Parliament or this Act.

Treasury may direct the Payment of such Sum as may be required for paying off Annuities and Stock not commuted under 16 Vict. c. 23. or this Act.

IX. 'And whereas the Commissioners of Her Majesty's Treasury, in exercise of the Authority vested 'in them by the Third Section of the said Act, have fixed the Rate of Interest to be payable and paid on 'such Exchequer Bonds as may be issued under the Authority of the said Act at Two Pounds Fifteen 'Shillings *per Centum per Annum* for the Period which shall elapse from the issuing such Bonds up to the 'First Day of *September* in the Year One thousand eight hundred and sixty-four, the Bonds to carry 'Interest thereafter at the Rate of Two Pounds Ten Shillings *per Centum per Annum* as provided by the 'said Act, and have determined that such Exchequer Bonds shall, after the First Day of *September* One 'thousand eight hundred and ninety-four, be redeemable at Par at the Option of the Commissioners of Her 'Majesty's Treasury only so soon as Parliament shall have made due Provision in respect thereof:' Until Parliament shall have made such Provision, and such Exchequer Bonds shall be redeemed in exercise of such Option as aforesaid, the Interest thereon shall, after the said First Day of *September* One thousand eight hundred and ninety-four, continue to be payable out of the said Consolidated Fund at the said Rate of Two Pounds Ten Shillings *per Centum per Annum* on the same half-yearly Days and in the same Manner as from the said First Day of *September* One thousand eight hundred and sixty-four to the said First Day of *September* One thousand eight hundred and ninety-four.

After Exchequer Bonds become redeemable Interest to be paid on the half-yearly Days until actual Redemption.

X. Every Person who shall make, or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his Possession not being legally authorized by the Commissioners of Inland Revenue or Commissioners of Her Majesty's Treasury, and without lawful Excuse, (the Proof whereof shall lie on the Person accused,) any Instrument having therein any Words, Letters, Figures, Marks, Lines, or Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bonds, or any Machinery for working any Threads into the Substance of any Paper, or any such Thread, and intended to imitate such Words, Letters, Figures, Marks, Lines, Threads, or Devices, or any Plate peculiarly employed for printing Exchequer Bonds, or any Die peculiarly used for preparing any such Plate, or for sealing such Exchequer Bonds, or any Plate or Die intended to imitate such Plates or Dies respectively; and also every Person, except as before excepted, who shall make, or cause or procure to be made, or aid or assist in making any Paper in the Substance of which shall appear any Words, Letters, Figures, Marks, Lines, Threads, or other Devices peculiar to and appearing in the Substance of any Paper provided or to be provided or used for Exchequer Bonds, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same; and also every Person, except as before excepted, who shall knowingly have in his Possession without lawful Excuse (the Proof whereof shall lie on the Person accused) any Paper whatever, in the Substance whereof shall appear any such Words, Letters, Figures, Marks, Lines, Threads, or Devices, as aforesaid, or any Part of such Words, Letters, Figures, Marks, Lines, Threads, or Devices, and intended to imitate the same, and also every Person, except as before excepted, who shall cause or assist in causing any such Words,

Punishing Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bonds.

Words, Letters, Figures, Marks, Lines, Threads, or Devices as aforesaid, or any Part of such Words' Letters, Figures, Marks, Lines, Threads, or other Devices, and intended to imitate the same, to appear in the Substance of any Paper whatever, or who shall take or assist in taking any Impression of any such Plate or Die as aforesaid, shall be guilty of Felony.

Persons unlawfully having in Possession Paper, Plates, or Dies to be used for Exchequer Bonds, guilty of a Misdemeanor.

XI. Every Person not lawfully authorized and without lawful Excuse (the Proof whereof shall lie on the Person accused), who shall purchase or receive, or take and have in his Custody, any Paper manufactured and provided by or under the Directions of the Commissioners of Inland Revenue or Commissioners of Her Majesty's Treasury, for the Purpose of being used as Exchequer Bonds before such Paper shall have been duly stamped, signed, and issued for Public Use, or any such Plate or Die as aforesaid, shall for every such Offence be guilty of a Misdemeanor, and being convicted thereof shall, at the Discretion of the Court before whom he shall be tried, be imprisoned for any Period not more than Three Years nor less than Six Calendar Months.

CAP. CXXXIII.

An Act to suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, and to amend the Law in relation to the Militia in *England*.

[20th *August* 1853.]

'WHEREAS it is expedient to suspend for a further Period the making of Lists and the Ballots and 'Enrolments for the Militia of the United Kingdom, and to make certain Provisions in relation to 'the Militia in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

General and Subdivision Meetings relating to the Militia of the United Kingdom suspended.

I. All General and Subdivision Meetings relating to the Militia of the United Kingdom, save only such General Meetings as may be called under the Authority of One of Her Majesty's Principal Secretaries of State, or for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia, and all Proceedings relating to procuring any Returns, or preparing or making out Lists of such Militia or any Part thereof, or relating to balloting for or enrolling any Militiamen or Substitutes, or supplying any Vacancies in such Militia, save such Proceedings as are or may be directed or authorized by or under the Act of the last Session of Parliament, Chapter Fifty, as amended by the Provisions herein-after contained, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and fifty-four.

Proceedings may be had during such Suspension by Order in Council.

II. Provided always, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in *Scotland* and *Ireland* respectively relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties Shires, Cities, and Places in *Scotland*, or to the Governors and Deputy Governors of Counties and Places in *Ireland*; and all the Provisions of the several Acts in force in *Scotland* and *Ireland* respectively relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

So much of 15 & 16 Vict. c. 50. as relates to Deputy Lieutenants raising Volunteers for the Militia repealed.

III. Sections Eleven, Fifteen, and Seventeen of the Act of the last Session of Parliament, Chapter Fifty, so far as the same respectively relate to the raising and enrolling of Volunteers for the Militia by Deputy Lieutenants, and require Deputy Lieutenants to keep or cause to be kept Entries of Persons enrolled in the Militia, and to transmit Copies of such Entries to the Clerks of General Meetings, shall be repealed: Provided always, that the Deputy Lieutenants of Counties, Ridings, and Places shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties, Ridings, or Places in raising and enrolling Volunteers for such Militia in the several Parishes where such Deputy Lieutenants may be resident, and otherwise as the Lieutenants of such Counties, Ridings, or Places may from Time to Time direct, but no General or Subdivision Meeting shall be holden for that Purpose, unless such Meeting be convened pursuant to any special Order made in this Behalf by One of Her Majesty's Principal Secretaries of State.

Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post in lieu of being published in Gazette and Newspapers.

IV. So much of Section Twenty-one of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, as requires Notices of the Days and Places of holding General Meetings of Lieutenancy to be given in the *London Gazette* and in such Newspapers as therein mentioned, shall be repealed; and Notices of such Meetings shall be sent by the Post by the Clerk of the General Meetings to the several Deputy Lieutenants of the County, Riding, or Division Seven Days at the least before the Days appointed for holding such Meetings respectively; and any Notices of Subdivision Meetings required to be given to Deputy Lieutenants or others shall be sent by the Clerk of General Meetings by Post instead of being otherwise delivered or left as now by Law required.

V. No

Times and Places of Exercise to be appointed without General Meetings of Lieutenancy.

V. No General Meeting of Lieutenancy shall be holden for appointing the Times and Places of Training and Exercise of the Militia in *England*, except by the special Order of One of Her Majesty's Principal Secretaries of State; but the Times and Places of Training and Exercise of the Militiamen serving for each County, Riding, and Place in *England* shall be appointed, with the Approbation of Her Majesty, by the Lieutenant of such County, Riding, or Place, or by the Vice-Lieutenant in case of the Illness or Absence of the Lieutenant, or in case of the Non-appointment of any Vice-Lieutenant, then by Three Deputy Lieutenants authorized by Her Majesty to act as or in the Place of such Lieutenant when such Lieutenant is out of *Great Britian*, or when there is no such Lieutenant: Provided always, that nothing herein contained shall prejudice or affect the Powers vested in Her Majesty under Sections Twenty-six and Twenty-seven of the said Act of last Session.

How Notices of Times and Places of Exercise to be given.

VI. Sections Ninety and Ninety-one of the Act of the Forty-second Year of King *George* the Third shall be repealed, and Notices to Men who are enrolled in the Militia in *England* to attend Training and Exercise shall be sent, by the Order of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which such Men belong, by the Post to the Residences of the several Men as stated on their Attestations, or as subsequently notified by them, and Public Notices shall also be sent to the Constables, Tithingmen, Headboroughs, and other Officers of the respective Parishes, Tithings, and Places in the County, Riding, or Place for which such Men are enrolled, with Directions to cause the same to be affixed on the Door or the outer Wall near the Door of every Church and Chapel in their respective Parishes, Tithings, or Places, including Places of Public Worship which do not belong to the Established Church; and if any Place have no Church or Chapel, then in such Manner as Public Notices are usually made known in such Places, and on the Doors or outer Walls as aforesaid of the Churches or Chapels of some Parish, Tithing, or Place adjoining; and every such Constable, Tithingman, Headborough, and other Officer as aforesaid shall, within Three Days after the Receipt of any such Notice, cause the same or Copies thereof to be affixed accordingly; and any such Constable, Tithingman, Headborough, or Officer who wilfully neglects so to do shall for every such Offence, on Conviction thereof before Two Justices, forfeit any Sum not exceeding Twenty Pounds; and such Notice shall be deemed a sufficient Notice to every Person enrolled by virtue of the Act of the Fifteenth and Sixteenth Years of Queen *Victoria*, Chapter Fifty, notwithstanding any Omission in the Notices by Post; and any such Man not appearing at the Time and Place appointed in any such Notice shall be subject to be punished and dealt with accordingly.

Penalties for fraudulent Re-enlistment.

VII. Any Militia Volunteer who, before the Expiration of his Engagement as a Militiaman in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of Militia, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names (save in the Way of lawful Renewal of his Engagement), shall upon a Conviction thereof, upon the Oath of One Witness, before any One Justice of the Peace, forfeit and pay any Sum not exceeding Ten Pounds, and in default of such Payment shall be committed to the Common Gaol or House of Correction for any Time not exceeding Three Months, and shall also be liable to the Deduction out of the Bounty which he might otherwise have received in respect of his original Enlistment of a Sum equal to what he may have received upon his fraudulent Re-enlistment, and of such further Sum as the Colonel or Commanding Officer of the Regiment, Battalion, or Corps in which he may have originally enlisted shall think proper, or as the Secretary-at-War may from Time to Time direct, not exceeding the Expenses of his Attestation and Enrolment on such fraudulent Re-enlistment.

The Justice before whom a Militiaman is convicted of Enlistment in the Regular Forces or Re-enlistment in the Militia, to send Report of Conviction to Secretary-at-War.

VIII. The Justice before whom a Militia Volunteer shall be convicted of having enlisted into the Regular Forces of Her Majesty or of the *East India* Company, by which he will be subjected to a Stoppage from his Pay while serving with such Forces, or of having enrolled or offered to enrol himself in another Regiment, Battalion, or Corps of Militia, or more than once in the same Regiment, Battalion, or Corps of Militia, shall send or cause to be sent to the Secretary-at-War a Report of such Conviction, stating the Name of such Volunteer, the Regiment, Battalion, or Corps of Militia to which he belongs, the Offence of which he has been convicted, and the Sentence or Decision of the Justice thereon, and, where such Volunteer shall be imprisoned in pursuance of such Conviction, the Period when the Imprisonment will expire; and for such Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more.

Power to discharge Men from the Militia who have enlisted in the Regular Forces.

IX. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer upon such Conditions as he may from Time to Time direct, and such Volunteer shall have no Claim to future Pay or Bounty, or to release from future Attendance in the Militia any Volunteer who may have enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, and who has been sentenced to Imprisonment, or to Forfeiture for a Period not exceeding Eighteen Calendar Months of One Penny a Day from his Pay in such Forces; and any Man so released shall serve with the Force in which he may have enlisted in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier in such respective Force, and his Place in the Militia shall be supplied in like Manner as if his Term of Service as a Militiaman had expired by Efflux of Time.

Provision for withholding Payment of Bounty from Men wrongfully absent from Training.

X. Any Bounty which, under the Regulations made or to be made under the said Act of the last Session, may be payable during or in respect of Attendance at Training and Exercise shall be forfeited by any Man who wholly absents himself from such Training and Exercise without Leave lawfully granted, or Sickness, certified according to such Regulations; and any such Bounty which would otherwise be payable to any Man who partially absents himself as aforesaid without such Leave, or Sickness, certified as aforesaid, or who misconducts himself during the Training, shall be wholly withheld, or issued only in such

such Manner and in such Portions as the Secretary-at-War, upon the Report of the Commanding Officer, shall determine.

Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.

XI. No Man by reason of his Enrolment or Service in the Militia, or in the Naval Coast Volunteers, shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess, or may have possessed at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

Provision for Apprehension of Militiamen not attending or absenting themselves during Training.

XII. Sections One hundred and eight and One hundred and nine of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, shall be repealed; and the Commanding Officer of any Regiment, Battalion, or Corps of Militia shall notify to the Secretary-at-War, and to the Constables, Tithingmen, Headboroughs, or other Officers of the Parishes, Tithings, and Places in which Militiamen reside who have not attended Training and Exercise, or who may have absented themselves during the Time of Training and Exercise of their respective Regiments, Battalions, or Corps, the Names and Descriptions of all such Volunteers who have so absented themselves; and it shall be lawful for any Constable, Tithingman, Headborough, or Officer, or for any Officer or Soldier in Her Majesty's Service or in the Militia, to apprehend or cause any such Volunteer to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace, to be dealt with as herein-after mentioned, if the Battalion or Corps to which he belongs has ceased Training and Exercise, or to be committed to safe Custody until an Escort can be sent for him if such Regiment, Battalion, or Corps be then out for Training and Exercise; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying whether the Deserter has been committed for Imprisonment under the aforesaid Section, or is only held in safe Custody until he can be sent to the Head Quarters of his Regiment, Battalion, or Corps for Trial; and such Justice shall also send to the Secretary at-War a Report stating the Name of the Person or Persons by whom the Deserter was apprehended and secured, and the Secretary-at-War shall transmit to such Justice an Order for the Payment to such Person or Persons of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Punishment of Men not attending, or absenting themselves during Training, and not taken till after.

XIII. Every Militiaman raised under the Act of the last Session of Parliament, Chapter Fifty, (not labouring under any certified Infirmity or Incapacity,) who shall not appear at the Time and Place appointed for his being exercised according to the Provisions of this Act (Notice having been given as hereby required), or who, having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Companies or any Detachment or Division thereof, shall desert or absent himself during the Time of any such Exercise, shall be deemed a Deserter, and if not taken until after the Time of such Exercise, such Deserter shall, upon Conviction thereof before a Justice of the Peace, be liable to forfeit and pay a Sum not exceeding Ten Pounds; and if such Penalty shall not be immediately paid, the Justice of the Peace shall commit such Militiaman to the House of Correction to Hard Labour or to the Common Gaol for any Period not exceeding Three Months, or until he shall have paid the said Penalty.

Penalty for inducing Militiamen to absent themselves, or harbouring, &c. such Men.

XIV. Any Person who by Words or other Means shall persuade any Militiaman improperly to absent himself from his Duty, and every Person who shall assist or procure any such Volunteer improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, knowing him to be so improperly absent, shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Recovery of Penalties.

XV. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales*, under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months; which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*; anything in the said Act, or in an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Application of certain Penalties.

XVI. One Moiety of every pecuniary Penalty or Forfeiture imposed under the said Act of the Forty-second Year of King *George* the Third, upon any Person duly convicted of buying, taking in exchange, concealing, or otherwise receiving contrary to Law any Militia Arms, Clothes, Accoutrements, or Regimental Necessaries belonging to any Militiaman, or any Public Stores or Ammunition for the Service of the Militia, and every pecuniary Penalty or Forfeiture imposed under this Act upon any Person assisting, procuring, or persuading any Militia Volunteer improperly to absent himself from his Duty, or concealing, employing, or continuing to employ any such Volunteer, knowing him to be so improperly absent, shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall

be

be proved by the Person who shall inform, then the whole of the Penalty shall be paid over and applied in such Manner as the Secretary-at-War shall direct, anything in an Act passed in the Sixth Year of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act, to the contrary notwithstanding; and every Justice who shall adjudge any such Penalty or Forfeiture shall, within Four Days at the furthest, report the same and his Adjudication thereof to the Secretary-at-War. 5 & 6 W. 4. c. 76.

XVII. All Penalties imposed by this Act upon Militiamen (except the Deductions from Bounty, which shall be brought to Public Credit,) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties, Ridings, or Places to which the Volunteer belongs, and shall be made and accounted for as Part of the Public Stock of such Regiment, Battalion, or other Body of Militia respectively. Application of Penalties on Militiamen.

XVIII. Section Ninety-eight of the Forty-two *George* the Third, Chapter Ninety, which requires Returns of the State of the Classes of the Men belonging to each Company of Militia called out to Exercise, shall be and remain suspended so long as the raising of the Militia by Ballot shall be suspended. 42 G. 3. c. 90. s. 98. suspended.

XIX. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces shall for such Time be deemed to be under the Operation of the Mutiny Act, in the same Manner as any Soldier enlisted in such Regiment, Battalion, or Depôt. Volunteers subject to Mutiny Act.

XX. None of the Provisions of this Act, except Sections One and Two, shall extend to the Militia of *Scotland* or *Ireland*. Not to extend to Scotland or Ireland (except ss. 1. 2.)

SCHEDULE.

DESCRIPTIVE RETURN of committed to Confinement at on the
Day of as an Absentee from the Training of the Regiment of Militia.

Age - - - - -	
Height - - - - -	Feet. Inches.
Complexion - - - -	
Hair - - - - -	
Eyes - - - - -	
Marks - - - - -	
Probable Date of Enrolment, and where -	
Probable Date of absenting himself, and from what Place - - - -	
Name, Occupation, and Address of the Person by whom apprehended* - -	
Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds, and whether committed for safe Custody only, or as a Deserter under the 42 G. 3. c. 90. s. 99., and if so, for what Period - -	

* It is important for the Public Service, and for the Interest of the Prisoner, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he† absent himself from the before-mentioned Corps.

———— *Signature and Address of Magistrate.*
———— *Signature of Prisoner.*
———— *Signature of Informant.*

† Insert "did" or "did not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him‡ for Military Service.

———— *Signature of Military Medical Officer, or ‖ Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

CAP. CXXXIV.

An Act to amend the Laws concerning the Burial of the Dead in *England* beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis. [20th *August* 1853.]

15 & 16 Vict. c. 85.

'WHEREAS an Act was passed in the last Session of Parliament "to amend the Laws concerning "the Burial of the Dead in the Metropolis," and it is expedient to make better Provision for 'and in relation to Burials beyond the Limits of the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On Representation of Secretary of State, Her Majesty in Council may restrain the opening of new Burial Grounds, and order Discontinuance of Burials in specified Places.

I. In case it appear to Her Majesty in Council, upon the Representation of One of Her Majesty's Principal Secretaries of State, that for the Protection of the Public Health the opening of any new Burial Ground in any City or Town, or within any other Limits, save with the previous Approval of One of such Secretaries of State, should be prohibited, or that Burials in any City or Town, or within any other Limits, or in any Burial Grounds or Places of Burial, should be wholly discontinued, or should be discontinued subject to any Exception or Qualification, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to order that no new Burial Ground shall be opened in such City or Town, or within such Limits, without such previous Approval, or (as the Case may require) that after a Time mentioned in the Order Burials in such City or Town, or within such Limits, or in such Burial Grounds or Places of Burial, shall be discontinued wholly, or subject to any Exceptions or Qualifications mentioned in such Order, and so from Time to Time as Circumstances may require; provided always, that Notice of such Representation, and of the Time when it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be published in the *London Gazette*, and shall be affixed on the Doors of the Churches or Chapels of, or on some other conspicuous Places within, the Parishes affected by such Representation, One Month before such Representation is so considered: Provided also, that no such Representation shall be made in relation to the Burial Ground of any Parish until Ten Days previous Notice of the Intention to make such Representation shall have been given to the Incumbent and the Vestry Clerk or Churchwardens of such Parish.

Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included.

II. No such Order in Council as aforesaid shall be deemed to extend to any Burial Ground of the People called Quakers, or of the Persons of the Jewish Persuasion, used solely for the Burial of the Bodies of such People and Persons respectively, unless the same be expressly mentioned in such Order; and nothing in this Act shall prevent the Burial in any such Burial Ground in which for the Time being Interment is not required to be discontinued of the Bodies of such People and Persons respectively; and no such Order in Council as aforesaid shall be deemed to extend to any non-parochial Burial Ground being the Property of any private Person, unless the same be expressly mentioned in such Order.

Burial not to take place after Order in Council for Discontinuance.

III. It shall not be lawful, after the Time mentioned in any such Order in Council for the Discontinuance of Burials, to bury the Dead in any Church, Chapel, Churchyard, or Burial Place, or elsewhere, within the Parts to which such Order extends, or in the Burial Grounds or Places of Burial (as the Case may be) in which Burials have by any such Order been ordered to be discontinued, except as in this Act or in such Order excepted; and every Person who shall, after such Time as aforesaid, bury any Body, or in anywise act or assist in the Burial of any Body, contrary to this Enactment, shall be guilty of a Misdemeanor.

Saving of certain Rights to bury in Vaults, &c.

IV. Provided always, That notwithstanding any such Order in Council, where by virtue of any Faculty legally granted, or by Usage or otherwise, there is at the Time of the passing of this Act any Right of Interment in or under any Church or Chapel affected by such Order, or in any Vault of any such Church or Chapel, or of any Churchyard or Burial Ground affected by such Order, and where any exclusive Right of Interment in any such Burial Ground has been purchased or acquired before the passing of this Act, it shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time, on Application being made to him, and on being satisfied that the Exercise of such Right will not be injurious to Health, to grant Licence for the Exercise of such Right during such Time and subject to such Conditions and Restrictions as such Secretary of State may think fit, but such Licence shall not prejudice or in anywise affect the Authority of the Ordinary, or of any other Person who, if this Act had not been passed, might have prohibited or controlled Interment under such Right, nor dispense with any Consent which would have been required, nor otherwise give to such Right any greater Force or Effect than the same would have had if this Act had not been passed.

Not to extend to certain Cemeteries or new Burial Grounds, &c.

V. The Provisions of this Act shall not extend to authorize the Discontinuance of Burials, or to prevent the Burial of the Body of any Person, in any Cemetery established under the Authority of any Act of Parliament, or in any Burial Ground or Cemetery to be hereafter provided with the Approval of One of Her Majesty's Principal Secretaries of State, as herein mentioned.

New Burial Grounds not to be opened contrary to Order in Council.

VI. Where by any such Order in Council as aforesaid it is ordered that no new Burial Ground shall be opened in any City or Town, or within any Limits therein mentioned, without the previous Approval of One of Her Majesty's Principal Secretaries of State, no new Burial Ground or Cemetery (parochial or non-parochial) shall be provided and used in such City or Town, or within such Limits, without such previous Approval.

Certain Provisions of Metropolitan

VII. All the Provisions contained in the said Act of the last Session of Parliament, Chapter Eighty-five, "to amend the Laws concerning the Burial of the Dead in the Metropolis," from Section Ten to Section

Section Forty-two (both inclusive) of the said Act, and also in Sections Forty-four, Fifty, Fifty-one, and Fifty-two of the said Act, shall extend and be applicable to and in respect of any Parish not in the Metropolis, and for the Purpose of providing a Burial Ground for any such Parish, or otherwise providing for the Interment of the Bodies of Persons who would have had Right of Interment in the Burial Ground of any such Parish, and generally in relation to every such Burial Ground to be so provided, and the Fees and Payments to be received in respect of Interment or other Rights therein and otherwise, as if such Sections were re-enacted in this Act, and the Words "in the Metropolis," wherever they occur in such Sections, or any of them, were omitted; and Section Forty-nine of the said Act shall extend to all Cemeteries already established and hereafter to be established under the Authority of Parliament in like Manner as to those mentioned in Schedule (B.) to that Act, and as respects the Cemeteries to which such Section is hereby extended, the same shall also apply in respect of Burials at the Expense of any Hospital or Infirmary in like Manner as to Burials at the Expense of a Union or Parish: Provided always, that in all Cases in which any Burial Board shall provide a new Burial Ground under the said Act of the last Session of Parliament or under this Act, that new Burial Ground shall be divided into consecrated and unconsecrated Parts in such Proportions, and the unconsecrated Part thereof shall be allotted in such Manner and in such Portions as may be sanctioned by One of Her Majesty's Principal Secretaries of State; and when any Burial Board shall by virtue of Section Thirty of the said Act build on any Burial Ground provided by such Board a Chapel for the Performance of the Burial Service according to the Rites of the United Church of *England* and *Ireland*, they shall also build, on the Portion of such Ground set apart for Burials otherwise than according to the Rites of the said Church, such Chapel Accommodation for the Performance of Burial Service by Persons not being Members of the said Church as may be approved of by One of Her Majesty's Secretaries of State.

Burial Act, *15 & 16 Vict. c. 85.*, extended to Parishes, &c. not in the Metropolis.

Any Burial Board building a Chapel for Burials according to the Rites of the Church of England also to build a Chapel for Persons not being Members of the Church of England.

VIII. All Burials within any Burial Ground provided under the said Act of the last Session of Parliament or this Act shall be registered in a Register Book to be provided by the Burial Board providing such Ground (or where the same is provided by the Commissioners of Sewers of the City of *London* then by such Commissioners), and kept for that Purpose according to the Laws in force by which Registers are required to be kept by the Rectors, Vicars, or Curates of Parishes or Ecclesiastical Districts in *England;* and such Register Book shall be so kept by some Officer appointed by the said Board or Commissioners to that Duty; and in such Register Books shall be distinguished in what Parts of the Burial Ground, and where the whole of such Burial Ground is not consecrated for Interments according to the Rites of the United Church of *England* and *Ireland*, whether in the Portion so consecrated or in the Portion not so consecrated the several Bodies (the Burials of which are entered in such Register Books) are buried; and in case such Burial Ground has been provided for more than One Parish, such Register shall be kept or indexed so as to facilitate Searches for Entries in such Books in respect of Bodies from the several Parishes; and such Register Books or Copies or Extracts therefrom shall be received in all Courts as Evidence of the Burials entered therein, and Copies or Transcripts of such Register Books, verified and signed by such Officer as aforesaid, shall be from Time to Time sent to the Registrar of the Diocese to be kept with the Copies of the other Register Books of the Parishes within such Diocese; and the said Register Books, so far as respects Searches to be made therein and Copies and Extracts to be taken therefrom, shall be subject to the same Regulations as are provided by an Act passed in the Seventh Year of King *William* the Fourth, intituled *An Act for registering Births, Deaths, and Marriages in* England, so far as such Regulations relate to Register Books of Burials kept by any Rector, Vicar, or Curate.

Register of Burials to be kept in every Ground provided under 15 & 16 Vict. c. 85. or under this Act.

Entries to be Evidence.

6 & 7 W. 4. c. 86.

IX. Nothing in this Act, except the Provisions in Sections Seven and Eight, shall extend to any Parish in "the Metropolis," as defined by the said Act of the last Session, or otherwise affect the Provisions of that Act.

Act, except ss. 7. and 8., not to extend to the Metropolis.

X. This Act shall not extend to *Scotland* or *Ireland*.

Extent of Act.

CAP. CXXXV.

An Act to continue certain Turnpike Acts in *Great Britain*, and to make further Provisions concerning Turnpike Roads in *England*. [20th *August* 1853.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified, and to make further Provisions concerning Turnpike Roads in *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament shall be continued until the First Day of *October* One thousand eight hundred and fifty-four and to the End of the then next Session of Parliament; except an Act of the Third Year of King *George* the Fourth, Chapter Sixty-four, "for amending and maintaining the Road from *Whitchurch* to *Ternhill* in the County of *Salop*," and except as herein-after mentioned.

All Turnpike Acts expiring before End of next Session continued to 1st Oct. 1854, &c., with certain Exceptions.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-four, and no longer, unless Parliament shall in the meantime continue the same respectively.

Acts in Schedule continued till 1st Nov. 1854.

III. 'And whereas by an Act of the Session holden in the Twelfth and Thirteenth Years of Her 'Majesty, Chapter Eighty-seven, it was enacted, that in every Case in which the Trustees or Commissioners

12 & 13 Vict. c. 87.

'sioners of any Turnpike Road should thereafter borrow, charge, or secure any Money on the Credit of 'the Tolls arising on such Road, such Trustees or Commissioners should, out of the Tolls of such Road, 'and in priority to all other Payments except such Interest as therein mentioned, set apart a Sum of 'Five Pounds *per Centum per Annum* on the Amount of Money so borrowed, charged, or secured; and 'when and so often as the Sums so set apart should amount to Two hundred Pounds, the said Trustees 'or Commissioners should apply such Sum in Payment of a proportionate Part of the Monies borowed, 'charged, or secured as aforesaid in manner therein mentioned: And whereas by the Act of the Session 'holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Seventy-nine, it was enacted, 'that where the Trustees or Commissioners of any Turnpike Road had, before the passing of the said 'Act of the Twelfth and Thirteenth Years of Her Majesty, borrowed, charged, or secured any Money 'on the Credit of the Tolls arising on such Road, and any such Money should remain unpaid and 'unsatisfied at the Time of the passing of the Act now in recital, such Trustees or Commissioners 'should, out of the Tolls of such Road, after Payment thereout of the Interest on any Monies owing on 'the Security of the said Tolls, and such Sums as should be required to be set apart under the said 'herein-before recited Enactment of the said Act of the Twelfth and Thirteenth Years of Her Majesty, 'and all such other Liabilities and Expenses as therein mentioned, set apart a Sum of Five Pounds *per* 'Centum per Annum on the Amount of Principal Money so borrowed, charged, or secured before the 'passing of the said Act, and remaining unpaid and unsatisfied as aforesaid, or such lesser Sum as 'might from Time to Time remain after such Payment as aforesaid; and when and so often as the Sum 'so set apart should amount to the Sum of Two hundred Pounds, the said Trustees or Commissioners 'should apply such Sum in or towards Payment of the Monies so borrowed, charged, or secured as 'aforesaid, and then remaining unpaid, in manner provided by the said Act of the Twelfth and Thir-'teenth Years of Her Majesty with respect to the Application of Money arising from the Sums set apart 'as therein mentioned in or towards the Discharge of Monies borrowed, charged, or secured after the 'passing of such last-mentioned Act:'

13 & 14 Vict. c. 79.

Sinking Fund may be applied in Payment of Debts before it amounts to 200*l.*, or, with Consent, Application may be postponed.

It shall be lawful for the Trustees or Commissioners of any Turnpike Road, where it appears to them convenient so to do, to apply any Money arising from Sums set apart as required by the said recited Acts or either of them in or towards the Discharge of Debts according to the Directions of such Acts respectively, although such Monies may not amount to Two hundred Pounds, or, with the Consent in Writing of One of Her Majesty's Principal Secretaries of State under his Hand, to postpone such Application of such Monies until the same amount to any greater Sum than Two hundred Pounds, which the said Trustees or Commissioners, with such Consent as aforesaid, may determine.

Trustees may apply Surplus in Payment of Debts in manner provided by recited Acts with respect to Sinking Funds.

IV. It shall be lawful for the Trustees or Commissioners of any Turnpike Road, where they have any surplus Monies applicable towards the Discharge of Principal Money secured on the Tolls of such Road beyond such Sums as under the said recited Acts or either of them, or under any Local Act, they are required to set apart or apply for that Purpose, to apply, if they think fit, such surplus Monies in or towards Payment of the Principal Money secured as aforesaid in manner provided by the said first-mentioned Act with respect to the Application of Monies arising from the Sums set apart as therein mentioned in or towards the Discharge of Monies borrowed, charged, or secured after the passing of that Act.

Power to Executors, &c. to consent.

V. All Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such are for the Time being entitled to any Money charged or secured on the Tolls or Revenues of any Turnpike Road, may offer to accept and may accept under the said recited Acts or either of them, or this Act, or any Local Act, such Composition in respect of such Money or any Part thereof as they in their Discretion may deem expedient, and may in their Discretion accept any reduced or lower Rate of Interest in respect of such Money or any Part thereof, and also consent to or concur in the Extinction in whole or in part of any Arrears of Interest payable in respect of such Money or any Part thereof, as if they respectively were so entitled in their own Right, discharged of all Trusts in respect thereof; and all Executors, Administrators, Guardians, Trustees, and Committees so consenting are hereby severally indemnified for so doing.

Erroneous Reference in 14 & 15 Vict. c. 38. to Sect. 36. of 3 G. 4. c. 126. instead of Sect. 32. corrected.

VI. 'And whereas by the Act of the Session holden in the Fourteenth and Fifteenth Years of Her 'Majesty, Chapter Thirty-eight, it was enacted, that the Words "Implements of Husbandry" in Section 'Thirty-six of Chapter One hundred and twenty-six of the Statute of the Third Year of King *George* 'the Fourth should be deemed to include "Threshing Machines:" And whereas Section Thirty-six of 'such last-mentioned Act was referred to by Mistake instead of Section Thirty-two of such Act:'

The said Enactment of the said Act of the Fourtteenth and Fifteenth Years of Her Majesty shall be read and construed as if Section Thirty-two of the Act of the Third Year of King *George* the Fourth, Chapter One hundred and twenty-six, had been mentioned instead of Section Thirty-six of such Act.

Short Title.

VII. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1853."

Extent of Act.

VIII. This Act shall not apply to *Ireland*.

SCHEDULE.

54 G. 3. c. liv. 'An Act for making and maintaining a Road from Balderston to Burscough Bridge in Walton-in-le-Dale in the County Palatine of Lancaster.

54 G. 3. c. lxxx. An Act for making and maintaining certain Roads from the Town of Stroud and several other Places therein mentioned, all in the County of Gloucester.

An

An Act for repairing the Road from Potton in the County of Bedford and Gamlingay in the County of Cambridge to Eynesbury in the County of Huntingdon. 54 G. 3. c. clxxx.

An Act for repairing the Road from the Town of Stanhope, by Edmondbyers, in the County of Durham, to the Corbridge Turnpike Road near Greenhead in the Parish of Shotley in the County of Northumberland. 55 G. 3. c. x.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Saint Martin Stamford Baron to Kettering, and from Oundle to Middleton Lane, in the County of Northampton. 56 G. 3. c. ii.

An Act for making and maintaining a Turnpike Road from the High Street in the Town of Stourbridge in the County of Worcester to the Boundary Stone between the Parish of Worfield and the Liberties of the Borough of Bridgnorth in the County of Salop. 56 G. 3. c. xvi.

An Act for enlarging the Term and Powers of certain Acts for repairing several Roads in the Counties of Worcester and Warwick, so far as relate to the Road leading from the Town of Bromsgrove to the Town of Dudley in the County of Worcester, and for making a more commodious Road near the Town of Dudley. 56 G. 3. c. lxvii.

An Act for making and keeping in repair a Carriage Road from or near the Town of Brough-under-Stainmore in the County of Westmoreland to Middleton Bridge in the Parish of Romaldkirk in the North Riding of the County of York, with a Branch from or near Chapel House to Eggleston Bridge in the same Parish. 57 G. 3. c. xlv.

An Act to enlarge the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from the City of Gloucester to the Town of Stroud in the County of Gloucester. 59 G. 3. c. xlii.

An Act for repairing and improving the Trowbridge Roads in the Counties of Wilts and Somerset. 59 G. 3. . xliv.

An Act to enlarge the Term and Powers of an Act of His late Majesty, for making and maintaining the Road from near Lightpill Gate in the Parish of Rodborough to near Birdlip in the Parishes of Brimpsfield and Cowley, or One of them, all in the County of Gloucester. 1 G. 4. c. xx.

An Act for more effectually improving the Road from Greenhead, through Haltwhistle, Hexham, and Corbridge, to the Military Road near Shildon Bar, and for making a Branch Road from Corbridge to Heddon-on-the-Wall, all in the County of Northumberland; and for altering the Line of a certain Part of the said first-mentioned Road. 1 G. 4. c. xxvi.

An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Roads from Milford in the County of Surrey, through Petworth, to the Top of Dunckton Hill, and from Petworth to Stopham Bridge in the County of Sussex. 1 G. 4. c. xliv.

An Act for repairing the Roads from Tetbury to Symondshall, from Frocester Hill to Dunkirk, and from the Latterwood to Nailsworth, and other Roads therein mentioned, all in the County of Gloucester. 1 & 2 G. 4. c. lxxxiii.

An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to the Cross Post on Minchinhampton Common, and other Roads thereto adjoining, and for making a new Piece of Road from the said Bridge to the Cross in the Parish of Avening, all in the County of Gloucester. 3 G. 4. c. lxi.

An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchinhampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned. 3 G. 4. c. lxiii.

An Act for more effectually repairing the Road from the Guide Post near the End of Drayton Lane near Banbury in the County of Oxford to the House called the Sun Rising, at the Top of Edge Hill in the County of Warwick. 3 G. 4. c. xc.

An Act for more effectually repairing the Wadsley and Langset Turnpike Road, and extending the same in Two Lines to join the Huddersfield and Woodhead Turnpike Road in the Townships of Upperthong and Honley in the West Riding of the County of York. 4 G. 4. c. lxxvii.

An Act for amending and keeping in repair the Roads from Dover to Barham Downs, and from Dover to the Town of Folkestone, and from thence through the Parish of Folkestone to Sandgate in the County of Kent. 4 G. 4. c. lxxxi.

An Act for more effectually repairing, improving, and maintaining the Road leading from Thirsk to Yarm in the County of York. 5 G. 4. c. vi.

An Act for repairing and improving the Road from Back Lane in the Parish of Scartho to Hollowgate Head in the Parish of Louth in the County of Lincoln. 5 G. 4. c. liv.

An Act for repairing and amending the Road from the Town and Borough of Buckingham to the Oxford and Northampton Turnpike Road at Lord's Field Gate near the Town of Towcester. 5 G. 4. c. cxli.

An Act for making and maintaining a Turnpike Road from the City of Winchester to the Town of Petersfield in the County of Southampton. 6 G. 4. c. xiv.

An Act for making and maintaining a Turnpike Road from Cainscross, through Stroud, over Rodborough and Minchinhampton Commons, to the Town of Minchinhampton, with several Branches therefrom, all in the County of Gloucester. 6 G. 4. c. xxiii.

An Act for more effectually repairing the Roads from the Gloucester Hotel in the Town of Brighthelmstone, through the Towns of Cuckfield and Crawley, to the County Oak on Lovell Heath, and certain other Roads therein mentioned; and also for making and maintaining a Branch of Road from Ansty Cross in the Parish of Cuckfield to West Grinsted; all in the County of Sussex. 6 G. 4. c. xxxix.

An

6 G. 4. c. lxxxvii. An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith.

7 G. 4. c. xiii. An Act for making and maintaining a Road from Godalming, through Hascomb, to Pains Hill in the County of Surrey.

7 G. 4. c. xvii. An Act for making and maintaining a Turnpike Road from South Shields to White Mere Pool, and from thence to join the Durham and Newcastle Turnpike Road at Vigo Lane, with a Branch from Jarrow Slake to East Boldon, all in the County of Durham.

7 G. 4. c. xix. An Act for making and maintaining a Turnpike Road commencing at or near a certain House called the Shrewsbury Arms, situate at Hinderton in the Township of Little Neston, by way of Upton, and terminating in the Township of Hoose, and from Upton aforesaid to the Township of Birkenhead, and also certain Branches of Road to communicate therewith, all in the County Palatine of Chester.

7 G. 4. c. xxi. An Act for making and maintaining a Road from Ridghill and Lanes in the Parish of Ashton-under-Lyne in the County Palatine of Lancaster to or near to Holehouse in Saddleworth in the West Riding of the County of York.

7 & 8 G. 4. c. xxv. An Act for more effectually repairing and maintaining the Road from Chapel-en-le-Frith to or near to Enterclough Bridge in the County of Derby, and other Roads therein mentioned, in the said County of Derby and in the County Palatine of Chester.

7 & 8 G. 4. c. c. An Act for making and maintaining a Turnpike Road from Wotton-under-Edge, through Kingswood, to Wickwar, and Branch Roads therefrom, all in the Counties of Gloucester and Wilts.

9 G. 4. c. xvi. An Act for more effectually repairing and improving the Roads from Kipping's Cross to Wilsley Green, and from a Place near Goudhurst Gore to Stilebridge, and from Underden Green to Wanshutts Green, all in the County of Kent.

9 G. 4. c. cviii. An Act for repairing, improving, and maintaining in repair the Turnpike Roads from Wat's Cross to Cowden, and from Sevenoaks Common to Crockhurst Hatch Corner, and from Penshurst Town to Southborough, in the County of Kent.

CAP. CXXXVI.

An Act for enabling Grand Juries in *Ireland* to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money. [20th *August* 1853.]

'WHEREAS it is expedient to enable Grand Juries in *Ireland* to raise Money on the Security of Presentments:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Money may be raised on the Security of Presentments repayable by Instalments, with Interest.

I. It shall be lawful for the Grand Jury of any County, County of a City, or County of a Town, at any Assizes, or if in the County of *Dublin* at any Presenting Term, to present any Sum or Sums of Money for the Purpose of any Public Work which by Law it is or may be competent for them to present, (the estimated Cost of which shall not be less than One thousand Pounds) in order to obtain Advances by way of Loan from Parties willing to make such Advances, and to set forth in such Presentment that such Sum or Sums of Money shall be raised and levied by half-yearly Instalments of not less than Ten Pounds *per Centum per Annum* of the whole Sum to be expended, and likewise to present a Sum sufficient to pay the annual Interest of such Sum or Sums to be so expended, and from Time to Time remaining due, at such Rate (not exceeding Five Pounds *per Centum*), and likewise to include in such Presentment a sufficient Sum to defray the Expenses attendant upon obtaining an Examination and Report for the Information and Satisfaction of the Commissioners of Public Works in *Ireland* for the Purpose hereinafter mentioned, and to set forth in such Presentment what Part thereof shall be raised upon any Barony or Baronies in such County, or on the County at large; and the Treasurer of such County, County of a City, or County of a Town, shall and he is hereby authorized and required from Time to Time, without further Authority or Presentment in that Behalf, to issue his separate Warrant for or include in his general Warrant, at each Assizes or Presenting Term (if in the County of *Dublin*), such Portion or Portions of the whole Sum so presented, together with such Sum for Interest thereon, as may be necessary for the Purpose of paying the Instalments and Interest as aforesaid to any Party or Person who may, with the Sanction of the Commissioners of Public Works as herein-after provided, have made any Advance on the Faith of such Presentment, and the Sum or Sums inserted in such Warrant shall be raised and levied from and off the Barony or Baronies or County at large named in such Presentment and Warrant, in like Manner, from Time to Time, and with like Remedy in case of Nonpayment, as other Monies directed by any Warrant of such Treasurer are by Law to be or may be levied; and it shall be lawful for any such Grand Jury in every such Presentment to nominate and appoint a Committee, of not less than Three or more than Five Persons, to treat and agree and contract for a Loan with any Party or Person willing to make the same on the Security of such Presentment, and for the Rate of Interest which shall be paid on any such Loan, and otherwise to carry the said Presentment into effect, and every such Presentment may be in the Form in the First Schedule to this Act annexed.

Grand Jury to appoint Committee to carry Presentment into effect.

Such Presentment to be subject to the

II. Provided however, That it shall not be lawful for any Party or Person to make any Advance on the Faith of any such Presentment until the Work for which such Presentment shall be made shall be sanctioned

sanctioned and approved by the said Commissioners of Public Works, such Sanction and Approval to be signified under the Hand of the Secretary of the said Commissioners for the Time being, to the Secretary of the Grand Jury, and all Money advanced under the Authority of this Act on the Credit of any such Presentment shall entitle the Party or Person advancing the same or his legal personal Representative or Assignee to be repaid with Interest in the Manner herein-before mentioned; and such Advance shall be paid over to the County Bank to the Credit of the Treasurer of such County, County of a City, or County of a Town, and accounted for by him in like Manner as any other Monies by him received for the Use of such County, and all Securities given by him shall extend to such Monies: Provided always, that any such Presentment as aforesaid shall be subject to the like Conditions as regards the previous Application to and Approval of the Justices and Cesspayers at Presentment Sessions, and to the like Traverse and all other Proceedings thereon, as other Grand Jury Presentments, but that after such Presentment shall be made and fiated it shall not be lawful for any Grand Jury to restrain the issuing of the Warrants which the Treasurer of such County, County of a City, or County of a Town ought from Time to Time to issue agreeably to the Provisions of this Act.

Approval of the Commissioners of Public Works.

III. When and so soon as any such Presentment as aforesaid shall have been duly certified by the Acting Clerk of the Crown, and the Sanction of the Commissioners of Public Works shall have been certified by the Secretary of the Grand Jury to the Committee so nominated and appointed therein, it shall be lawful for such Committee or any Three or more of them to treat, agree with, and contract for a Loan or Advance by any Party or Person willing to make the same on the Faith of such Presentment, to the Amount thereof, or such Part thereof as may be necessary, and also to agree and contract for the Rate of Interest (not exceeding the Limit aforesaid) to be paid in respect of such Loan or Advance, and the Terms of every such Contract and Agreement shall be reduced to Writing, on a certified Copy of such Presentment, and signed by the said Committee, or any Three or more of them, and by the Party or Person making such Loan or Advance, and delivered over to such Party or Person, and held by him as Security for every such Advance, until the whole of the Sum actually advanced, with Interest thereon as agreed upon, shall be fully paid off and discharged.

Committee to treat and agree for Loan.

IV. Every such Treasurer shall and he is hereby required to pay to the Party or Person who may have advanced Money on the Security of any such Presentment all and every such Sum as shall be received from the Baronial and other Collectors, by virtue of the Presentment and Warrants issued as aforesaid, until the whole Sum advanced shall be repaid, together with Interest thereon, to the Party or Person who may have advanced the same: Provided always, that all Monies in the Treasurer's Hands shall also be applicable and be applied to pay the Instalments of Principal, with Interest thereon, according to the Terms of any such Presentment and the Contract and Agreement as aforesaid, and if it shall happen that any Money shall have been raised by virtue of any such Presentment which will not be required for the Purposes for which it shall have been so raised, the same shall be carried to the Credit of the County, County of a City, or County of a Town, or Barony from which it shall have been raised.

Treasurer of County to pay Party advancing on the Faith of Presentment.

V. Provided always, That where under any Act of Parliament the Powers, Rights, and Duties of the Grand Jury of any County of a City or County of a Town in relation to the Appointment of Presentment Sessions, and the presenting and levying of Rates and Cesses for any Purpose, have been or shall hereafter be transferred to the Council of any Borough, the Council of such Borough shall have all the Powers and Authorities hereby vested in the Grand Jury of a County, and the Money included in any Presentment or Order to be made by such Council under this Act shall be raised in such Borough in manner by Law provided with respect to Money required for such Purposes in relation to which the Powers of the Grand Jury may be transferred as aforesaid to such Council; and the Certificate of the Town Clerk of such Borough on any such Presentment or Order shall be as effectual as the Certificate of the Acting Clerk of the Crown in the Case of a Presentment by the Grand Jury of a County.

Where the Powers of the Grand Jury for Presentment are transferred to the Council of a Borough, such Council shall have the same Powers as a Grand Jury under this Act.

VI. That in addition to the Purposes for which Grand Juries may now by Law present, it shall be lawful for the Grand Jury of any County, County of a City, or County of a Town to present to be levied off the County at large, such Sum or Sums of Money as may be incurred in defending such County on the Trial of any Traverse or other Proceedings in which such Grand Jury may consider the Rights of the Cesspayers should be defended and protected, and also such Sums as may be necessary for any Costs incurred in the Conduct and Management of any Matter of Business which any such Grand Jury may consider right and proper for the Interests or Benefit of such County should be confided to and conducted by any Counsel, Solicitor, or Agent: Provided, however, that no such Presentment shall be made unless there shall have been laid before such Grand Jury a Bill duly taxed and certified by the proper Taxing Officer of the Costs incurred for any of the Purposes aforesaid for which such Presentment shall be required.

Grand Jury may present Expenses incurred in Matters of Business.

VII. 'And whereas under and by virtue of an Act of the Session holden in the First and Second Years 1 & 2 W. 4. c. 33.
'of King *William* the Fourth, Chapter Thirty-three, an Act of the Session holden in the Sixth and 6 & 7 W. 4.
'Seventh Years of the same Reign, Chapter One hundred and eight, an Act of the Session holden in the c. 108.
'Second and Third Years of Her Majesty, Chapter Fifty, an Act of the Session holden in the Ninth and 2 & 3 Vict. c. 50
'Tenth Years of Her Majesty, Chapter Three, and an Act of the Session holden in the Tenth and Eleventh 9 & 10 Vict. c. 3
'Years of Her Majesty, Chapter Seventy-five, certain Harbours, Piers, Quays, Landing Places, and 10 & 11 Vict.
'other Works in *Ireland* have been constructed or improved by the Commissioners of Public Works in c. 75.
'*Ireland* wholly or in part with Public Money: And whereas, under and by virtue of the said last-
'mentioned Act, and an Order made by the said Commissioners of Public Works, dated the Sixth Day
'of *February* One thousand eight hundred and forty-nine, and published in the *Dublin Gazette* of

'*Friday* the Sixteenth of *February* in the same Year, several Harbours, Piers, Quays, Landing Places, 'and other Works on the Sea Coast of *Ireland* which within Forty-five Years before the passing of 'such Act had been made, wholly or in part, with Public Money advanced for the Improvement of the 'Fisheries, have become vested in such Commissioners, and the Counties liable to be charged with the 'Cost of the Repair and Maintenance of such Works (in case of the Insufficiency of the Tolls, Rates, or 'Rents accruing thereout,) are set forth in such Order: And whereas it is expedient to provide for the 'future Maintenance and Preservation of all the said Harbours, Piers, Quays, Landing Places, and 'Works constructed or improved by the said Commissioners of Public Works as aforesaid, and of the like 'Works which may be hereafter constructed or improved by such Commissioners under the said Acts, 'and also of the Works so vested in the said Commissioners as aforesaid, which said Harbours, Piers, 'Quays, Landing Places, and Works, heretofore constructed or improved as aforesaid, and vested in the 'said Commissioners as aforesaid, are respectively mentioned in the Second Schedule to this Act 'annexed:'

Commissioners of Public Works may transfer Harbours, Piers, Quays, &c. to Grand Juries of Counties.

It shall be lawful for the said Commissioners of Public Works (by and with the Consent and Direction of the Commissioners of Her Majesty's Treasury), by Warrant under the Hands of the said Commissioners of Public Works or any Two of them, from Time to Time to direct that any Harbour, Pier, Quay, Landing Place, or other Work mentioned in the said Schedule, or which at any Time hereafter shall be erected, constructed, or made, altered or improved, by the said Commissioners of Public Works, out of the Sums of Fifty thousand Pounds and Forty thousand Pounds granted by the said Acts of the Ninth and Tenth and Tenth and Eleventh Years of Her Majesty, or any Land at, about, or adjoining such Harbour, Pier, Quay, or Landing Place purchased by and vested in the said Commissioners under the Provisions of the said Acts or either of them, shall be deemed and become the public Property of the County in which such Harbour Pier, Quay, Landing Place, or other Work may be situate, and from and after the Date of any such Warrant such Harbour, Pier, Quay, Landing Place, or other Work, together with all Ways, Rights, Members, and Appurtenances thereto belonging, and such Land, shall be deemed and taken to be the public Property of such County, and be held, maintained, and preserved by the Grand Jury of the County mentioned in such Warrant in like Manner as any public or County Road or Bridge within such County the Expense of which is or may be chargeable to such County or any Barony thereof: Provided always, that nothing in this Provision contained shall in any Manner affect, alter, or abridge the Powers of the said Commissioners of Public Works under the said Acts of the Ninth and Tenth and the Tenth and Eleventh Years of Her Majesty, or either of them, for the raising, levying, and recovering the Amount specified in any Final Award made or to be made by the said Commissioners of Public Works, and therein stated to have been advanced by way of Loan, or the Interest thereof: Provided also, that the Tolls and Rates to be levied and paid for the Use of any such Harbour, Pier, Quay, Landing Place, or other Work shall be from Time to Time fixed by the said Commissioners of Public Works, with the Approbation of the Commissioners of Her Majesty's Treasury; but all such Tolls and Rates shall belong to the County in which such Work may be situate, and shall be levied, collected, and applied, under the Direction of the Grand Jury of such County, and Payment thereof may be enforced by such Person as they may appoint to receive the same, in like Manner as Payment of the Tolls or Rates for the Use of such Work as aforesaid may, under the said Acts or any of them, be enforced by the said Commissioners of Public Works, or their Lessees or Officers: Provided also, that nothing in this Provision, or in any Warrant of the said Commissioners for making any such Harbour, Pier, Quay, Landing Place, or other Work, the public Property of any such County as aforesaid, shall prevent the said Commissioners of Public Works from exercising the Powers contained in the said Acts of the Sixth and Seventh Years of King *William* the Fourth and of the Ninth and Tenth Years of Her Majesty, in respect to the making, altering, or repealing of any Byelaws, Rules, Orders, and Regulations, as therein mentioned, or in anywise affect the Powers or Provisions of the said Acts in relation to such Byelaws, Rules, Orders, or Regulations, but such Powers may be exercised by the said Commissioners of Public Works, in respect to any such Harbour, Pier, Quay, Landing Place, or other Work, as if no such Warrant had been executed for vesting any such Pier, Harbour, Quay, Landing Place, or other Work in any such County as aforesaid.

Nothing to alter or abridge Powers of Commissioners for recovering Monies advanced by way of Loan, and Interest thereon.

Tolls and Rates to be fixed by Commissioners of Public Works, with Approbation of the Treasury.

Nothing to affect Powers of Commissioners of Public Works to make Byelaws, &c.

Grand Jury may present for Repairs of Harbours, Piers, Quays, &c.; and enter into Contracts for Repairs of such Harbours, &c.

VIII. It shall be lawful for the Grand Jury of any County in which any such Harbour, Pier, Quay, Landing Place, or other Work may be situate to present to be raised off the County at large, or any Barony or Baronies therein, such Sum and Sums of Money as may from Time to Time be necessary for the Repair and Maintenance of any such Work which may become the Property of any such County as aforesaid, and to contract for the Maintenance and Repair of any such Work for any Term not exceeding the Term of Seven Years, and, without any Application to Presentment Sessions, to present to be raised off such County at large, Barony or Baronies, from Time to Time for the Amount necessary to pay the Person or Persons with whom any such Contract shall be made.

Grand Jury to appoint "Harbour Constable" for enforcing Byelaws, and for Care and Conservancy of Work;

IX. It shall be lawful for the Grand Jury of the County in which any such Harbour, Pier, Quay, Landing Place, or other Work may be situate to appoint, from Time to Time as Occasion shall require, a proper Person, at such Salary as they may think fit, not exceeding the Sum of Twenty Pounds *per Annum*, for enforcing the Byelaws, Rules, Orders, and Regulations (if any) which shall or may be made by the Commissioners of Public Works respecting any such Work, and for the Purpose of settling all Disputes which may arise with respect to the Occupation or Use and the due and proper Care and Preservation of any such Harbour, Pier, Quay, Landing Place, or other Work; and such Person so to be appointed shall be called "the Harbour Constable," and shall have, for the Purposes aforesaid or any of them,

them, in addition to the Powers hereby or by any such Byelaws given, the same Rights, Powers, and Authorities as if he had been appointed to and formed Part of the Constabulary Force established in and for any County in *Ireland;* and it shall be lawful for the Grand Jury of any such County to present for the Amount of the Salary so agreed to be paid to any such Harbour Constable, without any Application to Presentment Sessions. and may present for his Salary.

X. One Half of every Sum of Money levied as a Fine or Penalty under the Provisions of the said Acts of the Sixth and Seventh Years of King *William* the Fourth and the Ninth and Tenth Years of Her Majesty, or either of them, or under or in respect of any Byelaw heretofore made or which shall be made by the said Commissioners of Public Works, in respect of any such Harbour, Pier, Quay, Landing Place, or other Works, which shall become the Property of any such County, shall be paid to the Informer or Person who shall be the Means of bringing to Justice any Person offending against such Acts or either of them or such Byelaw as aforesaid, and the remaining Half shall be paid to the Treasurer of the County in which any such Harbour, Pier, Quay, Landing Place, or other Work shall be situate, to be by him brought to the Credit of such County. Application of Penalties in respect of Piers, Harbours, &c.

XI. In case the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall signify to the Commissioners of Her Majesty's Treasury that any such Harbour, Pier, Quay, Landing Place, or other Work which may become the Property of any such County as aforesaid is not kept and maintained in good and proper Repair by the Grand Jury of the County in which any such Work may be situate, or that any sudden Breach or Damage has occurred to any such Work, it shall and may be lawful for the Commissioners of Her Majesty's Treasury in any such Case, if they think fit, on an Estimate being laid before them by the Commissioners of Public Works or any Two of them, setting forth what Sum will be requisite and necessary from Time to Time for the Repair of any such Harbour, Pier, Quay, Landing Place, or other Work, and stating the Situation of such Harbour, Pier, Quay, Landing Place, or other Work, and of the Repairs required for the same, to direct that any such Sum or Sums of Money required by such Commissioners of Public Works, or any Part thereof, be advanced and paid to such Commissioners out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to be applied, under the Directions of the said Commissioners of Public Works, in the repairing of any such Harbour, Pier, Quay, Landing Place, or other Work. Commissioners of Public Works may execute Works of Repair of Harbours, Piers, Quays, &c. in certain Cases.

XII. Whenever any such Harbour, Pier, Quay, Landing Place, or other Work shall be repaired under the Direction of the said Commissioners of Public Works, the said Commissioners or any Two of them shall certify to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* the total Amount of the Expense incurred by such Repair, and thereupon the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or in his Absence the Under Secretary, shall certify to the Secretary of the Grand Jury of any County within which any such Harbour, Pier, Quay, Landing Place, or other Work shall be situate, the Amount of Money which shall have been expended upon the Repair of such Harbour, Pier, Quay, Landing Place, or other Work within any and every such County respectively out of the Advances authorized by this Act; and every such Certificate shall be laid before the Grand Jury of any and every such County at the next Assizes after the Date of such Certificate of the Chief or Under Secretary, and thereupon the Grand Jury shall present for the Amount of such Expenses as stated in such Certificate to be raised off such County at large, or any Barony or Baronies therein; and when and as soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any such County, such Treasurer shall pay over the same to the Paymaster of Civil Services in *Ireland*, or in such Manner as the Commissioners of Her Majesty's Treasury shall direct. Mode of Repayment of Money expended on such Repairs.

XIII. 'And whereas in and by the said Act of the Tenth and Eleventh Years of Her Majesty it was 'enacted, that the said Commissioners of Public Works, with the Approval of the Commissioners 'of Her Majesty's Treasury, might, if they thought fit, out of the Funds therein mentioned, advance by 'way of Grant any Part of the Expenses of the First Repair of any Harbour, Pier, Quay, Landing 'Place, or other Work vested in them under such Act, and previously to such First Repair such Pro-'ceedings should be had and taken as by the said Act of the Ninth and Tenth Years of Her Majesty are 'required to be previously had or taken in the Case of any new Pier, Quay, Harbour, or other Work the 'Expense of which was partly to be paid by any County or District: And whereas it is expedient to 'amend the said Provision:'

So much of the said Act of the Tenth and Eleventh Years of Her Majesty as directs that, previous to such First Repair of any Harbour, Pier, Quay, Landing Place, or other Work vested in the said Commissioners of Public Works, such Proceedings shall be had and taken as by the said Act of the Ninth and Tenth Years of Her Majesty are required to be previously had or taken in the Case of any new Pier, Quay, Harbour, or other Work the Expense of which is partly to be repaid by any County or District, shall be repealed, save as to any Matter or Thing heretofore done under such Provision. So much of 10 & 11 Vict. c. 75. as relates to Proceedings previous to First Repairs of Piers, &c. repealed.

XIV. Previously to the Time when any Harbour, Pier, Quay, Landing Place, or other Work shall become the public Property of any County as aforesaid, it shall and may be lawful for the said Commissioners of Public Works, with the Sanction and Approval of the Commissioners of Her Majesty's Treasury, if they think fit, out of the Residue now remaining unapplied of the several Sums of Fifty thousand Pounds and Forty thousand Pounds in and by the said Acts of the Ninth and Tenth and the Tenth and Eleventh Years of Her Majesty granted for the Purposes of the said Acts, to apply such Sum of Money as may in the Opinion of the said Commissioners of Public Works be necessary for the Repair of such Harbour, Pier, Quay, Landing Place, or other Work without charging such Sum or any Part thereof on such County. Harbours, Piers Quays, &c. may be repaired by Commissioners of Public Works at any Time previous to same being transferred to the County.

9 & 10 Vict. c. 3.

XV. 'And whereas in and by the said Act of the Ninth and Tenth Years of Her Majesty it was 'enacted, that any Sum of Money which under the Final Award of the said Commissioners of Public 'Works should be payable by any County in respect of Monies advanced by way of Loan for or in respect 'of any Work under the Provisions of the said Act should be payable by the Grand Jury of such County, 'and the Secretary of the said Commissioners should certify to the Secretary of such Grand Jury the 'Amount of such Sum of Money, and the Instalments and Manner by and in which the same was 'payable under the Award of said Commissioners, and such Grand Jury was required, without Appli-'cation to Presentment Sessions, to make Presentment of the Amount of such Costs, Charges, and 'Expenses, or of the Instalments from Time to Time payable in respect thereof, as stated in such 'Certificate, together with Interest, as therein mentioned, to be raised off the County at large; and it is 'by said Act also enacted, that any Sum of Money which under such Final Award should be payable by 'any District in respect of Monies advanced by way of Loan for or in respect of any Work under the 'Provisions of said Act, with Interest thereon, as therein mentioned, should be charged upon the Occu-'piers of and other Persons rateable in respect of Lands and Hereditaments within such District, and 'rated as therein mentioned, and should be payable either in One Sum, or by Instalments, as specified 'in such Award, by the Ratepayers therein mentioned, the same to be assessed and levied as therein 'mentioned: And whereas it is expedient to make other Provision for the Collection and Repayment of 'all Sums which under any Final Award of the said Commissioners should be payable by any County or 'by any District in respect of Monies advanced by way of Loan for or in respect of any Work executed 'under the Provisions of the said last-mentioned Act:'

Monies payable by County or District under Award to be presented by Grand Jury.

Where any Sum of Money under the Final Award of the said Commissioners already made, or hereafter to be made, is or shall be payable by any County and District, or either of them, in respect of Monies advanced by way of Loan for or in respect of any Harbour, Pier, Quay, Landing Place, or other Work, under the Provisions of the said Act of the Ninth and Tenth Years of Her Majesty, or of this Act, the same shall be payable by the Grand Jury of such County; and the Secretary of the said Commissioners shall certify to the Secretary of such Grand Jury the Amount of such Sum of Money, and the Instalments and Manner by and in which the same is payable, under the Award of the said Commissioners; and such Grand Jury are hereby required, without Application to Presentment Sessions, to make Presentment of the Amount mentioned in such Certificate to be payable at the Times and in the Manner stated in such Certificate, to be raised off the County at large and District, or either of them, as the Case may be; and in default of such Presentment, the Court, at such or the next Assizes, shall order the Amount mentioned in such Certificate to be raised off such County and District, or either of them, as the Case may be, and such Order shall have the Force and Effect of a Presentment; and the Treasurer of such County shall insert such Amount as shall be so presented or ordered as aforesaid in his Warrant or Warrants, and the same shall be applotted, raised, and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess; and when and so soon as such Amount as aforesaid shall be raised and received by the Treasurer of the County, such Treasurer shall immediately pay the same to the Paymaster of Civil Services in *Ireland* for the Time being, and the same shall be by him paid over and applied, in such Manner as the Commissioners of Her Majesty's Treasury shall from Time to Time direct, in discharge of the Loan mentioned in any such Award, and chargeable to such County and District, or either of them.

Monies payable under Awards by Proprietors to be paid to the Paymaster of Civil Services.

XVI. Any Sum of Money which under any such Final Award shall be payable by any Proprietor of Lands in respect of Monies advanced by way of Loan for or in respect of any Work under the Provisions of the said Act of the Ninth and Tenth Years of Her Majesty, together with Interest for such Sum, as by the said Act provided, from the Date of such Award, shall be paid and payable to the Paymaster of Civil Services in *Ireland* for the Time being, and the same shall be by him paid over and applied, in such Manner as the Commissioners of Her Majesty's Treasury shall from Time to Time direct, in discharge of the Loan, and Interest thereon, chargeable on the Lands of such Proprietor, as mentioned in any such Award: Provided always, that nothing herein contained (save as lastly herein-before mentioned) shall in any Manner alter or affect the Provisions of the said Act with respect to Repayment of such Loan or the Recovery thereof in case of Nonpayment of the same.

6 G. 4. c. 101.

XVII. 'And whereas by an Act of the Sixth Year of King *George* the Fourth, Chapter One hundred 'and one, Provision was made for the Repair and Maintenance of certain Roads and Bridges in *Ireland* 'made wholly or in part at the Public Expense, and by the said Act of the First and Second Years of 'King *William* the Fourth the said Act of King *George* the Fourth, which had expired, was revived, 'and the Repair and Maintenance of such Roads and Bridges placed under the Direction of the said 'Commissioners of Public Works: And whereas the several Roads and Bridges which have been made 'by the said Commissioners of Public Works under the said Act of the First and Second Years of King '*William* the Fourth, and the Acts amending the same, have hitherto been maintained by the said 'Commissioners of Public Works, and the Expenses incurred in such Maintenance have from Time to 'Time been repaid by means of Grand Jury Presentment by the Counties in which such Roads are 'respectively situate: And whereas it is expedient that the Maintenance of all the said Roads 'and Bridges should be transferred to the respective Counties in which such Roads or Bridges may be 'situate:'

Roads and Bridges hitherto maintained by Commissioners

All Roads and Bridges in *Ireland* heretofore maintained and repaired by the said Commissioners of Public Works, under the said Acts of the Sixth Year of King *George* the Fourth and the First and Second Years of King *William* the Fourth, and also all Roads and Bridges heretofore made by the said Commissioners,

Commissioners, either wholly or in part at the Public Expense, by means of free Grants, under the said Act of the First and Second Years of King *William* the Fourth, or any of the Acts amending the same, and heretofore maintained by the said Commissioners of Public Works, shall from and after the First Day of *July* next ensuing be considered and deemed public County Roads and Bridges the Property of the Counties in which such Roads and Bridges shall be respectively situate, and the same Roads and Bridges respectively shall be kept in repair and maintained as public County Roads and Bridges within such Counties respectively are now kept in repair and maintained: Provided always, that when any such Bridge shall be situate partly in One County and partly in another, the Expense of repairing and maintaining such Bridge shall be borne and defrayed equally between such Counties, and Presentments made accordingly.

of Public Works vested in Grand Jury.

XVIII. 'And whereas Contracts or Agreements have been entered into by the said Commissioners of 'Public Works with certain Persons for the Maintenance and Repairs of certain of the said Roads and 'Bridges, and which Contracts are still subsisting, and it is expedient to make due Provision for the 'same:'

Existing Contracts for Maintenance and Repairs of Roads and Bridges transferred to Grand Jury.

From and after the said First Day of *July* all the Benefit and Obligation to which the said Commissioners of Public Works may be entitled or subject under any Contract entered into with them, and then in force, for the Repair of any such Road or Bridge as aforesaid, and under any Bond or other Instrument as a Security for the Performance of any such Contract, shall, without any Act or Deed whatever to be done by the said Commissioners of Public Works or any other Person, become transferred to and vest in the Grand Jury of the County in which any such Road or Bridge to which such Contract shall relate shall be situate, and every such Contract, Bond, or other Instrument may be proceeded upon by or on behalf of such Grand Jury, or at their Instance, in the same Manner as if such Contract, Bond, or other Instrument had been entered into in pursuance of the Provisions of the several Acts relating to the Presentment of Public Monies by Grand Juries in *Ireland* for the Repairs of Roads or Bridges, and every Person who entered into such Contract shall be entitled to the full Benefit of such Contract, as against such Grand Jury, and the same shall be as binding on such Grand Jury as if the same were entered into with such Grand Jury, and from and after the said First Day of *February* the Liability of the said Commissioners of Public Works in respect to any such Contract shall cease and determine.

6 & 7 W. 4. c. 35.

XIX. 'And whereas by an Act of the Session holden in the Sixth and Seventh Years of King 'William the Fourth, Chapter Thirty-five, certain Roads therein mentioned or referred to, passing to, 'from, and between the General Post Office in the City of *Dublin* and the Harbour at *Howth*, were, 'with the said Harbour and other Works and Matters therein mentioned, vested in the Commissioners 'acting in execution of the said Act of the First and Second Years of King *William* the Fourth, now 'the Commissioners of Public Works in *Ireland*, the same to be thenceforth repaired, maintained, and 'supported by the said Commissioners, as therein mentioned: And whereas it is no longer necessary or 'expedient that the said Roads should continue to be repaired and maintained by the said Commissioners 'of Public Works:'

Road from Dublin to Howth (save that Part commonly called the North Strand) vested in and to be maintained by the Trustees of the Road.

From and after the First Day of *October* next so much of the said Act of the Sixth and Seventh Years of King *William* the Fourth as vests in the said Commissioners of Public Works the said Road from *Dublin* to *Howth*, and enacts that the same shall be repaired, maintained, and supported by such Commissioners, and provides that Payments shall be made as therein mentioned to such Commissioners for the Repairs of such Roads, shall be repealed; and the said Road from *Dublin* to *Howth* (save that Part commonly called the *North Strand*, herein-after specially provided for,) shall be vested in and maintained and kept in repair by the Trustees respectively acting in execution of the several Acts passed by the Parliament of *Ireland* in the Twenty-sixth, Twenty-eighth, Twenty-ninth, Thirty-first, Thirty-second, Thirty-third, and Thirty-eighth Years of King *George* the Third, in the said Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Thirty-five, mentioned or referred to, and of the Act of the Fifty-sixth Year of King *George* the Third, in the same Act of the Sixth and Seventh Years of King *William* the Fourth also mentioned or referred to, and of any other Act or Acts of Parliament respecting the said Roads, in the same Manner, and with, subject to, and under the same Powers, Authorities, and Provisions, as if the Act of the Fourth Year of King *George* the Fourth, Chapter Seventy-four, relieving such Trustees from the Burden of the Repair of the said Road, and providing for the Repair thereof by the Commissioners therein mentioned, and any subsequent Act providing for such Repair by any other Commissioners, had not been passed.

Portion of Road from Dublin to Howth called North Strand to be deemed a public Road.

Presentment for Repairs and Maintenance thereof to be made.

XX. From and after the said First Day of *October* the said Road commonly called and known as the *North Strand*, commencing at the *Circular Road* near to the City of *Dublin*, and ending at *Annesley Bridge*, shall be considered a public Road within the County of the City of *Dublin*, and be maintained and kept in repair in like Manner and subject to the like Provisions as all other Roads being within the said County of the City of *Dublin*, and any Sum of Money which may appear by the Certificate of the said Commissioners of Public Works to be now due and owing to the said Commissioners for Repairs heretofore made to the said Road shall be presented for by the Council of the Borough of *Dublin*, in like Manner as they are now authorized to present for Monies for the Repairs of any Road within the County of the City of *Dublin*, to be paid to the said Commissioners of Public Works at such Times as shall be mentioned in such Certificate.

Interpretation.

XXI. The Term "Treasurer," when used in this Act, shall, as regards the County of *Dublin*, be held to signify the Finance Committee; and the Instalments herein directed to be raised half yearly shall, as regards the said County of *Dublin*, be held to signify yearly; and the Amount of each Instalment, exclusive of Interest, to be not less than Ten *per Cent.* of the whole Amount of the Sum presented.

FIRST

FIRST SCHEDULE.

County of } Assizes.
18 .
to wit. } We the Grand Jury of the County of duly assembled and sworn at the Assizes, held at in and for the said County on the Day of , in pursuance of

Insert the Act or Acts enabling the Grand Jury to present for the Work, the Years of the Queen's Reign, and the Chapter and Section of each Act respectively, as printed by the Queen's Printers.

do present the Sum of , for the Purpose of

State for what the Presentment is.

And further, in pursuance of the Powers to us in that Behalf given in and by an Act of the Victoria, intituled [*here state Title of this Act*], and to enable us to borrow the said Sum of from any Party or Person who may advance such Sum; and, in order to repay the same, we do present that the said Sum be raised and levied upon

State the Barony or Baronies or County at large, as the Case may be.

by half-yearly Instalments of

The Instalments cannot be less than 10*l.* per Cent. per Annum of the whole Sum to be presented.

each, the First of said Instalments to be raised after the present Assizes, and the remaining Instalments after the next and each and every successive Assizes, until the whole of the said Sum shall be raised and discharged: And further, in pursuance of the Powers in the said Act contained, we do further present the Sum of

Insert a Sum sufficient to pay the annual Interest which will accrue during the Period of the Loan.

to be raised upon the

State Barony or Baronies or County at large.

The Sum borrowed.

to pay the annual Interest of the said Sum of or of such Part of the same as shall from Time to Time remain due, at such Rate not exceeding Five per Cent., as may be agreed upon; and we present the said Sum of

The Sum above presented for Interest.

to be raised half yearly in such Sums as may be from Time to Time required to satisfy the Interest of so much of the said Principal Sum as shall be and remain due after the Application of the Sums presented to be levied for its Satisfaction, One of such Sums or Instalments to be raised upon the

State Barony or Baronies or County at large.

, after the present and every future Assizes,

Ditto.

and the other upon after the next and every future Assizes, in the next and each succeeding Year, until such Principal Sum shall have been fully paid as aforesaid:

And further, for the said Purpose and to defray the Expenses attendant upon obtaining an Examination and Report for the Information and Satisfaction of the Commissioners of Public Works in Ireland, as provided for by the said Act, we do further present a Sum of

An adequate Sum to be here inserted in the Presentment, beyond the Estimate for the Works, to cover the Expenses of the Investigations of the Officers of the Board of Works.

to be raised upon , immediately after the present Assizes, and to be paid to the Treasurer for that Purpose:

As before.

And we nominate and appoint

Insert here the Names of not less than Three or more than Five Persons to act as a Committee.

to treat and agree and contract for a Loan with any Party or Person willing to make the same on the Security of this Presentment, and for the Rate of Interest which shall be paid on such Loan, and otherwise to carry this Presentment into effect.

SECOND

SECOND SCHEDULE referred to in the foregoing Act.

Where situate.	Harbour, Pier, Quay, or other Work, as the Case may be.	County in which situate.
Cahore	Pier	Wexford.
Arthurstown	Pier or Landing Quay	Wexford.
Ballinacourty	Pier	Waterford.
Harbour of Kinsale	Quay at Worldsend	Cork.
Cove of Kinsale	Quay	Cork.
Courtmacsherry	Pier	Cork.
Glandore	Pier	Cork.
Baltimore	Pier	Cork.
Cape Clear	Pier	Cork.
Bear Island	Pier at Laurence Cove	Cork.
Bearhaven	Pier at Castletown	Cork.
Coulagh Bay	Pier	Cork.
Kenmare	Pier	Kerry.
Caherciveen	Pier	Kerry.
Castlemaine	Pier	Kerry.
Kilbaha	Pier	Clare.
Liscannor	Pier	Clare.
Burren	Pier	Clare.
Dooros	Pier	Galway.
Ardfry	Pier	Galway.
Kilcolgan	Pier	Galway.
Claddagh	Piers	County of the Town of Galway.
Barna	Pier	Galway.
Spiddle	Pier	Galway.
Greatmans Bay	Pier on the Island of Gorumna.	Galway.
Killeany in the Island of Aran	Pier	Galway.
Bealadangan	The Pass of Bealadangan	Galway.
Roundstone	Pier	Galway.
Clifden	Pier	Galway.
Clegan Bay	Pier	Galway.
Leenane Killary Bay	Pier	Galway.
Cashla Bay	Pier	Galway.
Clew Bay	Pier at Old Head	Mayo.
Clare Island	Two small Piers	Mayo.
Achill Sound	Pier	Mayo.
Blacksod Bay	Pier at Tarmon	Mayo.
Bellmullet	Pier	Mayo.
Blacksod Bay	Pier at Saleen	Mayo.
Raghley	Pier	Sligo.
Bruckless	Pier	Donegal.
Newport	Pier	Donegal.
Killybegs	Quays	Donegal.
Teelin Harbour	Pier	Donegal.
Rathmullen	Pier	Donegal.
Greencastle	Pier	Donegal.
Portmuck	Pier	Antrim.
Carrickfergus	Pier	County of Town of Carrickfergus.
Lambay Island	Pier	Dublin.
Island of Inishturk	Pier	Mayo.
Broadhaven	Pier	Mayo.
Dooniver	Pier	Mayo.

Where situate.	Harbour, Pier, Quay, or other Work, as the Case may be.	County in which situate.
Clear Bay	Pier at Roigh	Mayo.
Cashla Bay	Pier	Galway.
Ballyvaughan	Pier	Clare.
Annalong	Harbour, Pier, Wharf, and Breakwater.	Down.
Arran Island	Pier and Landing Slip	Galway.
Quay Village, Brandon Bay	Pier	Kerry.
Ballycotten	Pier	Cork.
Ballyness	Pier	Donegal.
Bunowen	Pier	Galway.
Bamaderrig	Landing Slip and Wharf	Galway.
Bunatrühan	Landing Slip	Donegal.
Blackwater	Pier and Roadway	Kerry.
Ballywalter	Pier and Roadway	Down.
Ballynagane	Pier and Landing Slip	Waterford.
Carlingford	Pier and Roadway	Louth.
Courtown	Screw Pile Pier	Wexford.
Portoriel, Clogher Head	Harbour	Louth.
Cushendall (Red Bay)	Pier	Antrim.
Dingle	Pier	Kerry.
Dunany	Pier	Louth.
Duncannon	Pier and Approach	Wexford.
Errislannan, or Loughawn Lea	Dock	Galway.
Fethard	Pier	Wexford.
Greystones	Landing Wharf	Wicklow.
Greenane	Pier	Kerry.
Helvick Head	Landing Slip and Basin	Waterford.
Kilkieran	Pier	Galway.
Knightstown (Valencia)	Pier and Breakwater	Kerry.
Kilmakilloge	Pier	Kerry.
Kilmore	Pier	Wexford.
Moville	Pier	Donegal.
Newport	Quay Wall	Mayo.
Newcastle	Pier and Breakwater	Down.
Portorablahy	Pier	Donegal.
Rosroe	Pier	Galway.
Rush	Pier	Dublin.
Sea View (Mountcharles)	Pier	Donegal.
Slade	Pier	Wexford.
Skull	Pier and Approach	Cork.
Tarrea	Pier and Approach	Galway.
Ventry	Pier and Landing Slip	Kerry.

CAP. CXXXVII.

An Act for the better Administration of Charitable Trusts. [20th *August* 1853.]

'WHEREAS it is expedient to provide Means for securing the due Administration of Charitable Trusts, and for the more beneficial Application of Charitable Funds in certain Cases:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty empowered to appoint Charity Commissioners, Secretary, and Inspectors.

I. It shall be lawful for Her Majesty and Her Successors, by Warrant under the Royal Sign Manual, to appoint Four Commissioners, and also One Secretary and Two Inspectors for the Purposes of this Act, and upon any Vacancy by the Death, Resignation, or Removal of any Commissioner, Secretary, or Inspector under this Act, from Time to Time in like Manner to appoint another Person to succeed to such Vacancy, and until a fresh Appointment shall be made it shall be lawful for the surviving or continuing Commissioners,

Commissioners, in case of any Vacancy, to act as if no such Vacancy had occurred; and Three of the said Commissioners shall hold Office during good Behaviour; and the Fourth, and every Secretary and Inspector to be appointed under this Act, shall hold Office during the Pleasure of Her Majesty.

Qualification of Commissioners.

II. The said Three Commissioners so holding Office during good Behaviour shall be paid as hereinafter mentioned, and Two at least of the said paid Commissioners for the Time being shall be Barristers-at-Law of not less than Twelve Years standing at the Time of their respective Appointments, and One of such Barristers shall be the Chief Commissioner, and shall be so called and distinguished in his Appointment.

Officers of the Board.

III. The said Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, shall from Time to Time appoint such Clerks and Messengers as the said Commissioners may think fit, and all Persons appointed under this Provision shall hold their Offices during the Pleasure of the said Commissioners.

Salaries.

IV. There shall be paid to the said paid Commissioners, and to the said Secretary, Inspectors, Clerks, and Messengers, such Salaries not exceeding for the Chief Commissioner the annual Sum of One thousand five hundred Pounds, and for each of the other paid Commissioners the annual Sum of One thousand two hundred Pounds, and for the said Secretary the annual Sum of Six hundred Pounds, and for each of the said Inspectors the annual Sum of Eight hundred Pounds, as shall be from Time to Time allowed by the Commissioners of Her Majesty's Treasury, who may also allow to every Commissioner, Inspector, and other Person appointed for the Purposes of this Act such reasonable Travelling and other Expenses as may be incurred by him in the Execution of his Office, and the said Salaries and Expenses, and the incidental Expenses of the said Board, shall be paid out of any Monies which may be from Time to Time provided by Parliament for that Purpose: Provided always, that after the Thirty-first day of *March* in the Year One thousand eight hundred and fifty-seven, the said annual Salary shall be paid to One only of the said Commissioners besides the said Chief Commissioner.

No paid Commissioner, &c. to sit in House of Commons.

V. No paid Commissioner, Secretary, or Inspector to be appointed under this Act shall be capable of sitting in the House of Commons during the Tenure of his Office.

Style of Commissioners, who may sit as a Board.

VI. The said Commissioners to be appointed under this Act shall be styled "The Charity Commissioners for *England* and *Wales*," and may have and use a Seal for authenticating Documents, and such Commissioners shall sit from Time to Time as a Board for carrying this Act into execution; and any Two of such Commissioners may form a Board, and may exercise all or any of the Powers conferred on the Commissioners or the Board by this Act.

Board to frame General Minutes.

VII. The said Board shall, by General Minutes, from Time to Time prescribe Regulations for their Proceedings, and the Proceedings of their Inspectors, and concerning the Form and Manner of Applications to the said Board, and the Conditions to be performed by Applicants, and for the Guidance of Applicants in relation thereto, and all such General Minutes shall be signed by Three of the said Commissioners at the least; and Copies of all such General Minutes shall be laid before both Houses of Parliament within Fourteen Days after the making thereof if Parliament be sitting, or if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Minutes of Proceedings and Orders, &c. to be entered, and Copies of Entries signed by the Secretary to be received in Evidence.

VIII. The said Board shall cause Minutes of their Proceedings, and all Orders, Certificates, and Schemes, made or approved by them under this Act, to be entered in Books to be provided and kept for such Purpose, and all such Entries shall be signed by their Secretary, and all Copies purporting to be extracted from the Books of the said Board, and to be certified by their Secretary, of any such Minutes, Orders, Certificates, and Schemes entered as aforesaid, shall be received as Evidence of the Proceedings to which such Minutes shall relate, and of such Orders, Certificates, or Schemes, and of the making or Approval thereof (as the Case may require) by the said Board, without further Proof thereof.

Board to inquire into Condition and Management of Charities.

IX. It shall be lawful for the said Board from Time to Time, as they in their Discretion may see fit, to examine and inquire into all or any Charities in *England* or *Wales*, and the Nature and Objects, Administration, Management, and Results thereof, and the Value, Condition, Management, and Application of the Estates, Funds, Property, and Income belonging thereto; and the said Board may cause Examinations and Inquiries in relation to the Matters aforesaid to be made and prosecuted by their Inspectors, acting together or separately, in such Cases and at such Times as the said Board may think fit; and all such Inspectors shall from Time to Time report their Proceedings to the said Board.

Power to require Accounts and Statements.

X. The said Board may require all Trustees or Persons acting or having any Concern in the Management or Administration of any Charity, or the Estates, Funds, or Property thereof, to render to the said Board, or to their Inspectors, or either of them, Accounts and Statements in Writing in relation to such Charity, or the Funds, Estates, Property, Income, or Monies thereof, or the Administration, Management, and Application thereof, and may also require such Trustees and Persons to return Answers in Writing to any Questions or Inquiries addressed to them by the Direction of the said Board relating to the Matters aforesaid.

Officers having Custody of Records to furnish Copies and Extracts, if required by Board.

XI. All Officers having the Custody of Enrolments, Decrees, Reports, Records, and other Documents relating to or concerning any Charity shall furnish such Copies or Extracts as shall be required by the said Board; and every Inspector, Secretary, and other Officer of the said Board for the Time being employed for the Purposes of this Act shall be at liberty, by the Authority and under the Directions of the Board, and subject to such Regulations as the Board may make in that Behalf, to examine and search the Registers and Records of every Court of Law and Equity, and every Ecclesiastical Court, and every public Registry and Office of Records, and to take Copies of and Extracts from any Decree

or Document recorded or registered or deposited therein respectively, for any Purpose contemplated by this Act, without Fee or other Payment in respect thereof.

Inspector may examine Witnesses on Oath.

XII. Any Inspector acting under the Authority of the said Board may, by Precept under his Hand, subject to such Regulations as the said Board may make in that Behalf, require any Person, being a Trustee of any Charity or otherwise acting or having any Concern in the Management or Administration of any Charity, or of the Estates, Funds, or Property thereof, or in the Receipt or Payment of the Income or Monies thereof, or deriving any Income or Stipend therefrom, to attend before such Inspector for the Purpose of being examined by him touching or relating to such Charity, or the Estates, Funds, Property, or Income thereof, at any Time and Place mentioned or appointed by such Precept, and to bring and produce any Deed, Paper, Writing, Instrument, or other Document, being in the Custody, Possession, or Power of such Person, and relating to such Charity, or the Estates, Funds, Property, or Income thereof, and may examine upon Oath all Persons attending in pursuance of such Precept, and all Persons voluntarily attending before him, and may administer such Oath: Provided always, that no Person shall be obliged to travel in obedience to any such Precept more than Ten Miles from his Place of Abode.

False Evidence a Misdemeanor.

XIII. If any Person wilfully give false Evidence upon any Examination under this Act, every Person so offending shall be deemed guilty of a Misdemeanor.

Person refusing to render Accounts, &c. to be deemed guilty of a Contempt of Court.

XIV. If any Person from whom the said Board, or any Inspector, is authorized to require any Account or Statement or Answers to any Questions or Inquiries, or whose Attendance any Inspector is authorized to require, shall refuse or wilfully neglect to render to the said Board such Account or Statement, or to make Answers to such Questions or Inquiries, or to attend in obedience to any lawful Precept of any Inspector or to give Evidence before him, or shall wilfully alter, destroy, withhold, or refuse to produce any Deed, Paper, Writing, Instrument, or other Document which may be lawfully required to be produced before any Inspector of the said Board, every Person so offending shall be deemed and taken to have been guilty of a Contempt of the High Court of Chancery, and shall be liable to be attached and committed by such Court on summary Application by the Commissioners to the same, and shall pay the Costs of and attending such Contempt as the said Court shall direct.

Saving for Persons claiming adversely to Charities.

XV. Provided always, that nothing herein contained shall extend to give to the said Board or their Inspectors any Power of requiring from any Persons holding or claiming to hold any Property whatsoever adversely to any Charity, or free or discharged from any Charitable Trust or Charge, any Information, or the Production of any Deed or Document whatever in relation to the Property so held or claimed adversely, or any Charitable Trust or Charge alleged to affect the same.

Board to entertain Applications for their Opinion or Advice.

XVI. The said Board shall receive and consider all Applications which may be made to them by any Trustee or other Person having any Concern in the Management or Administration of any Charity, for their Opinion, Advice, or Direction respecting such Charity, or the Management or Administration thereof, or the Estates, Funds, Property, or Income thereof, or the Application thereof, or any Question or Dispute relating to the same respectively, and, if they so think fit, may, upon any such Application, give such Opinion or Advice as they think expedient, subject to any Judicial Order or Direction which may be subsequently made or given by any competent Court or Judge; and such Opinion or Advice shall be in Writing, signed by Two or more of the said Commissioners, and sealed with the Seal of the said Commission; and every Trustee and other Person who shall act upon or in accordance with the Opinion or Advice given by the said Board shall in respect of so acting be deemed and taken, so far as respects his own Responsibility, to have acted in accordance with his Trust; and no such Judicial Order or Direction subsequently made or given by any Court or Judge shall have any such retrospective Effect as to interfere with or impair the Indemnity by this Act given to Trustees and other Persons who have acted upon or in accordance with such Opinion or Advice of the said Board: Provided always, that nothing herein contained shall extend to indemnify any Trustee or other Person for any Act done in accordance with the Opinion or Advice of the said Board, if such Trustee or other Person have been guilty of any Fraud or wilful Concealment or Misrepresentation in obtaining such Opinion or Advice.

Persons acting on Advice of Board to be indemnified.

Notice of legal Proceedings as to any Charity by any Person, except the Attorney General, to be given to the Board.

XVII. Before any Suit, Petition, or other Proceeding (not being an Application in any Suit or Matter actually pending) for obtaining any Relief, Order, or Direction concerning or relating to any Charity, or the Estate, Funds, Property, or Income thereof, shall be commenced, presented, or taken, by any Person whomsoever, there shall be transmitted by such Person to the said Board, Notice in Writing of such proposed Suit, Petition, or Proceeding, and such Statement, Information, and Particulars as may be requisite or proper, or may be required from Time to Time, by the said Board, for explaining the Nature and Objects thereof; and the said Board, if upon Consideration of the Circumstances they so think fit, may, by an Order or Certificate signed by their Secretary, authorize or direct any Suit, Petition, or other Proceeding to be commenced, presented, or taken with respect to such Charity, either for the Objects and in the Manner specified or mentioned in such Notice, or for such other Objects, and in such Manner and Form, and subject to such Stipulations or Provisions for securing the Charity against Liability to any Costs or Expenses, and to such other Stipulations or Provisions for the Protection or Benefit of the Charity, as the said Board may think proper; and such Board, if it seem proper to them, may by such Order or Certificate as aforesaid require and direct that any Proceeding so authorized by them in respect of any Charity, shall be delayed during such Period as shall seem proper to and shall be directed by such Board; and every such Order or Certificate may be in such Form and

may

may contain such Statements and Particulars as such Board shall think fit; and (save as herein otherwise provided) no Suit, Petition or other Proceeding for obtaining any such Relief, Order, or Direction as last aforesaid shall be entertained or proceeded with by the Court of Chancery, or by any Court or Judge, except upon and in conformity with an Order or Certificate of the said Board: Provided always, that this Enactment shall not extend to or affect any such Petition or Proceeding in which any Person shall claim any Property or seek any Relief adversely to any Charity.

Courts not to entertain Proceedings as to Charities, except upon Certificate of the Board.

XVIII. Provided always, That it shall be lawful for Her Majesty's Attorney General acting *ex officio* to make such Applications, and take and prosecute such Proceedings with respect to any Charity, in the Court of Chancery or otherwise as to him may seem fit, as if this Act had not been passed; and that nothing in this Act contained shall be construed as dispensing with the Fiat or Allowance of Her Majesty's Attorney General, with respect to any Proceeding not being an Application under the Jurisdiction created by this Act where such Fiat or Allowance was necessary before the passing of this Act.

Saving for the Attorney General acting ex officio.

XIX. Provided also, That where upon any Report of any Inspector under this Act or otherwise it appears to the said Board that any Suit, Petition, or other Proceeding concerning or relating to any Charity, or the Estate, Funds, Property, or Income thereof, would be proper or expedient, it shall be lawful for the said Board by their Order to authorize or direct such Suit, Petition, or Proceeding to be commenced, presented, or taken, and to give such Directions in relation thereto as the said Board may think proper; and thereupon such Suit, Petition, or Proceeding may be commenced, presented, or taken accordingly, without any such previous Notice in Writing as herein-before mentioned; and the said Board, before giving any such Opinion, Advice, or Direction upon any such Application as aforesaid, or making any such Order or Certificate after Notice to them as aforesaid, may, where local Inquiry appears to them to be requisite, cause such Inquiry to be made by One of their Inspectors; and the said Board may, in any Case where they see fit, before acting upon the Report of any Inspector, cause such Report to be deposited for local Inspection, and give Notice of the same being so deposited, and consider any Statements or Objections which may be transmitted to them in relation thereto.

Board may, upon Report of an Inspector, authorize Proceedings where no Notice has been given to them, and may in other Cases cause local Inquiries by their Inspector.

XX. In any Case in which it shall appear to the said Board that the Institution of legal Proceedings is requisite or desirable with respect to any Charity, or the Estates, Funds, Property, or Affairs thereof, and that under the Circumstances thereof it is desirable that such Proceedings should be instituted by the Attorney General, it shall be lawful for the said Board, if they so think fit, to certify such Case, in Writing under the Hand of the Secretary of the said Board, to Her Majesty's Attorney General, together with such Statements and Particulars (if any) as in the Opinion of the said Board may be requisite or proper for the Explanation of such Case; and thereupon the said Attorney General, if upon Consideration of the Circumstances he think fit, shall institute and prosecute such legal Proceedings as he shall consider requisite or proper under the Circumstances of such Case, by Information or Petition in the Court of Chancery, or by Application to a Judge thereof at Chambers, or to a District Court of Bankruptcy, or County Court under the Jurisdiction given by this Act.

Power for Board to certify certain Cases to the Attorney General.

XXI. If in any Case it appear to the Trustees or Persons for the Time being acting in the Administration or Management of any Charity, or the Estates or Property thereof, that any Part of the Charity Lands or Estates may be beneficially let on Building, Repairing, Improving, or other Leases, or on Leases for working any Mine, or that the digging for or raising of Stone, Clay, Gravel, or other Minerals, or the cutting of Timber, would be for the Benefit of the Charity, or that it would be for the Benefit of such Charity that any new Road or Street should be formed or laid out, or any Drains or Sewers made through any Part of the Charity Estates, or that any new Building should be erected, or that any existing Building should be repaired, altered, rebuilt, or wholly removed, or that any other Improvements or Alterations in the State or Condition of the Lands or Estates of such Charity should be made, it shall be lawful for such Trustees or Persons to lay before the said Board a Statement and Proposal in relation to any of the Matters aforesaid; and it shall be lawful for the said Board, if they think that the Leases or Acts to which the Statement and Proposal relate (with or without Modifications or Alterations) would be beneficial to the Charity, to make such Order under their Seal for and in relation to the granting of such Leases, or the doing of any other such Acts as aforesaid, and any Circumstances connected therewith, as they may think fit, although such Leases or Acts respectively shall not be authorized or permitted by the Trust; and the said Board, by any such Order, may authorize the Application of any Monies or Funds belonging to the Charity for any of the Purposes or Acts aforesaid, and, if necessary, may authorize the Trustees to raise any Sum of Money by Mortgage of all or any Part of the Charity Estates; provided that compulsory Provisions be reserved in every such Mortgage for the Payment of the Principal Money borrowed by annual Instalments, and for the Redemption and Re-conveyance of the mortgaged Estates, within the Period of not more than Thirty Years.

Board may sanction Building Leases, working Mines, doing Repairs and Improvements;

and may authorize the Application of the Charity Funds or the raising of Money on Mortgage for those Purposes.

XXII. It shall be lawful for the Board, upon Proof to their Satisfaction that any Schoolmaster or Schoolmistress or other Officer of any Charity has been negligent in performing his or her Duties, or that he or she is unfit or incompetent to discharge them properly, either from immoral Conduct, Age, or any other Cause whatsoever, to empower the Trustees of such Charity to remove such School Master or Mistress or other Officer, and to charge the Salary of his or her Successors, or any other Portion of the Revenues of the Charity, with such Retiring Pension or Allowance, if any, in favour of the Person so removed, and generally to impose such Conditions as to the said Board shall appear proper: Provided always, that where there shall be any special Visitor of the Charity, the Consent of such Visitor, in Writing under his Hand, shall be necessary in order to such Removal.

Commissioners to authorize Trustees to remove Officers.

Board may sanction Compromise of Claims on behalf of Charity.

XXIII. If in any Case it appear to the Trustees or Persons acting in the Administration of any Charity that any Claim or Demand or Cause of Suit against any Person in relation to such Charity may, with Advantage to the Charity, or should, under the special Circumstances of the Case, be compromised or adjusted without taking or without continuing any Proceedings at Law or in Equity, such Trustees or Persons may, or the Person against whom such Claim, Demand, or Cause of Suit exists or is alleged to exist, may, with the Consent of the Trustees or Persons acting in the Administration of such Charity, submit to the said Board a Statement and Proposal for such Compromise or Adjustment; and, if it appear to the said Board, after such Inquiry in relation thereto by one of their Inspectors as they may deem requisite, or otherwise, that such Proposal, either with or without any Modification, is fit and proper, and for the Benefit of the Charity, it shall be lawful for the said Board to make such Order for and in relation to such Compromise or Adjustment as they may think fit; and upon the due Performance of the Terms and Conditions of such Compromise or Adjustment as aforesaid, such Agreement shall be a final Bar to all Actions, Suits, Claims, and Demands by or on behalf of the Charity concerned therein, in respect to the Cause of Action, Suit, or Matter in respect to which such Compromise or Adjustment shall have been made.

Board, under special Circumstances, may authorize Sale or Exchange of Charity Lands.

XXIV. Upon Application to the said Board by the Trustees or Persons acting in the Administration of any Charity, representing to the said Board that, under the special Circumstances of any Land belonging to the Charity, a Sale or Exchange of such Land can be effected on such Terms as to increase the Income of the Charity, or would otherwise be advantageous to the Charity, such Board may, if they think fit, inquire into such Circumstances, and if after Inquiry they are satisfied that the proposed Sale or Exchange will be advantageous to the Charity may authorize the Sale or Exchange, and give such Directions in relation thereto, and for securing the due Investment of the Money arising from any such Sale, or by way of Equality of Exchange for the Benefit of the Charity, as they may think fit.

Board may authorize the Redemption of Rentcharges.

XXV. The said Board shall have Authority, upon such Application as aforesaid, to authorize the Sale to the Owners of the Land charged therewith of any Rentcharge, Annuity, or other periodical Payment charged upon Land and payable to or for the Benefit of any Charity, or applicable to Charitable Purposes, upon such Terms and Conditions as they may deem beneficial to the Charity, and to give such Directions for securing the due Investment of the Money arising from such Sale for the Benefit of the Charity, or for securing the due Application thereof to such Charitable Purposes, as they may think fit; and in like Manner the Trustees of any Charity, with the Consent of the Board, may purchase any Rentcharge or other yearly Payment to which the Charity Estate is or shall be liable.

Leases, Sales, &c. authorized by the Board to be valid.

XXVI. The Leases, Sales, Exchanges, and other Transactions authorized by such Board under the Powers of this Act shall have the like Effect and Validity as if they had been authorized or directed by the express Terms of the Trust affecting the Charity.

Trustees of Charities enabled to purchase Sites for building from Owners under Disability, &c., according to the Provisions of Lands Clauses Consolidation Act, 1845.

XXVII. Where any Land shall be required for the Erection or Construction of any House or Building with or without Garden, Playground, or other Appurtenances, for the Purposes of any Charity, and the Trustees of the Charity shall be legally authorized to purchase and hold such Land, but by reason of the Disability of any Person having an Estate or Interest in such Land, or of any Defect in Title thereto, a valid and perfect Assurance of the same Land cannot be made to the Trustees of the Charity in the ordinary Manner, it shall be lawful for the Trustees of the Charity, with the Sanction of the said Board (such Sanction to be certified under the Hand of their Secretary), to take and purchase such Land according to the Provisions of "The Lands Clauses Consolidation Act, 1845;" and for that Purpose all the Clauses and Provisions of the last-mentioned Act with respect to the Purchase of Lands by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making a Title, and also with respect to Conveyances of Lands, so far as the same Clauses and Provisions respectively are applicable to the Cases contemplated by this Provision, shall be incorporated in this Act, and in all Cases contemplated by this Provision, the Expression "the Special Act" used in the said Clauses and Provisions of the said "Lands Clauses Consolidation Act" shall be construed to mean this Act; and the Expression "the Promoters of the Undertaking," used in the same Clauses and Provisions, shall be construed to mean the Trustees of the Charity in question.

In Cases of Charities the Incomes of which exceed 30 *l.*, Master of the Rolls and Vice Chancellors, upon Applications to them at Chambers, to have the same Jurisdiction as the Court of Chancery or Lord Chancellor now has upon Information, &c.

XXVIII. Where the Appointment or Removal of any Trustee, or any other Relief, Order, or Direction relating to any Charity of which the gross annual Income for the Time being exceeds Thirty Pounds, shall be considered desirable, and such Appointment, Removal, or other Relief, Order, or Direction might now be made or given by the Court of Chancery, in respect either of its ordinary or its special or statutory Jurisdiction, or by the Lord Chancellor intrusted with the Care and Commitment of the Custody of Lunatics, it shall be lawful for any Person authorized in this Behalf by the Order or Certificate of the said Board, or for the Attorney General, to make Application (without any Information, Bill, or Petition,) to the Master of the Rolls or One of the Vice Chancellors sitting at Chambers, for such Order, Direction, or Relief as the Nature of the Case may require; and the Master of the Rolls or the Vice Chancellor to whom any such Application shall be made shall and may proceed upon and dispose of such Application in Chambers, save where he may think fit otherwise to direct, and shall and may have and exercise thereupon all such Jurisdiction, Power, and Authority, and make such Orders and give such Directions in relation to the Matter of such Application, as might now be exercised, made, or given by the Court of Chancery or by the Lord Chancellor intrusted as aforesaid, in a Suit regularly instituted, or upon Petition, as the Case may require; and the Master of the Rolls and Vice Chancellors respectively shall, in relation to such Applications as aforesaid, and the Proceedings thereon, (subject to any Rules which may be made by the Lord Chancellor, with the Advice and Consent of them or any Two of them,) have

have all such Powers of directing Matters to be heard in open Court, and of ordering what Matters shall be heard and investigated by themselves and their Chief Clerks respectively, and such other Powers and Authorities as by the Act of the last Session of Parliament, Chapter Eighty, are vested in or authorized to be exercised by them at Chambers, and the Provisions of the said Act applicable to Orders made by the Master of the Rolls or any of the Vice Chancellors at Chambers shall extend to all Orders so made under this Act: Provided always, that, save as may be otherwise provided by any Rules to be made by the Lord Chancellor, with such Advice and Consent as aforesaid, the Determinations of the Master of the Rolls and Vice Chancellors respectively upon and in relation to such Applications as aforesaid shall not be subject to Appeal in any Case where the gross annual Income of the Charity does not exceed One hundred Pounds: Provided also, that it shall be lawful for the Master of the Rolls or any Vice Chancellor, where under the Circumstances of any Application as aforesaid he may so see fit, to direct that for obtaining the Relief, Order, or Direction sought for by such Application an Information, Bill, or Petition, as the Case may require, shall be filed or presented and prosecuted as now by Law required, and to abstain from further Proceeding on such Application.

15 & 16 Vict. c. 80.

Provision as to Charities within the Jurisdiction of the Court of Chancery of the County Palatine of Lancaster.

XXIX. The Jurisdiction created and given by this Act to the Master of the Rolls and the Vice Chancellors sitting in Chambers, upon any Application to them respectively as aforesaid, shall extend concurrently to and may be exercised by the Chancellor of the Duchy and County Palatine of *Lancaster*, and the Vice Chancellor of the same County Palatine respectively for the Time being, as to every Charity within the Jurisdiction of the Court of Chancery of the said County Palatine whose gross annual Income for the Time being exceeds Thirty Pounds, upon Application being made to such Chancellor or Vice Chancellor respectively; and it shall be lawful for the Chancellor of the said Duchy and County Palatine, with the Concurrence of the Vice Chancellor of the same County Palatine, from Time to Time to make and issue any Rules and Orders for regulating the Modes of proceeding, and the Fees to be taken in respect of Proceedings under this Act.

Provisions as to Charities over 30*l.* per Annum to extend to Charities under 30*l.* in London.

XXX. Provided always, That the Provisions of this Act applicable to any Charity the gross annual Income whereof exceeds Thirty Pounds shall extend to any Charity established or administered or applicable to or for Objects or Purposes within the City of *London* the gross annual Income whereof does not exceed Thirty Pounds, in like Manner as if such Income exceeded that Amount.

Lord Chancellor, with the Advice of Master of the Rolls and Vice Chancellors, or Two of them, to make General Orders.

XXXI. It shall be lawful for the Lord Chancellor, with the Advice and Consent of the Master of the Rolls and Vice Chancellors, or any Two of them, to make and issue General Rules and Orders for regulating the Mode and Form of Applications at the Chambers of the Master of the Rolls and Vice Chancellors respectively under this Act, and the Proceedings thereon, and for determining in what Cases and under what Conditions and Restrictions the Determinations of the Master of the Rolls and Vice Chancellors respectively upon or in relation to such Applications shall be subject to Appeal, and the Fees and Allowances to Solicitors of the Court of Chancery, and the Fees to be payable in Money or by Stamps to the Officers of the said Court in respect of such Applications and Proceedings thereon; and such Rules and Orders may from Time to Time be varied by the like Authority, and all such Rules and Orders shall be deemed General Orders of the said Court.

District Courts of Bankruptcy and County Courts to have Jurisdiction in Cases of Charities the Incomes of which do not exceed 30*l.*

XXXII. Where any Charity of which the gross annual Income for the Time being does not exceed Thirty Pounds shall be established or administered or be applicable wholly or partially to or for Objects or Purposes within the District or any Two or more of the Districts of any District Court of Bankruptcy or of any County Court or Courts holden under the Act of the Session holden in the Ninth and Tenth Years of the Reign of Her Majesty, Chapter Ninety-five, and the Appointment or Removal of any Trustee, or any other Relief, Order, or Direction whatsoever concerning such Charity, shall be considered desirable, and such Appointment or Removal, or other Relief, Order, or Direction, might now be made or given by the Court of Chancery in respect either of its ordinary or its special or statutory Jurisdiction, or by the Lord Chancellor intrusted with the Care and Commitment of the Custody of Lunatics, it shall be lawful for any Person authorized in this Behalf by the Order or Certificate of the said Board, or for the Attorney General, to make Application to such District or County Court, or, as the Case may be, to any One of such District or County Courts, for such Order, Direction, or Relief as the Nature of the Case may require; and such District or County Court shall entertain such Application, and shall hear the Matter in open Court, and shall give such Relief, and make such Orders and Directions in relation to the Matter of such Application, as might now be made or given by the Court of Chancery or by the Lord Chancellor, intrusted as aforesaid, in a Suit regularly instituted, or upon Petition, as the Case may require; and the Clerk of such County Court shall transmit a Copy of such Order or Direction to the Office in *London* of the Registrar of County Courts Judgments, to be there enrolled: Provided always, that no Judge of any District or County Court shall be authorized to vary any Decree, Order, or Direction of the Court of Chancery, or of any Judge thereof, or to make or give any Order or Direction inconsistent or conflicting with any such Decree, Order, or Direction: Provided also, that where Two or more District or County Courts shall have concurrent Jurisdiction with respect to any Charity under this Act, no Application in respect of such Charity shall be made to or entertained by more than One of such District or County Courts at the same Time.

County Court Judge's Deputy not to exercise Jurisdiction.

XXXIII. The Jurisdiction hereby created and conferred on the County Courts with respect to any Charity shall not be exercised by any Deputy or other Person who may for the Time being be appointed to sit and shall be sitting for any such Judge.

Where Courts have concurrent Jurisdiction,

XXXIV. Where Two or more District Courts of Bankruptcy or County Courts shall concurrently have Jurisdiction under this Act with respect to any Charity, it shall be lawful for the said Board to order

Board to direct to which Court Applications shall be made.

order to which of such Courts any Application with respect to such Charity shall be made; and every such Order shall be conclusive as to the Jurisdiction with respect to the Application referred to in such Order.

Board may direct Cases within the Jurisdiction of a District or County Court to be taken before a Judge of the Court of Chancery in the first instance.

XXXV. It shall be lawful for the said Board to direct that any Application as to any Charity within the Jurisdiction of any District Court of Bankruptcy or County Court shall be made before a Judge of the Court of Chancery, or as to any Charity within the Jurisdiction of the Court of Chancery of the County Palatine of *Lancaster*, either before the Chancellor or the Vice Chancellor of the same County Palatine, or before a Judge of the High Court of Chancery, according to the Provisions herein contained applicable to a Charity the gross annual Income whereof exceeds Thirty Pounds, and in such Case such Application shall be made and may be heard and determined accordingly, in like Manner as if the gross annual Income of such Charity exceeded Thirty Pounds; and upon the Production of the Order or Certificate containing such Direction, or of a Copy thereof, the Application with respect to which such Order or Certificate shall have been made shall not be entertained or proceeded with by such District or County Court.

No Order of District or County Court for the Appointment or Removal of Trustees or Approval of a Scheme to be valid unless confirmed by Board.

XXXVI. Whenever any Order or Decision is made by any District Court of Bankruptcy or County Court for the Appointment or Removal of any Trustee of any Charity, or approving of any Scheme for regulating or directing the Administration of any Charity, or the Estate, Funds, Property, or Income thereof, a Copy of every such Order or Decision shall immediately upon the making thereof be delivered or transmitted by the Deputy Registrar of such District Court or by the Clerk of the County Court, as the Case may be, together with all requisite Particulars, to the said Board, for the Purpose of being considered by them; and no such Order or Decision shall be valid or effectual until the same shall have been approved by the said Board, such Approval to be testified by a Certificate in Writing, signed by the Secretary of the said Board, and no such Approval shall issue from the said Board until One Calendar Month shall have elapsed after the Receipt by the Board of such Copy and Particulars.

Board, if dissatisfied with the Order of District or County Court may remit the Case for Reconsideration, or may transfer the Matter to Judge of the Court of Chancery.

XXXVII. In case any such Order or Decision as last aforesaid of any District Court of Bankruptcy or County Court shall not be approved by the said Board, it shall be lawful for such Board to remit the same for Reconsideration and Decision by such District or County Court, with such Remarks and Recommendations thereon (if any) as shall seem fit and expedient to such Board, or, in the Discretion of the Board, to order and direct that the Subject Matter to which such Order or Decision relates, together with such Order or Decision, shall be submitted to the Consideration and Decision of a Judge of the Court of Chancery, and in such last-mentioned Case no further Proceedings shall be had or taken in the District or County Court with respect to the Matter in question; and in case the Order or Decision of the District or County Court, on the Reconsideration of any Order or Decision so remitted for Reconsideration, be disapproved as aforesaid by the said Board, such Board shall refer such Orders and Decisions, and the Subject Matter thereof, to a Judge of the Court of Chancery, or, as to any Charity within the Jurisdiction of the Court of Chancery of the County Palatine of *Lancaster*, either to the Chancellor or the Vice Chancellor of the same County Palatine, or to a Judge of the High Court of Chancery; and where any Order or Decision is referred to a Judge of the Court of Chancery, or of the Court of Chancery of the said County Palatine of *Lancaster*, under this Provision, such Judge shall have and exercise all such Jurisdiction, Power, and Authority in relation thereto as in the Case of a Charity the gross annual Income whereof exceeds Thirty Pounds, and may make such Order in relation to the Matter of such Order or Decision as to him may seem proper.

How Orders of District or County Court under this Act to be enforced.

XXXVIII. Subject to any Orders to be made by the Lord Chancellor as herein-after mentioned, and to the other Provisions of this Act, all Proceedings to be taken in any District Court of Bankruptcy or County Court, and all Orders and Directions to be made or given by any such District Court or County Court by virtue of the Jurisdiction hereby created and conferred on such Court, shall respectively be subject to the same Rules and Regulations, and have the same Effect, and be registered, enforced, and executed in the same Manner, as the other Proceedings, Orders, Judgments, and Directions of the same Court under its ordinary Jurisdiction, and it shall be lawful for any such District Court, or for any County Court, with the Consent of the Board, to rescind or vary any Order which shall have been previously made by such Court, without Prejudice to any Act or Matter in the meantime done under such Order; and for executing and putting in force any Order to be made by any County Court under this Act, every Judge of any such Court shall and may have and exercise all such Powers as by the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, are given for enforcing the Payment of any Debt, Damages, or Costs under the said Act.

Appeal.

XXXIX. Where any Person authorized to make any Application under this Act, (other than Her Majesty's Attorney General acting *ex officio*,) or any other Person who may have been made a Party to any Proceeding upon any Application under this Act, is aggrieved by or dissatisfied with any Order made by any District Court of Bankruptcy or County Court upon any such Application, or any Proceeding thereon, he may, within One Calendar Month after the making of such Order, give Notice in Writing to the said Court, and also to the said Board, that he is desirous to appeal against the same; and if the said Board think it reasonable and proper that such Appeal should be entertained, and give a Certificate to that Effect, such District or County Court shall suspend any Proceedings upon the Order appealed against during such Time as the Circumstances may require; and the said Board, if they so think fit, may require the Person giving any such Notice of Appeal to become bound with Two sufficient Sureties, to be approved by the Deputy Registrar of such District Court, or by the Clerk of the County Court, as the Case may be, to the Treasurers of the said Courts respectively, or such other Person as the said Board may

may see fit, in such Sum as to the said Board shall seem reasonable, to pay such Costs of the Proceedings on the Appeal as shall be ordered to be paid by such Appellant, and also (if the said Board so think fit) to indemnify the Charity against the Costs and Expenses of or attending such Appeal; and every Bond executed under this Provision shall be exempt from Stamp Duty: Provided always, that it shall be lawful for Her Majesty's Attorney General (acting *ex officio*), at any Time within Three Calendar Months after the making of any Order by a District Court or County Court under this Act, to lodge and commence and prosecute an Appeal against such Order, without giving any such Notice or becoming bound as aforesaid, and every such last-mentioned Appeal shall thereupon be allowed by the Order of such District or County Court, and shall have such other Effect as any other Appeal under this Act.

Proceedings on Appeal.

XL. Where any Order allowing an Appeal has been made as aforesaid, the Person thereby allowed to appeal shall within Three Calendar Months present a Petition to the Court of Chancery, setting forth the Order appealed against, and the Order allowing such Appeal, and praying such Relief as the Case may require; and upon the hearing of such Petition the Court may confirm, vary, or reverse the Order appealed against, or may remit such Order to the District Court of Bankruptcy or County Court by which the same was made, with or without any Declaration or Directions of the Court of Chancery in relation thereto, or may proceed in relation to the Charity to which such Order relates as in the Case of an Application under this Act to a Judge of the Court of Chancery at Chambers, and any Judge of such Court sitting at Chambers or in open Court may make or give any such Orders or Directions in relation to the Matter of such Order as he may see fit, or the Court may make such other Order in relation to the Matter of any such Appeal as to the Court may seem just, and as might be made in the Case of a Suit regularly instituted, or a Petition, as the Case may require; and in case the Party allowed to appeal do not within such Three Calendar Months present such Petition of Appeal, the Order against which such Appeal was allowed shall be final; and in case any Costs adjudged on any such Appeal to be paid by the Party allowed to appeal be not paid, such Bond as aforesaid may be put in Suit, and the Money to be recovered on every such Bond shall be applied to indemnify the Charity Estate or the Person damnified, or otherwise in such Manner as the Justice of the Case may require, and the Court or Judge by whom such Appeal may have been heard shall think fit.

Bond to prosecute Appeal may be put in Suit.

No Chancery Judge, or District or County Court in Proceedings under this Act to try Titles, &c.

XLI. Provided always, That no Judge of the Court of Chancery, nor any District Court of Bankruptcy or County Court, shall upon any Proceedings under this Act have Jurisdiction to try or determine the Title at Law or in Equity to any Real or Personal Property, or any Term or Interest therein as between any Charity, or the Trustee thereof, and any Person holding or claiming such Real or Personal Property, Term, or Interest adversely to such Charity, or to try or determine any Question as to the Existence or Extent of any Charge or Trust.

Notice to be published of Application for Schemes or Appointment or Removal of Trustees under this Act.

XLII. Before any Application shall be made to any Judge of the Court of Chancery, or to any District Court of Bankruptcy or County Court, under any of the Provisions herein contained for the Establishment or Alteration of a Scheme or the Appointment or Removal of any Trustees or Trustee, Notice in Writing of such intended Application shall be given in such Form and Manner as the said Board shall have directed; and if the Order be that such Notice be affixed to or near the Door of any Parish or District Church, the Incumbent and Churchwardens of such Parish or District are hereby respectively required to allow such Notice to be affixed and to remain so affixed during such Period, not less than Fifteen Days, as the said Board shall have ordered; and in any Case in which the Order shall be that such Notice shall be affixed to any Place, Evidence that the same has been so affixed shall be deemed and taken as *primâ facie* Evidence, that it has remained affixed during the Period prescribed by the Board.

By whom Applications may be made.

Attorney General may petition under 52 G. 3. c. 101.

XLIII. Every Application to any Judge or Court under the Jurisdiction created or conferred by any of the Provisions of this Act, may be made by Her Majesty's Attorney General, or, subject to the Provisions aforesaid, by all or any One or more of the Trustees or Persons administering or claiming to administer, or interested in, the Charity which shall be the Subject of such Application, or any Two or more Inhabitants of any Parish or Place within which the Charity is administered or applicable; and it shall be lawful for Her Majesty's Attorney General for the Time being, acting *ex officio*, to make Application by Petition to the Court of Chancery with respect to any Charity under the Provisions of the Act passed in the Fifty-second Year of King *George* the Third, Chapter One hundred and one, or under the Provisions of any Act or Acts passed or to be passed authorizing the Application to the same Court by Petition according to the Provisions of the said Act.

Statement in Certificate of Board of the Amount of Income of any Charity to be sufficient Evidence for determining the Jurisdiction or Proceedings under this Act.

XLIV. For the Purposes of determining the Jurisdiction under this Act with respect to any Charity, or the Right to appeal from the Determination of a Judge of the Court of Chancery, it shall be lawful for the said Board to declare, according to such Judgment as they may be able to form upon the Returns or Statements before them in relation to any Charity, whether the gross annual Income for the Time being of such Charity does or does not exceed Thirty Pounds or One hundred Pounds, (as the Case may require,) and a Statement in any Certificate or Order of the said Board that according to such Judgment as aforesaid the gross yearly Income of any Charity does or does not exceed Thirty Pounds or One hundred Pounds shall be sufficient Evidence of the Amount of the gross annual Income of such Charity, for the Purpose of determining such Jurisdiction or Right to appeal as aforesaid; and any Certificate or Order made by the said Board under this Act, authorizing any Proceeding or Application concerning any Charity to be taken or made to any District Court of Bankruptcy or County Court or to the Court of Chancery or any Judge thereof, shall state that the gross annual Income for the Time being of such Charity does not exceed Thirty Pounds, or does exceed Thirty Pounds (as the Case may be): Provided always,

Proviso as to particular Endowments.

always, that where any Charity, or the Trustees thereof, in addition to the principal Endowment for its general Objects and Purposes, shall be possessed of or entitled to any other Endowment for any particular or special Object or Purpose arising out of or in its Nature or Application connected with the general Objects or Purposes of such Charity, it shall be lawful for the said Board, having regard to the Circumstances of each such Case, and to the Object and Extent of the proposed Application and Litigation, to determine whether such Endowment for such particular or special Object or Purpose should, for the Purposes of Jurisdiction and Proceedings under this Act, be considered and treated as forming Part of the general Endowment of the Charity, or as a separate or independent Charity, and such Board shall frame their Certificate or Order accordingly.

Lord Chancellor to make Orders for regulating Proceedings before District and County Courts.

XLV. The Lord Chancellor shall make such Orders for regulating Proceedings by and before the Judges of District Courts of Bankruptcy and County Courts under this Act, and for fixing and determining the Fees to be taken in respect of such Proceedings, as he may see fit; and, subject to such Orders, such Judges may regulate the Proceedings before them respectively so as to render them as summary and inexpensive as conveniently may be.

Reservation of Rights of Church of England with respect to Charities.

XLVI. Nothing herein contained shall diminish or detract from any Right or Privilege which by any Rule or Practice of the Court of Chancery, or by the Construction of Law, now subsists for the Preference or the exclusive or special Benefit of the Church of *England*, or the Members of the same Church, in settling any Scheme for the Regulation of any Charity, or in the Appointment or Removal of Trustees, or generally in the Application or Management of any Charity.

Secretary to be Treasurer of Charities; such Treasurer to be a Corporation.

XLVII. The Secretary for the Time being of the said Board shall by virtue of his Appointment be the Treasurer of Public Charities; and such Treasurer shall, for the Purposes of taking, holding, conveying, assigning, transferring, and transmitting Real Property, including Leaseholds for Lives or Years, be a Corporation Sole by the Name of "The Treasurer of Public Charities," and by that Name shall have perpetual Succession, and plead and be impleaded before all Courts, Justices, and others.

Land holden upon trust for a Charity, subject to Jurisdiction of Court of Chancery and of Judge, may be vested in Treasurer.

XLVIII. Where any Land, or any Term or Estate therein, holden upon trust for any Charity, shall be vested in any Persons other than the Persons acting in the Administration and Application of the Rents; or where there shall be no Trustees thereof, or the Trustees, or any of them, shall be unwilling to act, or it shall be uncertain in whom such Land, Term or Estate, shall be vested, or all or any of the Persons in whom such Land, Term or Estate, shall be vested, cannot be found, or shall be under Age, lunatic, or unsound Mind, (whether found such by Inquisition or not), or otherwise incapable of acting, or shall be out of the Jurisdiction or not amenable to the Process of the Court of Chancery, or where by reason of the reduced Number of Trustees or other Causes a valid Appointment of new Trustees cannot be made, or where by reason of the Expenses incident to the Appointment of new Trustees, and the Conveyance or Assignment of such Land, Term or Estate, to such new Trustees, it shall appear to the Court of Chancery, or to any Judge of such Court or of any Court having Jurisdiction with respect to such Charity under this Act, desirable so to do, such Court or Judge may order that such Land, Term or Estate, be vested in such Treasurer, and thereupon the same shall vest in such Treasurer and his Successors for all the Estate and Interest holden in trust for the Charity as aforesaid, without any Conveyance or Assurance thereof; but no such Vesting Order as aforesaid shall be made in respect of any Land, or Term or Estate as aforesaid, holden in trust as aforesaid, vested in a Corporation, without the Consent of the Corporation; and no such Vesting Order shall take effect in respect of any Copyhold Land without the Consent of the Lord of the Manor; and the Court of Chancery, or such Judge, may direct such periodical or other Payment, as such Court or Judge may think fit, to be made to the Lord of the Manor, in compensation for Fines or other Profits which would have become due upon Death or Admittance of Tenants.

Proviso.

Orders may be made re vesting Land, &c. in the Trustees of the Charity.

XLIX. It shall be lawful for any Court or Judge by whom respectively any such Vesting Order may have been made, or for any other Court or Judge having Jurisdiction in the Matter, if it shall so seem fit to such Court or Judge, from Time to Time to order that all or any Part of the Land, Term or Estate, which shall for the Time being be vested in the said Treasurer by virtue of any such Vesting Order as aforesaid, shall be devested, and that the same shall be vested in the acting Trustees or Trustee for the Time being of the Charity; and such last-mentioned Order shall operate to vest such Land, Term and Estate, in the Trustees or Trustee therein named without any Conveyance or Assurance.

Treasurer to be a Bare Trustee.

L. Subject to the Orders and Directions of the Court of Chancery or of any such Judge, such Treasurer shall be deemed a Bare Trustee, and shall permit the Persons acting in the Administration of the Charity to have the Possession, Management, and Control of the Trust Estates, and the Application of the Income thereof, as if the same had been vested in them.

Judge may order Trustees, &c. holding Stock, &c. belonging to a Charity subject to his Jurisdiction to transfer same to official Trustees.

LI. The Secretary for the Time being of the said Board, and such other public Officer or Officers as the Lord Chancellor shall appoint, shall be official Trustees of Charitable Funds, and where Trustees or other Persons having in their Names, or in the Name of any deceased Person of whom they are Representatives, in the Books of the Bank of *England*, or of the *East India* or *South Sea* Company, or of any other public Company, any Annuities, Stock, or Shares, or holding any Government or Parliamentary or other Securities in trust for any Charity, shall be desirous to transfer or deposit the same to or with the said official Trustees in trust for such Charity, or where any Persons shall be desirous of transferring or depositing as aforesaid any Annuities, Stocks, Shares, or Securities for discharging any Legacy or Charge given or made to or for the Benefit of any Charity, or where it shall appear to the Court of Chancery, or to any Judge of such Court, or of any District Court of Bankruptcy, or County Court having Jurisdiction under this Act, that any Annuities, Stock, Shares, or Securities held in trust for any Charity

Charity ought, for the Purpose of Security or convenient Administration, to be transferred or deposited as aforesaid, it shall be lawful for such Court or Judge to order the Transfer or Deposit of such Annuities, Stocks, Shares, or Securities to or with such official Trustees.

Secretary to keep separate Accounts of Funds of each Charity.

LII. The Secretary of the said Board shall keep separate Accounts of the Annuities, Stock, Shares, and Securities belonging to each separate Charity, and the said official Trustees shall pay the Dividends or Interest or Income thereof to the Trustees or Persons acting in the Administration of such Charity, or otherwise dispose thereof, and transfer such Annuities, Stock, Shares, or Securities (when Occasion shall require), as the Court of Chancery, or any Judge of such Court, or of any District Court of Bankruptcy, or County Court having Jurisdiction under this Act, or other lawful Authority, shall direct.

Deeds, &c. may be deposited in Repository provided by Board.

LIII. It shall be lawful for any Trustees or other Persons having the Custody of any Deeds or Muniments of or relating to such Charity to deposit the same for Security in a Repository which may be provided by the said Board, subject to any Regulations to be made by the said Board under this Act.

Power to Board to frame Schemes for the Appropriation of Charitable Property to varied Trusts.

LIV. Where upon the Application of any Trustees or other Persons concerned in the Management or Administration of any Charity, or interested in the Benefits thereof (and after such Examination or Inquiry as the Board may think necessary in relation thereto), or upon any Report of an Inspector, or Information otherwise obtained by the said Board under this Act, with relation to any Charity, it shall appear to the said Board to be desirable to have a new Scheme for the Application or Management of the Charity, and such new Scheme as contemplated or considered desirable by the Board cannot be, or it shall in the Opinion of the Board be doubtful whether it can be carried into complete effect by the Court of Chancery, or by any District or County Court under the Jurisdiction created by this Act, or otherwise than by the Authority of Parliament, it shall be lawful for the said Board in every such Case provisionally to approve and certify such new Scheme in the Manner and subject to the Regulations herein-after mentioned.

Notice to be given before Approval of Schemes, and Objections may be submitted for the Consideration of the Board.

LV. One Month at least before any such new Scheme shall be so provisionally approved, Notice thereof shall be given in such Manner as the Board may in each Case consider proper or expedient for ensuring due Publicity, and every such Notice shall contain such Particulars of the proposed Scheme as the said Board think fit, and as shall be deemed by the said Board sufficient to show the Nature of such Scheme, and where the Nature thereof cannot conveniently be shown in the said Notice, such Notice shall refer to some convenient Place within the Parish or District, and to the Office in *London* of the Registrar of County Courts Judgments, where a Copy of the proposed Scheme shall be deposited and may be inspected, and every such Notice shall require any Objections to such Scheme to be stated or transmitted to the said Board or their Secretary within One Month from the Time when the Notice shall have been given.

Board may alter or modify or approve of Schemes.

LVI. If after such Notice as aforesaid any Objections or Suggestions shall be made, the Board shall consider the same, and may thereupon, if to them it shall seem fit, alter or modify the Scheme according to any such Objections or Suggestions; and after all such Objections and Suggestions, if any, have been disposed of, or if no such Objections or Suggestions shall have been made, the Board, in case they shall not think fit to refer such Scheme to an Inspector under the Provision next herein-after contained, may proceed to approve such Scheme, and to certify the same in manner herein-after mentioned.

The Matter of Schemes may be referred to an Inspector for local Inquiry.

LVII. Upon the Requisition of any Person interested in the Charity in question (in case the said Board after due Consideration shall be of Opinion that there are sufficient Grounds for complying with such Requisition), or in any other Case, if the said Board shall consider it desirable, the Matter of any Scheme in question may be referred by the said Board to One of their Inspectors, and such Inspector shall thereupon proceed to make a local Inquiry and Examination into the Matter of the Scheme in question, and for the Purposes of such Inquiry, such Inspector may hold a Sitting or Sittings in some convenient Place in the Parish or One of the Parishes or the District to or in which respectively the Charity in question is wholly or partially situated or is administered, and may take and receive any Evidence and Information, and hear and inquire into any Objections or Questions relating to the Scheme or Charity in question, and may from Time to Time adjourn any such Sitting, and public Notice shall be given by such Inspector of every such Sitting (except an adjourned Sitting) Fourteen Days at the least before the holding thereof, in such other Mode as in the Judgment of the said Board shall be sufficient to ensure Publicity.

Inspectors to report the Result of Inquiry to the Board.

LVIII. Every Inspector to whom any such Matter shall be referred shall report in Writing to the said Board the Result of his Inquiry, and whether in his Opinion the Scheme in question should be approved with or without any Alteration or Modification thereof, and such Report shall specify or indicate the Alterations (if any) which such Inspector shall consider desirable, with the Reasons for the same and also the Nature of the Objections (if any) which shall have been made to the Scheme, and the Opinion of the said Inspector thereon, and the said Board shall consider such Report, and if, as the Result of such Report or after further Inquiry, they shall be satisfied therewith, they may proceed to approve the Scheme in question either with or without any Alteration, and to certify the same in manner herein-after mentioned.

Schemes when approved to be certified by the Board.

Copy of such Certificate to be deposited in the Parish or District and Notice given.

LIX. Every Scheme to be approved by the said Board shall be certified by them, and for that Purpose shall be embodied in a Certificate to be made by the said Board, and sealed with their Seal; and in every Case a Copy of such Certificate shall be deposited in some convenient Place within the Parish or One of the Parishes or the District in which the Charity in question shall wholly or partially be situated or administered, and at the Office in *London* of the Registrar of County Courts Judgments, and a Notice shall also be given, in such Manner as the Board shall direct, which Notice shall refer to the Certificate so deposited, and shall state the Intention of the Board to proceed with the Scheme thereby certified.

LX. The

Annual Report to be laid before Parliament, which shall set forth all the Schemes approved.

LX. The said Board shall in the Month of *February* in every Year make a Report to Her Majesty of all their Proceedings during the preceding Year up to the Thirty-first Day of *December* then last, and such Report shall, within Fourteen Days after the making thereof, be laid before both Houses of Parliament, if Parliament be then sitting, or otherwise within Fourteen Days after the Meeting thereof; and in such Report the said Board shall specially distinguish and set forth in full all the Schemes (if any) approved by them under the Provisions lastly herein-before contained, together with the Grounds of such their Approval, and the Objections (if any) which have been made thereto, and all Proceedings had in respect of such Objections and the Grounds on which any such Objections have been over-ruled; and in case it shall be enacted by any Act of Parliament that any such Scheme or Schemes so certified shall be confirmed and take effect, either with or without any Alterations or Modifications thereof respectively, every such Act shall be deemed a Public General Act.

Accounts of Trustees of Charities to be delivered to the Clerks of County Courts, Clerks of the Peace, and to the Board.

LXI. The Trustees or Persons acting in the Administration of every Charity shall, in Books to be kept by them for that Purpose, regularly enter or cause to be entered full and true Accounts of all Money received and paid respectively on account of such Charity, and on or before the Twenty-fifth Day of *March* in every Year, or on or before such other Day as shall or may be fixed and appointed for that Purpose by the said Board, shall cause a Statement in Writing to be made of the Income and Revenues, whether actually paid or then due, and the actual Receipts and Expenditure of such Charity for the Year ending on the Thirty-first Day of *December* then next preceding, or on some other convenient Day to be fixed and appointed for that Purpose by the said Board, and also a Balance Sheet containing a clear Statement of the Balance of such Account, which Statement and Balance Sheet respectively shall be certified under the Hand of some One or more of such Trustees or Persons (and audited by the Auditor of such Charity, if any there be); and as to every Charity whose gross annual Income for the Time being shall not exceed Thirty Pounds, every such Statement and Balance Sheet respectively, or a Duplicate or true Copy thereof respectively, shall be delivered or sent by such Trustees or Persons free of Charge to the Clerk of the County Court or some one of the County Courts (if more than One) to whose Jurisdiction such Charity may be subject under this Act (in case such Charity be subject to the Jurisdiction of any County Court under this Act), or if such Charity be not subject to the Jurisdiction of any County Court, then to the Clerk of the County Court for the District or any One of the Districts (if more than One) wherein or nearest adjoining whereto such Charity is established, or the Property thereof (in whole or in part) is situate or administered and distributed; and as to every Charity whose gross annual Income for the Time being shall exceed Thirty Pounds, every such Statement and Balance Sheet or a Duplicate or true Copy thereof respectively (unless the said Board shall otherwise direct), shall be delivered or sent free of Charge to the Clerk of the Peace for the County or the Division of the County, or some One of the Counties or Divisions of Counties (if more than One) in which the Charity is established, or the Property thereof is wholly or partially situated or administered and distributed; and every such Statement and Balance Sheet, or a Duplicate or true Copy thereof respectively, shall be kept and registered without Fee or Reward by the Registrar of County Courts Judgments or the Clerk of such County Court, and the Clerk of the Peace of such County or Division respectively, and shall be open to the Inspection of all Persons, at all seasonable Hours, on Payment of the Sum of One Shilling to the Registrar or Clerk for every such Inspection; and any Person may require and have a Copy of any such Statement and Balance Sheet, or of any Part thereof, paying therefor to such Registrar or Clerk after the Rate of Twopence for every Seventy-two Words or Figures; and a Duplicate or Copy of every such Statement and Balance Sheet to be made according to the foregoing Provision, so certified and audited as aforesaid, shall be delivered or transmitted, through the Post or otherwise, free of Charge, by such Trustees or other Persons, to the said Board, on or before the said Twenty-fifth Day of *March* in every Year, or such other Day as may be fixed and appointed by the said Board as aforesaid; and the said Board may from Time to Time by any Order direct that the Statement and Balance Sheet, or a Duplicate or true Copy thereof respectively, of the Accounts of any Charity whose gross annual Income exceeds Thirty Pounds shall be delivered or sent to the Clerk of the County Court in the same Manner as if the Income of such Charity did not exceed Thirty Pounds; and the said Board may make and give such further and other Orders and Directions in relation to the Delivery and Publication of such Accounts, and the Form thereof, as they may think fit, which Directions and Orders shall be obligatory on and obeyed by all such Trustees and Persons as aforesaid.

Exemptions from the Operation of Act.

LXII. This Act shall not extend to the Universities of *Oxford*, *Cambridge*, *London*, or *Durham*, or any College or Hall in the said Universities of *Oxford*, *Cambridge*, and *Durham*, or to any Cathedral or Collegiate Church, or to any Building registered as a Place of Meeting for Religious Worship with the Registrar General of Births, Deaths, or Marriages in *England* and *Wales*, and *bonâ fide* used as a Place of Meeting for Religious Worship; nor shall this Act, for the Period of Two Years from the passing thereof, extend or be in any Manner applied to Charities or Institutions, the Funds or Income of which are applicable exclusively for the Benefit of Persons of the Roman Catholic Persuasion, and which are under the Superintendence or Control of Persons of that Persuasion, nor shall this Act extend or be applied to the Commissioners of Queen *Anne's* Bounty, or to the *British Museum*, or to any Friendly or Benefit Society, or Savings Bank, or any Institution, Establishment, or Society for religious or other charitable Purposes, or to the Auxiliary or Branch Associations connected therewith, wholly maintained by voluntary Contributions, or any Bookselling or Publishing Business carried on by or under the Direction of any Society wholly or partially exempted from this Act, so far as such Business is or shall be carried

carried on by means of voluntary Contributions only, or the Capital or Stock of such Business; and where any Charity is maintained partly by voluntary Subscriptions and partly by Income arising from any Endowment, the Powers and Provisions of the Act shall, with respect to such Charity, extend and apply to the Income from Endowment only, to the Exclusion of voluntary Subscriptions, and the Application thereof; and no Donation or Bequest unto or in trust for any such Charity as last aforesaid, of which no special Application or Appropriation shall be directed or declared by the Donor or Testator, and which may legally be applied by the governing or managing Body of such Charity as Income in aid of the voluntary Subscriptions, shall be subject to the Jurisdiction or Control of the said Board, or the Powers or Provisions of this Act; and no Portion of any such Donation or Bequest as last aforesaid, or of any voluntary Subscription, which is now or shall or may from Time to Time be set apart or appropriated and invested by the governing or managing Body of the Charity, for the Purpose of being held and applied or expended for or to some defined and specific Object or Purpose connected with such Charity, in pursuance of any Rule or Resolution made or adopted by the governing or managing Body of such Charity, or of any Donation or Bequest in aid of any Fund so set apart or appropriated for any such Object or Purpose as aforesaid, shall be subject to the Jurisdiction or Control of the said Board or the Powers or Provisions of this Act; and nothing in this Act shall subject the Funds or Property of any Missionary or other similar Society, or the Missionaries, Teachers, or Officers of such Society, or of any Branch thereof, which Funds or Property shall not be within the Limits of *England* or *Wales*, to the Jurisdiction of the said Board: Provided always, that the said Exemption shall not extend to any Cathedral, Collegiate, Chapter, or other Schools.

Provisions as to Charities supported partly by voluntary Subscriptions.

LXIII. It shall be lawful for any of the Charities exempted from the Operation of this Act, by Order or Resolution duly made in conformity with the Constitution or Rules of such Charity (and which in that Case only shall be binding), to apply by Petition to the Commissioners to have the Benefit of this Act either generally or as to any of the Provisions herein contained; and such Petition shall be under the Seal of such Charity if incorporated, and if not, then under the Hands of the major Part of the Trustees and governing Body of such Charity; and in such Case it shall be lawful for the Commissioners, if they shall think fit, to make an Order in conformity with such Application, and such Charity shall thenceforth be entitled to and be bound by all the Provisions of this Act, if admitted generally thereto, or by such of the Enactments thereof as shall be mentioned and specified in such Order of the Commissioners, but in either Case in the same Manner as if such Charity had not been exempted from this Act, or such Exemption had not extended to the Enactments specified in such Order.

Exempted Charities may petition Commissioners to have Benefit of Act.

LXIV. Provided also, That if any Question or Dispute shall arise among the Members of any Charity exempted from the Operation of this Act in relation to any Office, or the Fitness or Disqualification of any Trustee or Officer, or his Election or Removal, or generally in relation to the Management of the Charity, it shall be lawful for Two Thirds of the Members present at any Special Meeting, duly convened by Notice for the Purpose in the same Manner in which Meetings of such Charity are by the Rules thereof appointed to be held and convened, to refer such Question or Dispute to the Arbitration of the Commissioners, who shall accept such Reference and act therein as Arbitrators, and their Award shall be final, and may be made a Rule of Her Majesty's High Court of Chancery.

Disputes among Members of exempted Charities may be referred to Arbitration of Commissioners.

LXV. The legal Estate in all Lands which at the Time of the passing of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, was vested in the Body Corporate of any Borough which became subject to the Provisions of the said Act, or in any One or more of the Members of such Body Corporate, in his or their Corporate Capacity, solely or together with any Person or Persons elected solely by such Body Corporate, or solely by any particular Number, Class, or Description of Members of such Body Corporate, in whole or in part in trust or for the Benefit of any Charitable Uses or Trusts whatsoever, and which legal Estate shall not have been since duly conveyed or assured to and vested in the Trustees appointed by the Lord High Chancellor under the Provisions of the said Act, or such of them as shall be surviving and continuing Trustees, or otherwise lawfully conveyed, aliened, or disposed of by such Body Corporate or Member or Members thereof, shall from and immediately after the passing of this Act, and without any actual Conveyance, Assignment, or other Assurance thereof, be vested in the Trustees so appointed, or such of them as shall be surviving and continuing Trustees under such Appointment as aforesaid, according to the respective Estates and Interests therein, and subject to such and the same Charges and Incumbrances and upon such and to the same Trusts as the same were respectively subject to previously to such vesting; and in every Case, upon the Death, Resignation, or Removal of any of the Trustees, and upon any Appointment of any new Trustee or Trustees respectively, the legal Estate in the same Lands, and in all other Lands subject to any such Charitable Uses or Trusts which may for the Time being be vested in the Trustees or any of them, or in any Persons or the Heirs or Devisees of any Person who may have died, resigned, or been removed, shall vest in the Persons who after such Death, Resignation, or Removal, and such Appointment of such new Trustee or Trustees respectively, shall continue or be the Trustees for the Time being, without any Conveyance or Assurance whatsoever.

Legal Estate of Lands now vested in Municipal Corporations on Charitable Trusts to be vested in Trustees. 5 & 6 W. 4. c. 76.

LXVI. In the Construction of this Act, except where the Context or other Provisions of the Act may require a different Construction, the Expression "Court of Chancery" shall mean and include the Master of the Rolls and every Judge of the Court of Chancery in *England;* the Expression "Lord Chancellor" shall mean and include the Lord Chancellor of *Great Britain* and the Lord Keeper and Commissioners of the Great Seal of *Great Britain* for the Time being; the Expressions "District Court of Bankruptcy"

Interpretation of Terms.

and "District Court" shall mean and include every District Court of Bankruptcy established or to be established under the Act of the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Twenty-two, or under any other Act or Acts passed or to be passed for the Alteration or Amendment or the Extension of the same Act, or for the Establishment of any District Court or Courts of Bankruptcy in *England* or *Wales*, and every Commissioner or Judge of every such District Court; the Expression "County Court" shall mean and include every County Court holden or established or to be holden or established under the Act of the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, or any Act or Acts passed or to be passed for the Alteration or Extension of the same Act, and every Judge of any such Court; the Expression "Charity" shall mean every endowed Foundation and Institution taking or to take Effect in *England* or *Wales*, and coming within the Meaning, Purview, or Interpretation of the Statute of the Forty-third Year of Queen *Elizabeth*, Chapter Four, or as to which, or the Administration of the Revenues or Property whereof, the Court of Chancery has or may exercise Jurisdiction; the Expression "Trustee" of any Charity shall mean and include every Person and Corporation seised or possessed of or entitled to any Real or Personal Estate, or any Interest therein, in trust for or for the Benefit of such Charity, or all or any of the Objects or Purposes thereof, and every Member of any such Corporation; and the Expression "the Board" shall mean the said Charity Commissioners sitting as a Board under this Act; and the Expression "Endowment" shall mean and include all Lands and Real Estate whatsoever, of any Tenure, and any Charge thereon, or Interest therein, and all Stocks, Funds, Monies, Securities, Investments, and Personal Estate whatsoever, which shall for the Time being belong to or be held in trust for any Charity, or for all or any of the Objects or Purposes thereof; and the Expression "Land" shall extend to and include Manors, Messuages, Buildings, Tenements, and Hereditaments, corporeal and incorporeal, of every Tenure and Description.

Extent of Act. LXVII. This Act shall not extend to *Scotland* or *Ireland*.

Short Title. LXVIII. This Act may be cited as "The Charitable Trusts Act, 1853."

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

Cap. i.

AN Act to consolidate the Stock and Powers of the Corporation of "The *London* Assurance of Houses and Goods from Fire" with the Stock and Powers of the Corporation of "The *London* Assurance," and to confer on the last-named Corporation the Powers of "The *London* Assurance Loan Company," and to give additional Powers to "The *London* Assurance." [9th *May* 1853.]

Cap. ii.

An Act for lighting with Gas the Town of *Dudley* and the Suburbs thereof. [9th *May* 1853.]

Cap. iii.

An Act to enable the *Sunderland* Corporation Gas Company to raise a further Sum of Money; and to amend and enlarge the Provisions of the Act relating to such Company. [9th *May* 1853.]

Cap. iv.

An Act to amend the Act relating to the *Whittle Dean* Water Company, and to enable such Company to maintain additional Works, for better supplying with Water the Inhabitants of the Boroughs of *Newcastle-upon-Tyne* and *Gateshead*, and certain Places adjacent and near thereto, in the Counties of *Northumberland* and *Durham*. [9th *May* 1853.]

Cap. v.

An Act for better supplying the Inhabitants of *Bangor* with Water. [9th *May* 1853.]

Cap. vi.

An Act to enable the *Redruth* and *Chasewater* Railway Company to construct new Works; and for other Purposes. [9th *May* 1853.]

Cap. vii.

An Act to authorize the *Bristol* Waterworks Company to raise an additional Sum of Money by Loan; and for further amending "The *Bristol* Waterworks Act, 1846." [9th *May* 1853.]

Cap. viii.

An Act for incorporating the *Ormskirk* Gaslight Company. [9th *May* 1853.]

Cap. ix.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Carmarthen* to provide and maintain a new Cattle Market Place and Slaughter-houses, to amend the Act for regulating the existing Markets in the said Borough, and for other Purposes. [9th *May* 1853.]

Cap. x.

An Act for the more equal Division of the Borough of *Cork* into Wards, and to provide for the better Constitution and Regulation of the Municipal Corporation of the said Borough; and for other Purposes. [9th *May* 1853.]

Cap. xi.

An Act for lighting with Gas the Town of *Nottingham*, and certain Parishes and Places adjacent thereto. [9th *May* 1853.]

Cap. xii.

An Act for increasing the Capital and extending the Powers of the *Devonport* Gas and Coke Company, and for other Purposes. [9th *May* 1853.]

Cap. xiii.

An Act to repeal the *Preston* Gas Company's Act, passed in the Second Year of the Reign of Queen *Victoria*, and to make other Provisions in lieu thereof. [9th *May* 1853.]

Cap. xiv.

An Act to amend "The *Norfolk* Estuary Act, 1846," and "The *Norfolk* Estuary Amendment Act, 1849." [9th *May* 1853.]

Cap. xv.

An Act for constructing and maintaining a Pier at *Great Yarmouth* in the County of *Norfolk*, to be called "The *Great Yarmouth Wellington* Pier." [9th *May* 1853.]

Cap. xvi.

An Act for empowering the Mayor, Aldermen, and Burgesses of the Borough of *Evesham* in the County of *Worcester* to build and maintain a Bridge over the River *Avon* in the said Borough; and for other Purposes. [9th *May* 1853.]

Cap. xvii.

An Act for supplying the Inhabitants of the Town of *Great Yarmouth* and adjacent Places with Water. [13th *May* 1853.]

Cap. xviii.

An Act for providing Waterworks and Gasworks for the Town of *Lowestoft* in the County of *Suffolk*, and for regulating the Market there, and for other Purposes, of which the Short Title is "The *Lowestoft* Water, Gas, and Market Act, 1853." [13th *May* 1853.]

Cap. xix.

An Act to amend the Acts relating to the *Dublin and Belfast Junction* Railway Company, and for other Purposes. [13th *May* 1853.]

Cap. xx.

An Act to enable the *Crystal Palace* Company to divert certain Roads and to purchase Lands; and for other Purposes relating to the Company. [13th *May* 1853.]

Cap. xxi.

An Act for amending the Provisions of certain Acts of Parliament relating to the Civil Court of Record of the Borough of *Liverpool*, and the Process, Practice, and Mode of Pleading in the said Court, and for extending the Jurisdiction thereof. [14th *June* 1853.]

Cap. xxii.

An Act for enabling the Company of Proprietors of the *Sheffield* Waterworks to extend their Works, and to obtain a further Supply of Water from the Rivers *Rivelin* and *Loxley* and their Tributaries, and for consolidating the Acts relating to such Company. [14th *June* 1853.]

Cap. xxiii.

An Act for supplying the Inhabitants of the University and Borough of *Cambridge* and other Places adjoining thereto with Water. [14th *June* 1853.]

Cap. xxiv.

An Act for repealing an Act called "The *Cardiff* Waterworks Act, 1850," and granting other Powers in lieu thereof; and for authorizing the *Cardiff* Waterworks Company to raise further Money. [14th *June* 1853.]

Cap. xxv.

An Act for better supplying with Water the Parishes of *Brighton*, *Hove*, and *Preston* in the County of *Sussex*. [14th *June* 1853.]

Cap. xxvi.

An Act for amending the Provisions of existing Local Acts relating to the Borough of *Stockport*. [14th *June* 1853.]

Cap. xxvii.

An Act for discharging the Inhabitants of the Townships of *Wakefield*, *Alverthorpe-with-Thornes*, *Horbury*, *Stanley-with-Wrenthorpe*, *Sandal Magna*, and *Crigglestone*, in the Parishes of *Wakefield* and *Sandal Magna* in the West Riding of the County of *York*, from the Custom of grinding Corn, Grain, and Malt at certain Corn Mills in the said Townships of *Wakefield* and *Horbury* and Parish of *Sandal Magna*, and for making Compensation to the Proprietors of the said Mills. [14th *June* 1853.]

Cap. xxviii.

An Act for the further Improvement of the Borough of *Wolverhampton*, and for regulating the Markets therein, and for other Purposes. [14th *June* 1853.]

Cap. xxix.

An Act for better lighting, watching, and otherwise improving the Town of *Blackpool* and the rest of the Township of *Layton* with *Warbrick* in the County Palatine of *Lancaster*, and for other Purposes, and of which the Short Title is "The *Blackpool* Improvement Act, 1853." [14th *June* 1853.]

Cap. xxx.

An Act for the Improvement and Regulation of the Borough of *Great Grimsby* in the County of *Lincoln;* for better supplying the Inhabitants thereof with Water; for providing a new Burial Ground; for enlarging the Market Place; for making an Outfall for the Sewers of the Town; and for other Purposes. [14th *June* 1853.]

Cap. xxxi.

An Act for supplying with Water several Townships and Places in the Parishes of *Whalley, Bury, Radcliffe, Prestwich-cum-Oldham,* and *Bolton-le-Moors* in *Lancashire;* and for incorporating the *Bury* and *Radcliffe* Waterworks Company. [14th *June* 1853.]

Cap. xxxii.

An Act for the Extension of the Boundaries of the Municipal Borough of *Salford,* and otherwise improving the said Borough, and for other Purposes. [14th *June* 1853.]

Cap. xxxiii.

An Act to empower the *Midland* Railway Company to create new Shares or to grant Annuities for the Extinguishment of their Debenture Debt; and for other Purposes. [14th *June* 1853.]

Cap. xxxiv.

An Act to enable the *Scottish Central* Railway Company to convert their Mortgage and Bond Debt into Debenture Stock. [14th *June* 1853.]

Cap. xxxv.

An Act for making a Road or Street from the South End of *Waverley Bridge Road,* adjoining the General Railway Station at *Princes Street,* to the *High Street* in the City of *Edinburgh.* [14th *June* 1853.]

Cap. xxxvi.

An Act for the Maintenance and Regulation of the Harbour of *Teignmouth* and the Navigation of the River *Teign,* and other Purposes. [14th *June* 1853.]

Cap. xxxvii.

An Act for making a Canal from the *Francis Dock,* connected with the Duke of *Bridgewater*'s Canal at *Runcorn* in the County of *Chester,* to join the *Weston* Canal or River *Weaver* Navigation at or near *Weston Point* in the same Parish, and to be called the *Runcorn and Weston* Canal. [14th *June* 1853.]

Cap. xxxviii.

An Act to alter and amend the Provision of "The City of *Norwich* Waterworks Act, 1850," and to grant further Powers to the Company thereby incorporated. [14th *June* 1853.]

Cap. xxxix.

An Act for establishing a Corn Exchange and regulating the Markets in the Borough of *Reading,* and for other Purposes, and of which the Short Title is "The *Reading* Corporation Markets Act, 1853." [14th *June* 1853.]

Cap. xl.

An Act to increase the Capital and extend the Powers of *Price's* Patent Candle Company, and to consolidate the Acts relating to the Company. [14th *June* 1853.]

Cap. xli.

An Act for making a Railway from *Chichester* to *Bognor.* [14th *June* 1853.]

Cap. xlii.

An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* in the County Palatine of *Lancaster* to purchase and maintain Gasworks and Waterworks; and for other Purposes. [14th *June* 1853.]

Cap. xliii.

An Act for enabling the *Shipley* Gaslight Company to raise a further Sum of Money; and for extending the Limits of their existing Act to the adjoining Township of *Baildon.* [14th *June* 1853.]

Cap. xliv.

An Act to extend the Limits of the *Blackburn* Gaslight Company's Act for the Supply of Gas, and to authorize the raising of a further Sum of Money, and for other Purposes. [14th *June* 1853.]

Cap. xlv.

An Act to consolidate the Acts relating to the *Leeds* Gaslight Company, to authorize the Company to raise a further Sum of Money, and for other Purposes. [14th *June* 1853.]

Cap. xlvi.

An Act for incorporating the *Madras* Railway Company, and for other Purposes connected therewith. [14th *June* 1853.]

Cap. xlvii.

An Act for making certain Improvements in the River *Severn*, and for amending the Acts relating thereto. [14th *June* 1853.]

Cap. xlviii.

An Act for better supplying with Water the Borough of *Preston* in the County of *Lancaster*, and for authorizing the Local Board of Health for the Borough of *Preston* aforesaid to purchase the *Preston* Waterworks. [14th *June* 1853.]

Cap. xlix.

An Act to enable the *Edinburgh* Water Company to raise a further Sum of Money; and for other Purposes. [14th *June* 1853.]

Cap. l.

An Act to enable the *Dundee* Water Company to construct additional Works for obtaining a further Supply of Water; and for other Purposes. [14th *June* 1853.]

Cap. li.

An Act to authorize the *Wakefield* Borough Market Company to raise a further Sum of Money. [14th *June* 1853.]

Cap. lii.

An Act to authorize the Creation of Preference Stock by the *Manchester, Sheffield, and Lincolnshire* Railway Company in lieu of Debentures, and the Reduction, Division, and Consolidation into Stock of the *Manchester and Lincoln Union* Shares of the said Railway. [28th *June* 1853.]

Cap. liii.

An Act to repeal the Act for maintaining the Turnpike Road leading out of the *Alston* Turnpike Road at *Branch End* in the County of *Northumberland*, through *Catton*, *Allendale Town*, and *Allenheads*, to *Cows Hill* in the County of *Durham*, and to make other Provisions in lieu thereof. [28th *June* 1853.]

Cap. liv.

An Act for making a Railway from *Lough Swilly* in the County of *Donegal* to the River *Foyle* near the City of *Londonderry*. [28th *June* 1853.]

Cap. lv.

An Act to renew the Term and continue the Powers of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads leading from* Picks Hill *near the Town of* Langport Eastover *in the County of* Somerset, *through* High Ham, Ashcott, *and other Places, to* Meare *in the said County.* [28th *June* 1853.]

Cap. lvi.

An Act to enable the Mayor, Aldermen, and Citizens of the City of *York* to purchase the Undertaking of the *Foss* Navigation Company, and to execute Works for the sanitary Improvement of the said City; to alter the Tolls taken in the Cattle Markets and Fairs of the City; and for other Purposes. [28th *June* 1853.]

Cap. lvii.

An Act to extend and amend the Powers and Provisions of the "*Portadown and Dungannon* Railway Act, 1847." [28th *June* 1853.]

Cap. lviii.

An Act to amend an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, for granting certain Powers and Authorities to the *Australian* Agricultural Company, and to alter the Capital of the said Company. [28th *June* 1853.]

Cap. lix.

An Act for better supplying with Water the Town or Village of *Bacup* and the Neighbourhood thereo in *Lancashire*. [28th *June* 1853.]

Cap. lx.

An Act to amend the Acts relating to the *Great Northern* Railway Company, to authorize an Increase of Capital, and for other Purposes. [28th *June* 1853.]

Cap. lxi.

An Act to consolidate and amend Three several Acts passed in the Reign of King *George* the Third, for draining and preserving certain Fen Lands and Low Grounds lying in the *South Level*, Part of the Great Level of the Fens commonly called *Bedford Level*, and in the County of *Cambridge*, between the River *Cam* otherwise *Grant*, West, and the Hard Lands of *Bottisham*, *Swaffham-Bulbeck*, and *Swaffham Prior*, East; and for other Purposes therein mentioned. [28th *June* 1853.]

Cap. lxii.

An Act for more effectually repairing the Road from *Gravesend* to *Wrotham*, and from thence to *Borough Green*, all in the County of *Kent*. [28th *June* 1853.]

Cap. lxiii.

An Act for making a Railway from *Dartford* in the County of *Kent* to *Farningham* in the same County, to be called the *Darenth Valley* Railway; and for other Purposes. [28th *June* 1853.]

Cap. lxiv.

An Act for constructing a Market for the Sale of Cattle and other Animals in the Borough of *Ludlow* in the County of *Salop*. [28th *June* 1853.]

Cap. lxv.

An Act to amend the Acts relating to the Drainage and Embankment of certain Lands in *Lough Swilly* and *Lough Foyle* in the Counties of *Donegal* and *Londonderry*. [28th *June* 1853.]

Cap. lxvi.

An Act for supplying with Water the Town of *Weston-super-Mare* in the County of *Somerset*. [28th *June* 1853.]

Cap. lxvii.

An Act for supplying the Borough of *Wigan* in the County Palatine of *Lancaster* with Water, for the better Regulation of the Police therein, and for other Purposes. [28th *June* 1853.]

Cap. lxviii.

An Act to enable the *Belfast and Ballymena* Railway Company to make a Railway from *Randalstown* to *Cookstown*; and for other Purposes. [28th *June* 1853.]

Cap. lxix.

An Act for enabling the *North and South Western Junction* Railway Company to construct a Branch to near *Hammersmith*, and to raise additional Capital; and for other Purposes. [28th *June* 1853.]

Cap. lxx.

An Act to authorize the Abandonment of a Portion of the Undertaking of the *Thames Haven* Dock and Railway Company, and to reduce the Capital of the said Company, and to enable the Company to sell Lands not required; and for other Purposes. [28th *June* 1853.]

Cap. lxxi.

An Act for more effectually repairing the Roads from *Warminster* and from *Frome* to the *Bath* Road, and other Roads connected therewith, in the Counties of *Wilts* and *Somerset*, called or known by the Name of "The *Black Dog* Road Trust." [28th *June* 1853.]

Cap. lxxii.

An Act for enlarging and improving the Shire Hall of the County of *Stafford*; removing the Markets at the Back of the Hall, and providing other Market Accommodation in lieu thereof; erecting Rooms and Offices for the Town Council of *Stafford*; and for other Purposes. [28th *June* 1853.]

Cap. lxxiii.

An Act to amend the Acts for the Regulation of Municipal Corporations in *Ireland* so far as relates to the Borough of *Limerick*. [28th *June* 1853.]

Cap. lxxiv.

An Act to amend and extend the Provisions of the Act relating to the *Leeds* and *Whitehall* Turnpike Roads, and to create a further Term therein, and for other Purposes. [28th *June* 1853.]

Cap. lxxv.

An Act for repairing, maintaining, and rendering more safe certain Reservoirs on the *Adel Beck* in the West Riding of the County of *York*. [28th *June* 1853.]

Cap. lxxvi.

An Act to amend "The *Sunderland* Dock Act, 1846," and "The *Sunderland* Dock Amendment Act, 1849," and for other Purposes. [28th *June* 1853.]

Cap. lxxvii.

An Act for the Establishment or Improvement and Regulation of Markets and Fairs in the Borough of *Leominster*, and for other Purposes relating to the said Borough. [28th *June* 1853.]

Cap. lxxviii.

An Act for making a Railway from the *Hawick* Branch of the *North British* Railway, near to the *Eskbank* Station, to the Royal Burgh of *Peebles*. [8th *July* 1853.]

Cap. lxxix.

An Act to authorize an Extension of the *Londonderry and Coleraine* Railway. [8th *July* 1853.]

Cap. lxxx.

An Act for making a Railway from *Ballymena* to *Portrush*. [8th *July* 1853.]

Cap. lxxxi.

An Act to confirm certain Preference Shares created by the *North British* Railway Company, and to make better Provision for the Payment of the Debts of the said Company, and for other Purposes. [8th *July* 1853.]

Cap. lxxxii.

An Act to enable the *Scottish Midland Junction* Railway Company to make Branch Railways to *Blairgowrie* and *Kirriemuir*; and to amend the Acts relating to such Company; and for other Purposes. [8th *July* 1853.]

Cap. lxxxiii.

An Act for the better Improvement and Regulation of the Borough of *South Shields* in the County of *Durham*, the Establishment of a Cemetery therein, and for other Purposes. [8th *July* 1853.]

Cap. lxxxiv.

An Act to unite into One Company the *Bristol* Gaslight Company and the *Bristol and Clifton* Gaslight Company, and to enable the united Companies to raise further Capital. [8th *July* 1853.]

Cap. lxxxv.

An Act for making a Railway from *Staines* to *Wokingham* and *Woking*. [8th *July* 1853.]

Cap. lxxxvi.

An Act for making a Railway from *Wimbledon* to *Croydon* in the County of *Surrey*, to be called "The *Wimbledon and Croydon* Railway," and for other Purposes. [8th *July* 1853.]

Cap. lxxxvii.

An Act to enable the *Eastern Counties* Railway Company to construct a Railway from the Line of the *Northern and Eastern* Railway near *Stratford* to *Woodford* and *Loughton*; and to repeal certain Provisions of their existing Acts; and to grant further Powers to the said Company for capitalizing their Debt; and for other Purposes. [8th *July* 1853.]

Cap. lxxxviii.

An Act for making a Railway from the *London, Brighton, and South Coast* Railway to or near to the Town of *East Grinstead* in the County of *Sussex*. [8th *July* 1853.]

Cap. lxxxix.

An Act for better supplying with Water the Towns and Villages of *Haslingden, Rawtenstall*, and *Newchurch*, and the Townships of *Haslingden, Higher Booths, Lower Booths, Newchurch*, and *Hapton*, in the Parish of *Whalley*, the Townships of *Cowpe Lench, New Hall Hey*, and *Hall Carr*, and *Tottington Higher End*, in the Parish of *Bury*, and the Extra-parochial Places of *Hen Heads* and *Dunnockshaw*, all in the County Palatine of *Lancaster*. [8th *July* 1853.]

Cap. xc.

An Act to enable the *Monkland* Railways Company to make certain Railways in the Vicinity of *Bathgate* and *Airdrie*; and for other Purposes. [8th *July* 1853.]

Cap. xci.

An Act to authorize the Mayor, Aldermen, and Citizens of the City of *Manchester* to make certain new Streets; and to amend the Acts relating to the said City; and for other Purposes. [8th *July* 1853.]

Cap. xcii.

An Act to repeal an Act of the Seventh Year of the Reign of King *George* the Fourth, for making and maintaining a Turnpike Road from *Wimpole* to *Wrestlingworth* and *Potton*, and to make other Provisions in lieu thereof. [8th *July* 1853.]

Cap. xciii.

An Act to incorporate a Company for making a Railway from *Kingston-upon-Hull* to or near to *Withernsea* in *Holderness*, with a Branch therefrom; and for other Purposes. [8th *July* 1853.]

Cap. xciv.

An Act to enable the *Glasgow and South-western* Railway Company to make a Branch Railway to near *Mayfield* in the County of *Ayr*. [8th *July* 1853.]

Cap. xcv.

An Act for extending the Time granted by "The *Rochester Bridge* Act, 1846," for the Completion of such Bridge. [8th *July* 1853.]

Cap. xcvi.

An Act to enable the *Limerick, Ennis, and Killaloe Junction* Railway Company to lease their Undertaking; and for other Purposes. [8th *July* 1853.]

Cap. xcvii.

An Act to enable the *East and West India Docks and Birmingham Junction* Railway Company to raise additional Capital; and for other Purposes. [8th *July* 1853.]

Cap. xcviii.

An Act to amend the *Gorbals* Gravitation Water Company's Acts, to authorize the Extension of their Works to supply the Royal Burgh of *Renfrew* and Suburbs and other Places with Water, and for other Purposes. [8th *July* 1853.]

Cap. xcix.

An Act for making a Railway from *Havant* in the County of *Southampton* to *Godalming* in the County of *Surrey*, to be called "The *Portsmouth* Railway;" and for other Purposes. [8th *July* 1853.]

Cap. c.

An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Station at *London Bridge*, and their Goods Station at *Brighton*, and to make a Branch Railway to the *Crystal Palace;* and for converting the Debenture Debt of the *London, Brighton, and South Coast* Railway Company into Stock or Shares; and for other Purposes. [8th *July* 1853.]

Cap. ci.

An Act to enable the *Aberdeen* Railway Company to raise further Monies; to authorize the Abandonment of the authorized Road to the Quays through the Station at *Aberdeen*, and the Formation of another Road in lieu thereof; to extend the Time for the compulsory Purchase of Lands and for the Completion of the *Aberdeen* Station; to alter, amend, and extend the Acts relating to the Company; and for other Purposes. [8th *July* 1853.]

Cap. cii.

An Act to repeal an Act for making and maintaining a Road from the Top of *Hunt's Bank* in the Town of *Manchester* in the County of *Lancaster* to join the *Manchester and Bury* Turnpike Road in *Pilkington* in the same County, and to substitute other Provisions in lieu thereof. [8th *July* 1853.]

Cap. ciii.

An Act for amending the Provisions with respect to the Commissioners of the Second District for Drainage by the River *Witham* contained in the *Witham* Drainage Act of the Second Year of *George* the Third, Chapter Thirty-two, and for other Purposes, and of which the Short Title is "The *Witham* Drainage Second District Act, 1853." [8th *July* 1853.]

Cap. civ.

An Act for more effectually repairing and maintaining the Road from *Burford* in the County of *Oxford* to *Leachlade* in the County of *Gloucester*, the Road from thence through *Highworth* to the *Cricklade and Swindon* Turnpike Road in the County of *Wilts*, and the Bridge on the said Roads across the River *Isis* or *Thames* at or near the Town of *Leachlade* aforesaid; and for granting a further Term in the said Roads and Bridge; and for other Purposes. [4th *August* 1853.]

Cap. cv.

An Act to amend an Act passed in the Seventh Year of the Reign of King *George* the Fourth intituled *An Act for making a Turnpike Road from* Shipley *to* Bramley, *together with certain Branches therefrom, in the West Riding of the County of* York. [4th *August* 1853.]

Cap. cvi.

An Act to authorize the *London Dock* Company to make a new Entrance to their Docks from the River *Thames* and other Works, and to augment their Capital Stock; and for other Purposes connected with the said Docks. [4th *August* 1853.]

Cap. cvii.

An Act for the Maintenance of the existing Works of the Company of Proprietors of the *Barnsley* Waterworks, and for the Purchase of Lands by them, to repeal their Act, and make other Provisions in lieu thereof. [4th *August* 1853.]

Cap. cviii.

An Act to enable the *Midland* Railway Company to make a Line of Railway from near *Leicester* to the *Great Northern* Railway near *Hitchin*, with a Branch, in lieu of the Line of Railway and Branches authorized by "The *Midland* Railways Extension to *Hitchin*, *Northampton*, and *Huntingdon* Railway Act, 1847," and "The *Midland* Railways Extension to *Hitchin*, *Northampton*, and *Huntingdon* Railway (*Wellingborough* Deviations) Act, 1848." [4th *August* 1853.]

Cap. cix.

An Act to authorize the Re-issue of certain of the Shares in the Capital of the *York and North Midland* Railway Company, called *Hull and Selby* Purchase, &c. Shares, and for other Purposes. [4th *August* 1853.]

Cap. cx.

An Act to enable the *London and North-western* Railway Company to acquire and hold certain Lands and Buildings at or near the Terminus of the *Haydon Square* Branch of the *London and Blackwall* Railway; and for other Purposes. [4th *August* 1853.]

Cap. cxi.

An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to construct certain Branch Railways in the West Riding of the County of *York*; and for other Purposes. [4th *August* 1853.]

Cap. cxii.

An Act to repeal the Act for repairing the *Alston* Turnpike Roads, and to make other Provisions in lieu thereof. [4th *August* 1853.]

Cap. cxiii.

An Act for making a Railway from the *Great Southern and Western* Railway near *Roscrea* to *Parsonstown*, to be called "The *Roscrea and Parsonstown Junction* Railway," and for other Purposes. [4th *August* 1853.]

Cap. cxiv.

An Act to authorize the Abandonment of a Portion of the Undertaking of the *Limerick, Ennis, and Killaloe Junction* Railway Company, and the Construction of a new Line of Railway in lieu of a Portion of the Line to be abandoned; and to revive in respect of a Portion of the said Undertaking the Powers of the said Company for the compulsory Purchase of Lands, and to extend in respect of the same Portion of the said Undertaking the Powers of the said Company for constructing Works; and to amend and repeal Portions of the Act relating to the said Company; and for other Purposes. [4th *August* 1853.]

Cap. cxv.

An Act for the better Maintenance and Repair of the Highways in *Wildmore Fen* and the *East* and *West Fens* in the County of *Lincoln*, and for other Purposes, and of which the Short Title is "The *Wildmore Fen* and *East* and *West Fens* Highways Act, 1853." [4th *August* 1853.]

Cap. cxvi.

An Act for reviving the Powers of the *South-eastern* Railway Company for taking Lands and Buildings for the Purpose of enlarging their *London Bridge* Station on the North Side thereof, and for extending for a further Period such Powers, and for other Purposes. [4th *August* 1853.]

Cap. cxvii.

An Act to enable the *Eastern Counties* Railway Company to construct Branch Railways from the *North Woolwich* Line of the *Eastern Counties* Railway to *Ham Creek* and the River *Thames*; and for other Purposes. [4th *August* 1853.]

Cap. cxviii.

An Act for more effectually improving the Town of *Burton-upon-Trent* in the County of *Stafford*. [4th *August* 1853.]

Cap. cxix.

An Act to authorize the Abandonment of the *Carlisle* Canal, and the making of a Railway in lieu thereof, from the *Newcastle-upon-Tyne and Carlisle* Railway at *Carlisle* to *Port Carlisle*; to repeal the Acts relating to the *Carlisle* Canal and Docks, and to re-incorporate the Company; to authorize the raising of a further Sum of Money; and to confer additional Powers; and for other Purposes. [4th *August* 1853.]

Cap. cxx.

An Act to alter and amend the Provisions of "The Governor and Company of Copper Miners Act, 1851," and to confer further Powers on the said Company. [4th *August* 1853.]

Cap. cxxi.

An Act to enable the *South-eastern* Railway Company to extend the *Reading, Guildford, and Reigate* Railway to the *Great Western* Railway at *Reading*; and for other Purposes. [4th *August* 1853.]

Cap. cxxii.

An Act to enable the *Warrington and Altrincham Junction* Railway Company to extend their Railway to *Stockport.* [4th *August* 1853.]

Cap. cxxiii.

An Act for incorporating and regulating the Electric Telegraph Company of *Ireland,* and for better enabling the Company to establish and work Telegraphs in *Scotland* and *Ireland* and between those Countries; and for other Purposes. [4th *August* 1853.]

Cap. cxxiv.

An Act for making a Railway from *Spalding* to *Sutton Bridge* and *Wisbeach.* [4th *August* 1853.]

Cap. cxxv.

An Act for making a Railway commencing by a Junction with the *Scottish Central* Railway at *Stirling,* and terminating by a Junction with the *Caledonian and Dumbartonshire Junction* Railway at *Alexandria,* to be called "The *Forth and Clyde Junction* Railway." [4th *August* 1853.]

Cap. cxxvi.

An Act for making Turnpike Roads from *Upton Saint Leonard's* to *Brimpsfield* and *Birdlip* in the County of *Gloucester.* [4th *August* 1853.]

Cap. cxxvii.

An Act for enabling the Local Board of Health for the District of *Dewsbury* to construct Waterworks; and for other Purposes. [4th *August* 1853.]

Cap. cxxviii.

An Act to authorize the opening of a Diversion of the *Wakefield and Sheffield* Turnpike Road, and for other Purposes. [4th *August* 1853.]

Cap. cxxix.

An Act for the Improvement of the Harbour of *Saint Ives* in the County of *Cornwall.* [4th *August* 1853.]

Cap. cxxx.

An Act to enable the *South-eastern* Railway Company to make a Railway from *Strood* to *Maidstone;* and for other Purposes. [4th *August* 1853.]

Cap. cxxxi.

An Act to authorize the Construction of additional Docks and other Works in connexion with the *Victoria* (*London*) Docks, and to consolidate and amend the Provisions of the Act relating to such Docks. [4th *August* 1853.]

Cap. cxxxii.

An Act for making a Railway from *Strood* to *Canterbury,* with Branches to *Faversham Quays* and *Chilham.* [4th *August* 1853.]

Cap. cxxxiii.

An Act for supplying with Water the Inhabitants of *Walsall, Dudley,* and other Places in the Southern Parts of the County of *Stafford,* and in certain Parts of the County of *Worcester* adjacent thereto. [4th *August* 1853.]

Cap. cxxxiv.

An Act to enable the *St. Helen's* Canal and Railway Company to extend their Railway to *Rainford,* and to enlarge their Stations at *Sutton;* and for other Purposes relating to the Company. [4th *August* 1853.]

Cap. cxxxv.

An Act for more effectually repairing and improving several Roads leading to and from the Town of *Salford* through *Pendleton* and other Places in the County Palatine of *Lancaster.* [4th *August* 1853.]

Cap. cxxxvi.

An Act for enabling the *Leeds Northern* Railway Company to create new Shares, and raise Money on Loan for discharging certain Liabilities; and for other Purposes. [4th *August* 1853.]

Cap. cxxxvii.

An Act for making a Railway from *Bedale* to *Leyburn* in the North Riding of the County of *York,* to be called "The *Bedale and Leyburn* Railway," and for other Purposes, and of which the Short Title is "The *Bedale and Leyburn* Railway Act, 1853." [4th *August* 1853.]

Cap. cxxxviii.

An Act for the Adjustment of the Debts of the Commissioners of the *Holme* Reservoirs, and of the Interest due thereon, and for enabling them to restore and repair their Reservoirs; and for other Purposes. [4th *August* 1853.]

Cap. cxxxix.

An Act for paving, lighting, watching, draining, supplying with Water, cleansing, regulating, and otherwise improving the Town and Parish of *Spalding* in the County of *Lincoln*; for making a Cemetery; for erecting a Corn Exchange and Market House therein; and for other Purposes. [4th *August* 1853.]

Cap. cxl.

An Act for making a Railway from the *North Devon* Railway at *Fremington Pill* to *Bideford*, to be called "The *Bideford Extension* Railway." [4th *August* 1853.]

Cap. cxli.

An Act for the better paving, repairing, lighting, cleansing, watering, regulating, and improving such Parts of the Parish of *Saint Mary Whitechapel* in the County of *Middlesex* as are not within the Liberties of Her Majesty's *Tower of London* and the City of *London*; and for paving, repairing, watering, and regulating certain Parts of other Parishes and Places adjoining; and for removing and preventing Nuisances, Annoyances, and Obstructions therein; and for raising Money for the Relief, Maintenance, and Employment of the Poor within the said Parish; and for raising Money for repairing the Church of the said Parish. [4th *August* 1853.]

Cap. cxlii.

An Act to enable the *Great Southern and Western* Railway Company to divert the *Glanmire Road Lower* in the Parish of *Saint Anne's Shandon* in the County of the City or Borough of *Cork*, and to make a small Portion of Railway in that Parish; and for other Purposes. [4th *August* 1853.]

Cap. cxliii.

An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Newtown* in the same County, to be called the *Llanidloes and Newtown* Railway; and for other Purposes. [4th *August* 1853.]

Cap. cxliv.

An Act to enable the *Waveney Valley* Railway Company to extend their Railway from *Bungay* to *Beccles*. [4th *August* 1853.]

Cap. cxlv.

An Act for altering and extending the Line of the *Barnsley* Branch of the *Manchester, Sheffield, and Lincolnshire* Railway Company; for extending the Time for the Completion of certain Works at *Sheffield*; for amending the Acts relating to the said Company; and for other Purposes. [4th *August* 1853.]

Cap. cxlvi.

An Act for amending the Acts relating to the "*Llynvi Valley* Railway Company," and for authorizing the Company to make Diversions in and improve their Line of Railway and construct a new Branch, and for better regulating the Harbour of *Porth Cawl* and the Rates leviable thereat; and for other Purposes. [4th *August* 1853.]

Cap. cxlvii.

An Act to repeal the Act relating to the *Nantwich and Woore* Turnpike Road, and to make other Provisions in lieu thereof. [4th *August* 1853.]

Cap. cxlviii.

An Act to authorize the Extension of the Railway already partly executed between *Smithstown* and *Dalmellington* in the County of *Ayr* to *Dalmellington*, and to the *Glasgow and South-western* Railway near *Ayr*. [4th *August* 1853.]

Cap. cxlix.

An Act to enable the *Caledonian* Railway Company to extend the *Glasgow, Barrhead, and Neilston Direct* Railway to *Crofthead*; and for other Purposes. [4th *August* 1853.]

Cap. cl

An Act for confirming a certain Agreement entered into between the *Furness* Railway Company and *John Abel Smith* Esquire, and for enabling the *Furness* Railway Company to raise a further Sum of Money, and for authorizing the Conversion of the borrowed and Preferential Share Capital of the *Furness* Railway Company into a Stock not exceeding Four Pounds Ten Shillings *per Centum*, and for amending the Acts relating to the said Company and *Pile* Pier. [4th *August* 1853.]

Cap. cli.

An Act to enable the *Edinburgh and Glasgow* Railway Company to connect their Line at *Glasgow* by Branches with the *Caledonian* Railway, and to extend their Station at *Cowlairs*. [4th *August* 1853.]

Cap. clii.

An Act to sanction certain Arrangements between the *Edinburgh, Perth, and Dundee* Railway Company, and certain Classes of the Creditors thereof. [4th *August* 1853.]

Cap. cliii.

An Act for enabling the *Great Western* Railway Company to construct additional Lines and Works, or for conferring further Powers on them in reference to the *Henley* and *Uxbridge* Lines, and other Parts of their Undertaking at *Acton, Chippenham,* and *Reading;* and for other Purposes. [4th *August* 1853.]

Cap. cliv.

An Act for incorporating the Lands Improvement Company, and to afford Facilities for the Improvement of Land by enabling the Company to issue transferable Mortgage Debentures. [4th *August* 1853.]

Cap. clv.

An Act for making a Railway from the Town of *Saint Ives* to the *West Cornwall* Railway at or near *Saint Erth,* with a Branch therefrom, and for making Arrangements with the *West Cornwall* Railway Company. [4th *August* 1853.]

Cap. clvi.

An Act for dissolving the *Canterbury and Whitstable* Railway Company, and for vesting in the *South-eastern* Railway Company the Undertaking of the *South-eastern and Continental* Steam Packet Company, and for other Purposes, and of which the Short Title is "The *South-eastern* Railway (*Canterbury and Whitstable* and Steam Packets) Act, 1853." [4th *August* 1853.]

Cap. clvii.

An Act for conferring additional Powers on the *London and North-western* Railway Company with reference to the Construction of their *Oldham* Branch, and for making an Alteration in such Branch; and for other Purposes. [4th *August* 1853.]

Cap. clviii.

An Act for the Purchase of the Bridge and Ferry over the River of *Ross* at the Town of *New Ross,* and for maintaining the same free of Toll, and for other Purposes. [4th *August* 1853.]

Cap. clix.

An Act for repealing and amending an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, called "The *British* Electric Telegraph Company's Act, 1850." [4th *August* 1853.]

Cap. clx.

An Act to enable the *London and North-western* Railway Company to construct a Railway from *Northampton* to *Market Harborough,* with a Branch therefrom, all in the County of *Northampton;* and for other Purposes. [4th *August* 1853.]

Cap. clxi.

An Act to enable the *London and North-western* Railway Company to construct a Branch Railway to *Saint Albans,* and for other Purposes. [4th *August* 1853.]

Cap. clxii.

An Act to repeal the Acts for repairing the Roads from *West Harptry* to the *Bath and Wells* Turnpike Road at *Marksbury,* and other Roads therein mentioned, in the County of *Somerset,* and to make other Provisions in lieu thereof. [4th *August* 1853.]

Cap. clxiii.

An Act to enable the *East Lancashire* Railway Company to extend their Railway to *Rainford,* to enter into Arrangements with the *St. Helen's* Canal and Railway Company, and to convert their Mortgage Debt into Annuities. [4th *August* 1853.]

Cap. clxiv.

An Act for amending the Acts passed for the Construction of the *Basingstoke and Salisbury* Railway, and for other Purposes, and of which the Short Title is "The *London and South-western* Railway (*Basingstoke and Salisbury*) Act, 1853." [4th *August* 1853.]

Cap. clxv.

An Act for authorizing Arrangements for the Completion of the *Birkenhead* Docks. [4th *August* 1853.]

Cap. clxvi.

An Act for enabling the *East London* Waterworks Company to improve their Supply of Water; and for other Purposes. [4th *August* 1853.]

Cap. clxvii.

An Act for the Improvement of the Borough of *Halifax*, and for other Purposes, and of which the Short Title is "The *Halifax* Improvement Act, 1853." [4th *August* 1853.]

Cap. clxviii.

An Act for making a Railway from *Limerick* to *Foynes*. [4th *August* 1853.]

Cap. clxix.

An Act for enabling the *Llanelly* Railway and Dock Company to make new Railways, and for other Purposes, and of which the Short Title is "The *Llanelly* Railway and Dock Act, 1853." [4th *August* 1853.]

Cap. clxx.

An Act to repeal the Acts relating to the *Ribble* Navigation Company, of the First Year of the Reign of Her present Majesty, Chapter Eight, and of the Seventh Year of the Reign of Her present Majesty, Chapter One, and some of the Provisions of the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter One hundred and sixteen, which relate to the Company, and to make other Provisions in lieu thereof respectively; and to grant further Powers to the Company for the Construction of Works, for providing Quays, for raising Capital, for levying Tolls, for regulating the Disposition of the reclaimed Lands, and for other Purposes. [4th *August* 1853.]

Cap. clxxi.

An Act to enable the *Whitehaven and Furness Junction* Railway Company to make Branch Railways; and for other Purposes. [4th *August* 1853.]

Cap. clxxii.

An Act to enable the *Blyth and Tyne* Railway Company to construct Branches in the County of *Northumberland*; and for other Purposes. [4th *August* 1853.]

Cap. clxxiii.

An Act for constructing and maintaining Docks and other Works at or near to *Milford Haven*, and for other Purposes. [4th *August* 1853.]

Cap. clxxiv.

An Act for making a Railway from *Enniskillen* to *Sligo*, with a Branch therefrom. [4th *August* 1853.]

Cap. clxxv.

An Act for providing additional Station Accommodation at *Birmingham* in connexion with the *Birmingham and Oxford Junction* Railway; and for enabling the *Great Western* Railway Company to use a Portion of the *Oxford, Worcester, and Wolverhampton* Railway; and for making better Provision with reference to the joint Station at *Wolverhampton*; and for other Purposes. [4th *August* 1853.]

Cap. clxxvi.

An Act to amend and enlarge the Powers and Provisions of "The *Westminster* Improvement Act 1845," "The *Westminster* Improvement Act, 1847," and "The *Westminster* Improvement Act, 1850;" to extend the Time for the compulsory Purchase of Lands; to authorize further Improvements in the City of *Westminster*; and for other Purposes. [4th *August* 1853.]

Cap. clxxvii.

An Act to amend the Acts relating to the *Birkenhead* Dock Company, and to enable the Company to make a Railway for their Works, and for other Purposes, and of which the Short Title is "The *Birkenhead* Dock Company's Act, 1853." [4th *August* 1853.]

Cap. clxxviii.

An Act to authorize the *Newport, Abergavenny, and Hereford* Railway Company to make Deviations on their Extension to the *Taff Vale* Railway, and to make certain short Branches. [4th *August* 1853.]

Cap. clxxix.

An Act to authorize Deviations at *Hereford* and near *Pontypool* of the *Newport, Abergavenny, and Hereford* Railway, and to amend the Acts relating to that Railway. [4th *August* 1853.]

Cap. clxxx.

An Act for making a Railway to the *Crystal Palace*, with Branches to the *London, Brighton, and South Coast* Railway, and to the *London and South-western* Railway. [4th *August* 1853.]

Cap. clxxxi.

An Act for the Improvement of the Parish of *Chorley* in the County of *Lancaster*. [4th *August* 1853.]

Cap. clxxxii.

An Act for the more effectual Improvement of the Borough of *Newcastle-upon-Tyne.* [4th *August* 1853.]

Cap. clxxxiii.

An Act to enable the *Newry and Enniskillen* Railway Company to extend their Railway to the Landing Quay at *Newry,* to effect a Junction with the *Dublin and Belfast Junction* Railway, and for other Purposes. [4th *August* 1853.]

Cap. clxxxiv.

An Act for making a Railway from *Worcester* to *Hereford,* with certain Branches therefrom, and for other Purposes. [15th *August* 1853.]

Cap. clxxxv.

An Act for improving and maintaining the Port and Harbour of *Westport* in the County of *Mayo.* [15th *August* 1853.]

Cap. clxxxvi.

An Act for making a Railway from the North-western District of the Metropolis to *Battle Bridge,* in the County of *Middlesex.* [15th *August* 1853.]

Cap. clxxxvii.

An Act to enable the *West Cornwall* Railway Company to make certain new Railways; and for other Purposes. [15th *August* 1853.]

Cap. clxxxviii.

An Act for making a Railway from the *Scottish Central* Railway near *Loaninghead* to the Town of *Crieff.* [15th *August* 1853.]

Cap. clxxxix.

An Act for making a Railway from *Tralee* to *Killarney.* [15th *August* 1853.]

Cap. cxc.

An Act for consolidating and amending the Powers of the Acts of "The *Imperial Continental* Gas Association." [15th *August* 1853.]

Cap. cxci.

An Act for reclaiming, inclosing, and appropriating certain Parts of the Harbour or Estuary of *Castlemaine* and the Creeks of *Caragh* and *Rossbehy* in the County of *Kerry.* [15th *August* 1853.]

Cap. cxcii.

An Act to revive and amend the Powers of the Acts relating to the *Chard* Railway Company, to regulate the Capital of the Company, and to enable them to extend their authorized Railway into *Taunton.* [15th *August* 1853.]

Cap. cxciii.

An Act for constructing a Railway and Landing Places within the Borough of *King's Lynn,* for regulating the Share Capital of the *East Anglian* Railways Company, and for other Purposes, and of which the Short Title is "The *East Anglian* Railways Act, 1853." [15th *August* 1853.]

Cap. cxciv.

An Act for the Improvement of the Borough of *Limerick.* [15th *August* 1853.]

Cap. cxcv.

An Act for enabling the *Monmouthshire* Railway and Canal Company to make new Railways; and for other Purposes. [15th *August* 1853.]

Cap. cxcvi.

An Act to enable the *Severn and Wye* Railway and Canal Company to improve their Railway and Harbour; and for other Purposes relating to the Company. [15th *August* 1853.]

Cap. cxcvii.

An Act or making a Railway from the *South Wales* Railway at *Britonferry* to *Glyncorrwg* in *Glamorganshire,* to be called "The *South Wales* Mineral Railway." [15th *August* 1853.]

Cap. cxcviii.

An Act to consolidate and amend "The *Staffordshire Potteries* Waterworks Act, 1847," and "The *Staffordshire Potteries* Waterworks Extension Act, 1849," and to extend the Provisions and enlarge the Powers thereof. [15th *August* 1853.]

Cap. cxcix.

An Act for making a Railway from *Stamford Baron* in the County of *Northampton* to the *Great Northern* Railway at *Essendine* in the County of *Rutland*, and for other Purposes connected therewith. [15th *August* 1853.]

Cap. cc.

An Act for better paving, draining, cleansing, lighting, watching, supplying with Water, regulating in regard to Markets and other Purposes, for making new Streets, and otherwise improving the Town of *Galway*. [15th *August* 1853.]

Cap. cci.

An Act for regulating the depasturing and Management of certain Pastures in the Parish of *Richmond* in the County of *York*. [15th *August* 1853.]

Cap. ccii.

An Act to consolidate the Acts relating to the *Cork and Bandon* Railway Company, to authorize the Company to construct Extension and Branch Railways, and for other Purposes. [15th *August* 1853.]

Cap. cciii.

An Act for granting further Powers to "The Electric Telegraph Company," and to enable such Company to make Arrangements for the working of Telegraphs adjoining their Works. [20th *August* 1853.]

Cap. cciv.

An Act for authorizing the *South Wales* Railway Company to deviate the Line of their Railway in the *Forest of Dean*, and for other Purposes. [20th *August* 1853.]

Cap. ccv.

An Act to enable the *London and North-western* Railway Company to make a Railway to connect the *Buckinghamshire* Railway with the *Oxford, Worcester, and Wolverhampton* Railway. [20th *August* 1853.]

Cap. ccvi.

An Act for reclaiming from the Sea certain Lands near *Harwich*, for constructing Docks and a Pier on such Lands, and for other Purposes. [20th *August* 1853.]

Cap. ccvii.

An Act for making a Pier and Breakwater in the Bay of *Galway*, and for conferring additional Powers on the *Galway* Harbour Commissioners, and for other Purposes. [20th *August* 1853.]

Cap. ccviii.

An Act for making a Railway from *Banbridge* to join the *Dublin and Belfast Junction* Railway at *Scarvagh*. [20th *August* 1853.]

Cap. ccix.

An Act for granting further Powers in reference to the leasing and selling the Undertaking of the *South Wales* Railway Company to the *Great Western* Railway Company, and authorizing working Arrangements between the said Companies, and for other Purposes. [20th *August* 1853.]

Cap. ccx.

An Act to enable the *South Wales* Railway Company to extend the *Pembroke* Line of their Railway to *Pennar Mouth*, and to make a Deviation in their said *Pembroke* Line; and for other Purposes. [20th *August* 1853.]

Cap. ccxi.

An Act to reduce and regulate the Tolls payable in respect of Traffic passing between *Liverpool* and certain Places on the *Liverpool, Crosby, and Southport* Railway, and also the Payments or Tolls payable to the *Lancashire and Yorkshire* and *East Lancashire* Railway Companies in respect of Traffic to and from the last-mentioned Railway; and for other Purposes. [20th *August* 1853.]

Cap. ccxii.

An Act to extend the Periods limited for completing and for purchasing Lands for the *Stratford-upon-Avon* and *Kingswinford* Branches of the *Oxford, Worcester*, and *Wolverhampton* Railway, and to extend such respective Branches, to construct a Branch Railway to *Stourbridge*, and to authorize the raising of certain Sums of Money by Preferential Shares, and for other Purposes. [20th *August* 1853.]

Cap. ccxiii.

An Act for the Construction and Maintenance of a Harbour at *Llandudno* in the County of *Carnarvon*. [20th *August* 1853.]

Cap. ccxiv.

An Act for making a Railway from *Wellington* to *Coalbrookdale*, and an Extension to the River *Severn*, all in the County of *Salop*; and for other Purposes. [20th *August* 1853.]

Cap. ccxv.

An Act for the Incorporation of the *Westminster* Association for improving the Dwellings of the Working Classes. [20th *August* 1853.]

Cap. ccxvi.

An Act for enabling the *London and North-western* Railway Company to construct a Railway from *Crewe* to *Shrewsbury*, and other Works in connexion with their Undertaking; and for other Purposes relating thereto. [20th *August* 1853.]

Cap. ccxvii.

An Act for making a Railway from the *Newport, Abergavenny, and Hereford* Railway in the Parish of *Llanvihangel Pontymoyle* in the County of *Monmouth* to *Coleford* in the County of *Gloucester*, with a Branch to the *Monmouth* Gasworks; and for other Purposes. [20th *August* 1853.]

Cap. ccxviii.

An Act to enable the *Warrington and Altrincham Junction* Railway Company to make Deviations and Branches at *Warrington*, and to use certain neighbouring Railways. [20th *August* 1853.]

Cap. ccxix.

An Act to enable the *South Sea* Company to enter into Arrangements with certain Proprietors of the Company. [20th *August* 1853.]

'WHEREAS by Letters Patent under the Great Seal, bearing Date the Eighth Day of *September*, in the Tenth Year of the Reign of Her Majesty Queen *Anne*, in pursuance of an Act of Parliament therein referred to, Her said Majesty did appoint that all Persons, Bodies Politic and Corporate, therein mentioned or referred to, should be One Body Corporate, by the Name of "The Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery:" And whereas by an Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King *George* the Second, Chapter Twenty-eight, it was enacted, that after *Midsummer* One thousand seven hundred and thirty-three the One Fourth Part of the Stock therein mentioned, amounting to Three million six hundred and sixty-two thousand seven hundred and seventy-five Pounds Seventeen Shillings and One Farthing, should continue and be in the said Company as a Trading or Capital Stock in their own Right: And whereas, under and by virtue of an Act of Parliament passed in the present Session of Parliament, Chapter Twenty-three, the said Trading or Capital Stock of the said Company which was subscribed by them for the public Use, and which now amounts to Three million six hundred and sixty-two thousand seven hundred and eighty-four Pounds Eight Shillings and Sixpence, will, on or by the Fifth Day of *January* One thousand eight hundred and fifty-four, be paid off and redeemed or commuted: And whereas by the said Letters Patent it was ordained that no Person or Persons should be capable of being an Elector to vote at any General Court of the said Company who should not, at the Time of such General Court, have in his, her, or their own Name and Right, and for his, her, or their own Use, and not in trust for any other, the Sum of One thousand Pounds or more Share or Interest in the Capital Stock of the said Company; and by the said Act of the Sixth Year of King *George* the Second the Amount of Qualification was reduced to the Sum of Five hundred Pounds of the said Stock; and by reason of such Provisions all fiduciary Proprietors of Shares in the said Trading or Capital Stock, and all Proprietors of less Stock than Five hundred Pounds, were incapable of signifying, through the said Company, their Assent to commute and exchange their respective Shares of the Annuity or Interest now payable on the said Trading or Capital Stock into any One or more of the Annuities of New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, into which the said Annuity or Interest is authorized to be commuted or exchanged by the said Act of the present Session of Parliament, Chapter Twenty-three: And whereas the said Company have not, within the Time limited by the said Act, signified their Assent to commute and exchange the Annuity or Interest now payable on the said Trading or Capital Stock of the said Company, or any Part thereof, into any One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, upon the Terms and Conditions in the said Act mentioned: And whereas it is expedient, in case Parliament should offer, or the Commissioners of Her Majesty's Treasury should be authorized by Parliament to offer, such Commutation or Exchange as herein-after mentioned, that the said Company should be enabled to accept the same; but this Purpose cannot be effected without the Authority of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, in manner following; (that is to say,)

I. It shall be lawful for the said Company, and they are hereby authorized, to accept by way of Commutation or Exchange to accept from the Commissioners of Her Majesty's Treasury, in case Parliament should

Company empowered, with the Assent of

certain Proprietors, to accept Government Securities, in lieu of Money, for Shares of such Proprietors of Stock redeemed by Parliament.

should offer, or such Commissioners should be authorized by Parliament to offer, such Commutation or Exchange, in lieu of the Money which under the Provisions of the said Act will, by reason of such Non-assent by the said Company, be payable on the Fifth Day of *January* One thousand eight hundred and fifty-four, in respect of the Annuity or Interest on such Part of the Trading or Capital Stock of the said Company as shall, at the Time of the Authority herein-after mentioned being given by the respective Proprietors thereof, be standing in the Books of the said Company in the Names of, or be held by, such respective Proprietors of the said Capital Stock as are herein-after empowered to and as shall authorize the Assent thereto in manner herein-after mentioned, such One or more of the said New Three Pounds Ten Shillings *per Centum* Annuities, Two Pounds Ten Shillings *per Centum* Annuities, and Exchequer Bonds, and any other Parliamentary or Government Stocks, Funds, or Securities, if any there be, which Parliament or the Commissioners of Her Majesty's Treasury may be authorized by Parliament to offer for this Purpose, as such respective Proprietors shall assent to receive; the said New Three Pounds Ten Shillings *per Centum* Annuities, and Two Pounds Ten Shillings *per Centum* Annuities, and such Bonds respectively, to be accepted upon the Terms and subject to the Conditions upon and subject to which, under the said Act of the present Session, Chapter Twenty-three, the same might have been taken in Commutation or Exchange, under an Assent signified within the Time by the said Act limited; and such other Stocks, Funds, or Securities, if any, to be accepted upon such Terms, and subject to such Conditions, as Parliament, or the said Commissioners under the Authority of Parliament, shall offer, and the said Company shall, in pursuance of such Assent, accept on behalf of such Proprietors: Provided that the respective Proprietors in respect of whose Shares of the said Trading or Capital Stock the said Company shall propose to accept such Annuities, Bonds, Stocks, Funds, or Securities, as aforesaid, do, either in Person or by some Agent or Agents duly authorized for that Purpose, and within such Time as may be limited by the Commissioners of Her Majesty's Treasury, by Writing under the respective Hands of such Proprietors, or the Hand or Hands of such Agent or Agents respectively, authorize the said Company, in manner herein-after mentioned, to assent to such Commutation or Exchange.

Securities received in Commutation to be held for those Proprietors who authorize such Commutation.

II. After such Commutation or Exchange as aforesaid shall have taken place, the Annuities, Bonds, Stocks, Funds, or Securities received on such Commutation or Exchange shall be held by the said Company in lieu of the Shares of the Annuity or Interest on the said Trading or Capital Stock in respect whereof such Commutation or Exchange shall be made, and shall be appropriated and divided by the said Company amongst or held by the said Company on behalf of the Persons only in whose Names respectively the respective Shares of the said Trading or Capital Stock the Annuity or Interest on which is so commuted or exchanged were standing, or by whom the same were held, at the Time of such Commutation or Exchange, and so that each Proprietor so authorizing such Assent, or his Executors or Administrators, or his or their Assigns in case of any Transfer of such Share or Shares subsequent to such Authority being given, may have his or their Share of the said Annuities, Bonds, Stocks, Funds, or Securities, received in Commutation or Exchange as aforesaid, placed to his or their Credit in the Books of the said Company, in like Manner in every respect as if such Shares of the said Annuity or Interest on the said Trading or Capital Stock had been paid off or redeemed in Money under the Provisions of the said Act of the present Session, Chapter Twenty-three, exclusive of such Proprietors of the said Trading or Capital Stock as shall not assent to such Commutation or Exchange; and, subject thereto, such Annuities, Bonds, Stocks, Funds, and Securities shall be deemed to be Part of the Capital Stock of the said Company.

Power to Accountants General in Chancery and Accountant in Bankruptcy to authorize Commutation.

III. It shall be lawful for the Accountants General of the Courts of Chancery in *England* and *Ireland* respectively, and for the Accountant in Bankruptcy in *England*, to authorize the said Company, on behalf of any Suitor or Suitors, or others interested in the said Trading or Capital Stock standing in the Names of such Accountants General and Accountant respectively, to assent to such Commutation or Exchange as aforesaid; and General or Special Orders may be made in a summary Way upon Application of Suitors or Persons interested or otherwise, by the Courts of Chancery in *England* and *Ireland*, and by the Court of Bankruptcy in *England* respectively, for directing the said Accountants General and Accountant respectively as to authorizing or not authorizing such Assent, and otherwise in relation thereto; and the said Accountants General and Accountant respectively shall be fully indemnified against all Actions, Suits, or Proceedings for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of this Act: Provided always, that where the beneficial Interest in the Stock in respect of which any such Assent is required is vested in any Person or Persons competent to assent to the Commutation or Exchange thereof, the Court of Chancery and Court of Bankruptcy respectively shall not make any Order directing the said Accountant General or Accountant in Bankruptcy to authorize the Company to assent to such Commutation or Exchange, except on the Application or with the Consent of the Person or Persons beneficially entitled as aforesaid.

Power to Executors, and all others disabled from voting at General Courts of the Company, to authorize Commutation.

IV. It shall also be lawful for all Executors, Administrators, Guardians, and Trustees, and all Committees of the Estates of Idiots and Lunatics who as such shall have the Control over any Share or Shares of the said Trading or Capital Stock, standing either in their own Names, or in the Name or Names of any Testator or Intestate, Infant, Idiot, or Lunatic, or of any other Person or Persons, and for all other Persons, Bodies Politic and Corporate, disabled from voting in respect of their respective Shares of the said Trading or Capital Stock at the General Courts of the said Company, to authorize the Assent to such Commutation or Exchange by the said Company as aforesaid; and all Executors, Administrators, Guardians, Trustees, and Committees authorizing such Assent shall be severally and respectively indemnified in respect thereof: Provided always, that an Authority to assent, for the Purposes aforesaid, signed by

by One of such Executors, Administrators, Guardians, Trustees, or Committees, for and on behalf of himself and the others or other of them, shall be sufficient, and shall be binding and conclusive upon the others and other of them, and shall be acted upon by the said Company as if the same had been signed by the whole of such Executors, Administrators, Guardians, Trustees, and Committees, unless some One or more of them shall give Notice to the said Company, previous to the Expiration of the Time given for signifying such Authority, of his, her, or their Dissent thereto: Provided also, that in all Cases in which any Trustee, Executor, or Administrator shall hold or be entitled to any Share or Interest in the said Capital Stock upon trust for or for the Benefit of any Person having a limited Interest or under legal Disability, no such Trustee, Executor, or Administrator shall be at liberty to authorize the said Company to assent to receive, in lieu of his Share or Interest in the said Annuity or Interest on the said Capital Stock, the aforesaid Stock of Three Pounds Ten Shillings *per Centum* Annuities, without the Consent in Writing of all Persons beneficially interested in such Share or Interest, if competent and willing to consent; but if such Persons shall not agree, or if any of the Parties shall be under legal Disability, or if the Trust be such that Persons yet unborn may become interested under the same, then and in any or either of such Cases every such Trustee, Executor, or Administrator shall be at liberty to authorize the Commutation of such Share or Interest so held by him in such Manner only as a Judge of the Court of Chancery in *England* or *Ireland* or of the Court of Session in *Scotland* shall direct; provided also, that all Applications for such Purpose as last aforesaid, and every other Application by this Act authorized to be made to the Courts of Chancery in *England* and *Ireland* respectively, and to the Court of Session in *Scotland*, may be heard and disposed of in such Manner, on the Attendance of such Parties, and on such Evidence, as the Judge shall think fit, who shall have Power to direct in what Way the Costs and Expenses of such Applications respectively shall be borne and defrayed.

Conditions on which Trustees, &c. may authorize Commutation.

Powers to Courts of Chancery, &c.

V. This Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the said *South Sea* Company, their Directors, Officers, and Servants, and every of them, for all Things done or permitted to be done pursuant thereto, and the same shall not be questioned or impeached in any Court of Law or Equity whatsoever to their Prejudice or Detriment.

Indemnity to the Company for Acts done under this Act.

VI. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *South Sea* Company's Arrangement Act, 1853."

Short Title.

VII. The Expenses of and in relation to the passing of this Act and incidental thereto shall be paid by the said Company.

Expenses of Act.

Cap. ccxx.

An Act for the Improvement of the Town of *Rochdale*, and for providing a Cemetery there, and for other Purposes, and of which the Short Title is "The *Rochdale* Improvement Act, 1853." [20th *August* 1853.]

Cap. ccxxi.

An Act to enable the *Eastern Union* Railway Company to redeem their Preference Shares; and for other Purposes. [20th *August* 1853.]

Cap. ccxxii.

An Act for making a Railway from the *London and North-western* Railway at *Willesden* to the *North London* Railway, with a Branch to the *North and South Western Junction* Railway, to be called "The *Hampstead Junction* Railway," and for other Purposes. [20th *August* 1853.]

Cap. ccxxiii.

An Act for making a Railway from the *Great Northern* Railway at *Boston* in the County of *Lincoln* to the *Great Northern* Railway at *Barkstone* in the same County, and for other Purposes. [20th *August* 1853.]

Cap. ccxxiv.

An Act for incorporating the Life Association of *Scotland*, for enabling the said Association to sue and to be sued, to take and hold Property, and for other Purposes relating to the said Association. [20th *August* 1853.]

Cap. ccxxv.

An Act for the Appointment and Regulation of Vestries in the Parishes of *Saint Margaret* and *Saint John the Evangelist* in the City of *Westminster*. [20th *August* 1853.]

Cap. ccxxvi.

An Act to amend an Act, intituled *An Act for incorporating the* East Indian *Railway Company, and for other Purposes connected therewith*. [20th *August* 1853.]

Cap. ccxxvii.

An Act for making a Railway from the *Oxford, Worcester, and Wolverhampton* Railway near *Hartlebury* in the County of *Worcester* to the Borough of *Shrewsbury* in the County of *Salop*, with a Branch, to be called "The *Severn Valley* Railway;" and for other Purposes. [20th *August* 1853.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

"This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most "Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so "printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

AN Act to enable the Master, Fellows, and Scholars of Lady *Frances Sidney Sussex* College in the University of *Cambridge* to lease on long Leases and otherwise improve their Estate situate at *Clee* in the County of *Lincoln;* and for other Purposes. [14th *June* 1853.]

Cap. 2.

An Act to authorize the granting of Building Leases of Lands and Hereditaments subject to the Will of *Andrew John Nash* Esquire, deceased. [14th *June* 1853.]

Cap. 3.

An Act to incorporate the Craft of Tailors of the Burgh of *Aberdeen*, to confirm the Titles and Conveyances and to amend and regulate the Estates and Affairs of the said Craft, and for other Purposes relating to the Society. [28th *June* 1853.]

Cap. 4.

An Act for extending the Powers of the Trustees of the Settlements on the Marriage of *Charles Pelham Pelham Clinton* Esquire, commonly called Lord *Charles Pelham Pelham Pelham Clinton*, and *Elizabeth Pelham Clinton* his Wife, commonly called Lady *Charles Pelham Pelham Clinton*, and of the Trustees of the Contract of Marriage of the Father and Mother of the said Lady *Charles Pelham Pelham Clinton*, so as to authorize the Investment of the Produce of certain Stocks and Shares, Part of the Trust Funds subject to the Trusts of the same Settlements and Contract of Marriage respectively, in the Purchase of Estates in *England, Wales, Scotland,* or *Ireland,* and to authorize the Investment of the same Trust Funds, or the Produce thereof, on the Security of Estates in *England, Wales, Scotland,* or *Ireland.* [28th *June* 1853.]

Cap. 5.

An Act for enlarging the Powers of the Trustees of the Settlement made on the Marriage of the Baroness *de Graffenried Villars*, and for other Purposes. [8th *July* 1853.]

Cap. 6.

An Act to authorize the granting for Building Purposes of Demises for long Terms of Years of the Trust Estate of the late *William Penketh Cotham* Esquire, and to authorize the granting of Mining Leases, and for other Purposes. [4th *August* 1853.]

Cap. 7.

An Act for enabling the Trustees of the Will of *Thomas Brown* Esquire, deceased, to invest the Funds subject to the Trusts of the Will of the said *Thomas Brown* in the Purchase of Real Estates in *Ireland.* [4th *August* 1853.]

Cap. 8.

An Act for enabling Sales, Exchanges, and Leases of the Family Estates of *Robert Westley Hall Dare* Esquire, and for other Purposes. [4th *August* 1853.]

Cap. 9.

An Act to authorize the granting of Building Leases of Parts of the Estates devised by the Will of Sir *Robert Holt Leigh* Baronet, deceased, and to extend the Power in the same Will contained to grant Mining Leases, and to authorize the Sale of a Share in the *Wigan* Waterworks, Part of the Estate of the said Sir *Robert Holt Leigh.* [4th *August* 1853.]

Cap. 10.

An Act for confirming an Exchange between the Right Honourable *Henry Stephen* Earl of *Ilchester* and the Right Honourable *George O'Brien* Earl of *Egremont*, now deceased, and for effecting an Exchange of Lands by the last Will of the Right Honourable *George* Earl of *Egremont*, now deceased, directed to be sold, for Lands by that Will directed to be settled. [4th *August* 1853.]

Cap. 11.

An Act for vesting certain Estates belonging to the See of *Canterbury*, now vested in Trustees for Sale, in the Archbishop of *Canterbury*, with Provisions for the Sale thereof, with the Approval of the Church Estates Commissioners; and for other Purposes. [4th *August* 1853.]

Cap. 12.

An Act for enabling *James Thomas Martin* Esquire, and the Persons in remainder under the Will of *Mary Jackson* deceased, to grant Leases of Parts of the Estates thereby devised in Settlement, for the Purpose of building upon and otherwise improving the same; and for other Purposes. [4th *August* 1853.]

Cap. 13.

An Act for incorporating the Trustees of the *Bingley* Free Grammar and General Education Schools and other Charities at *Bingley* in the County of *York;* for authorizing the Sale, Exchange, or Mortgage, by the Trustees, when incorporated, of the several Estates belonging to the said Schools and Charities respectively situate in the Parishes of *Bingley* and *Bradford*, both in the said County of *York;* and for other Purposes relating to the said Schools and Charities. [15th *August* 1853.]

Cap. 14.

An Act to amend an Act of Parliament made and passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to enable the Governors of the Free Grammar School of* Clitheroe *in the County of* Lancaster *to sell and grant Building Leases of the School Estates, and to enlarge the Powers of the Governors;* and to authorize the Court of Chancery to apply Parts of the Proceeds of the Sales effected under such Act towards Discharge of certain Debts of the said School, and to vary the Investment of such Proceeds, and apply the Income thereof towards the Maintenance of the School; and to enlarge the Powers of granting Building Leases created by the said Act; and for other Purposes. [15th *August* 1853.]

Cap. 15.

An Act to authorize the Trustees of the late *John* Fourth Duke of *Atholl* to denude themselves of the Trusts created by his Trust Deed, and to convey the Trust Estates to his Grace *George Augustus Frederick John* Duke of *Athole*, and the Series of Heirs specified in the said Trust Deed, and under the Provisions therein contained, and to enable the said Duke, or the Heir in possession for the Time, to sell Parts of the said Estate, and other Estates, for Payment of the Debts of the said *John* Fourth Duke of *Atholl*. [15th *August* 1853.]

Cap. 16.

An Act to enable certain Persons to grant Leases for Mining Purposes of the Estates at *Oakthorpe* in the Counties of *Leicester* and *Derby*, or one of them, devised by the Will of the Reverend *John Piddocke* Clerk, deceased. [15th *August* 1853.]

Cap. 17.

An Act to enable the Master or Keeper, Fellows, and Scholars of *Jesus College* in the University of *Cambridge* to alter and vary the Mode of dealing with the Benefaction of Doctor *Edmund Proby* and Sir *Thomas Proby*, and to appropriate the same for the Benefit of the said College in erecting and providing Parsonage Houses for Livings belonging to the said College, and in augmenting such Livings; and for other Purposes, including the Repeal of existing Legislative Enactments relating to the said Benefaction. [15th *August* 1853.]

Cap. 18.

An Act to enable the Trustees of the Will of *William Ward Jackson* deceased to grant Mining, Building, and Improving Leases of and to open and work Mines in the Estates thereby devised upon Trusts by way of Settlement, and for other Purposes, and of which the Short Title is "*Ward Jackson*'s Estate Act, 1853." [15th *August* 1853.]

Cap. 19.

An Act for enabling Leases, Sales, and Exchanges to be made of the Estates of the late *Philip Duncombe Pauncefort Duncombe* Esq., deceased, and for other Purposes. [15th *August* 1853.]

Cap. 20.

An Act authorizing and enabling the Trustees under the Will of the late *Warden Sergison* Esquire to raise Money by Mortgage of Part of the Estates settled by his Will, for the Purchase of adjoining Property, and for obtaining Enfranchisement of Copyhold Lands comprised in the Will, and for enabling the Trustees to obtain and grant Enfranchisement of Copyhold Lands, and to grant Building Leases of Parts of the settled Lands, and for other Purposes. [15th *August* 1853.]

Cap. 21.

An Act to enable the Bishop of *Durham* and the Freemen and Stallingers of the Borough of *Sunderland* to give up their respective Interests in certain Lands and Monies, for the Purpose of endowing an Orphan Asylum at *Sunderland*, and of making better Provision for the Spiritual Wants of the Parish of *Sunderland*; and to enable such Asylum to acquire and hold additional Land; and to enlarge the Powers and to provide for the better Regulation and Management of the said Asylum; and for other Purposes. [15th *August* 1853.]

Cap. 22.

An Act to authorize the Executors in Trust of the Residuary Personal Estate bequeathed by the Will of The Most Honourable *John Crichton Stuart* Marquess of *Bute* and Earl of *Dumfries*, deceased, to postpone the Sale of certain Parts of such Residuary Estate, and to indemnify such Executors in respect of such Postponement; and for other Purposes. [15th *August* 1853.]

Cap. 23.

An Act to enable the Trustees of the Estate of *Henry Smith* Esquire, deceased, to apply certain Funds held upon Trusts for the Relief of his poor Kindred in the Purchase of a Plot of Ground and Buildings called *Strong's Place* in the Parish of *Kensington* in the County of *Middlesex*. [15th *August* 1853.]

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AN

INDEX TO THE STATUTES

OF

THE UNITED KINGDOM,

VOLUME THE TWENTY-FIRST,

Containing the Acts passed 15 & 16 Vict. and 16 & 17 Vict. (1852, 1853.)

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2. Appointments to Preferments in Cathedral Churches, &c. upon Vacancies between 3d March 1853 and 1st Jan. 1855 not to give Title to Compensation in case of Abolition, &c., § 1.
3. To what Dignities, &c. this Act to extend, § 2.
4. Saving Rights of the present Regius Professor of Ecclesiastical History in Oxford in the Canonry annexed to his Professorship, and others, § 3.
5. Transfers of Estates, &c. of the Chapters of York and Carlisle, appointed by Orders in Council dated 18th August 1852 and 10th Nov. 1852, not to take effect till 1st January 1855, § 4.

Cattle. See Contagious Diseases in Sheep and other Cattle.

Certiorari. See Assaults on Women and Children.

Chancery (Court of). See Court of Chancery; Examiners in Chancery; Masters in Chancery, Oaths in Chancery.

Chapels. See Protestant Dissenters.

Charitable Trusts.

1. For the better Administration of Charitable Trusts, 16 & 17 Vict. c. 137.
2. Her Majesty empowered to appoint Charity Commissioners, Secretary, and Inspectors, § 1.
3. Qualification of Commissioners, § 2.
4. Officers of the Board, § 3.
5. Salaries, § 4.
6. No paid Commissioner, Secretary, or Inspector to sit in House of Commons, § 5.
7. Style of Commissioners, who may sit as a Board, § 6.
8. Board to frame General Minutes, § 7.
9. Minutes of Proceedings and Orders, &c. to be entered, and Copies of Entries signed by the Secretary to be received in Evidence, § 8.
10. Board to inquire into Condition and Management of Charities, § 9.
11. Power to require Accounts and Statements, § 10.
12. Officers having Custody of Records to furnish Copies and Extracts, if required by Board, § 11.
13. Inspector may examine Witnesses on Oath, § 12.
14. Persons giving false Evidence guilty of a Misdemeanor, § 13.
15. Persons refusing to render Accounts, &c. to be deemed guilty of a Contempt of Court, § 14.
16. Saving for Persons claiming adversely to Charities, § 15.
17. Board to entertain Applications for their Opinion or Advice. Persons acting on Advice of Board to be indemnified, § 16.
18. Notice of legal Proceedings as to any Charity by any Person, except the Attorney General, to be given to the Board. Courts not to entertain Proceedings as to Charities, except upon Certificate of the Board, § 17.
19. Saving for the Attorney General acting ex officio, § 18.
20. Board may, upon the Report of an Inspector, authorize Proceedings, where no Notice has been given to them, and may in other Cases cause local Inquiries by their Inspector, § 19.
21. Power for Board to certify certain Cases to the Attorney General, § 20.
22. Board may sanction Building Leases, working Mines, doing Repairs and Improvements; and may authorize the Application of the Charity Funds or the raising of Money on Mortgage for those Purposes, § 21.
23. Commissioners to authorize Trustees to remove Officers, § 22.
24. Board may sanction Compromise of Claims on behalf of Charity, § 23.
25. Board under special Circumstances may authorize Sale or Exchange of Charity Lands, § 24.
26. Board may authorize Redemption of Rentcharges, § 25.
27. Leases, Sales, &c. authorized by Board to be valid, § 26.
28. Trustees of Charities enabled to purchase Sites for building from Owners under Disability, &c., according to the Provisions of Lands Clauses Consolidation Act, § 27.

29. In Cases of Charities the Incomes of which exceed 30*l.*, Master of the Rolls and Vice Chancellors, upon Applications to them at Chambers, to have the same Jurisdiction as the Court of Chancery or Lord Chancellor now has upon Information, &c., § 28.
30. Provision as to Charities within the Jurisdiction of the Court of Chancery of the County Palatine of Lancaster, § 29.
31. Provisions as to Charities exceeding 30*l.* per Annum to extend to Charities in London not exceeding 30*l.*, § 30.
32. Lord Chancellor, with the Advice of Master of the Rolls and Vice Chancellors, or Two of them, to make General Orders, § 31.
33. District Courts of Bankruptcy and County Courts to have Jurisdiction in Cases of Charities the Incomes of which do not exceed 30*l.*, § 32.
34. Deputy sitting for County Court Judge not to exercise Jurisdiction, § 33.
35. Where Two or more Courts have concurrent Jurisdiction, Board to direct to which Court Applications shall be made, § 34.
36. Board may direct Cases within the Jurisdiction of a District or County Court to be taken before a Judge of the Court of Chancery in the first instance, § 35.
37. No Order of District or County Court for the Appointment or Removal of Trustees or Approval of a Scheme to be valid unless confirmed by Board, § 36.
38. Board, if dissatisfied with the Order of District or County Court, may remit the Case for Reconsideration, or may transfer the Matter to a Judge of the Court of Chancery, § 37.
39. How Orders of District or County Court under this Act to be enforced, § 38.
40. Appeal, § 39.
41. Proceedings on Appeal. Bond to prosecute Appeal may be put in Suit, § 40.
42. No Chancery Judge, or District or County Court, in Proceedings under this Act to try Titles, &c., § 41.
43. Notice to be published of Application for Schemes or Appointment or Removal of Trustees under this Act, § 42.
44. By whom Applications may be made. Attorney General may Petition under 52 G. 3. c. 101.,—§ 43.
45. Statement in Certificate of Board of the Amount of Income of any Charity to be sufficient Evidence for determining the Jurisdiction or Proceedings under this Act. Proviso as to particular Endowments, § 44.
46. Lord Chancellor to make Orders for regulating Proceedings before District and County Courts. Judges to regulate Proceedings, § 45.
47. Reservation of Rights and Privileges of Church of England with respect to Charities, § 46.
48. Secretary to be Treasurer of Charities; such Treasurer to be a Corporation, § 47.
49. Land holden upon trust for a Charity, subject to Jurisdiction of Court of Chancery and of Judge, may be vested in Treasurer, § 48.
50. Orders may be made revesting Land, &c. in the Trustees of the Charity, § 49.
51. Treasurer to be a Bare Trustee, § 50.
52. Judge may order Trustees, &c. holding Stock, &c. belonging to a Charity subject to his Jurisdiction to transfer same to official Trustees, § 51.
53. Secretary to keep separate Accounts of Funds of each Charity, § 52.
54. Trustees may deposit Deeds, &c. for Security in a Repository provided by the Board, § 53.
55. Power to Board to frame Schemes for the Appropriation of Charitable Property to varied Trusts, § 54.
56. Notice to be given before Approval of Schemes, and Objections may be submitted for the Consideration of the Board, § 55.
57. Board may alter or modify or approve of Schemes, § 56.
58. The Matter of Schemes may be referred to an Inspector for Local Inquiry, § 57.
59. Inspectors to report the Result of Inquiry to the Board, § 58.
60. Schemes when approved to be certified by the Board. Copy of such Certificate to be deposited in the Parish or District, and Notice given, § 59.
61. Annual Report to be laid before Parliament, which shall set forth all the Schemes approved, § 60.
62. Accounts of Trustees of Charities to be delivered to the Clerks of County Courts, Clerks of the Peace, and to the Board, § 61.
63. Exemptions from the Operation of Act. Provisions as to Charities supported partly by voluntary Subscriptions, § 62.
64. Exempted Charities may petition Commissioners to have Benefit of Act, § 63.
65. Disputes among Members of exempted Charities may be referred to Arbitration of Commissioners, § 64.
66. Legal Estate of Lands now vested in Municipal Corporations on Charitable Trusts to be vested in Trustees, § 65.
67. Interpretation of Terms, § 66.
68. Extent of Act, § 67.

Chemists.

1. For regulating the Qualifications of Pharmaceutical Chemists, 15 & 16 Vict. c. 56.
2. Charter of 18th Feb. 1843 confirmed, save as altered, § 1.
3. Power to Council to alter Byelaws, provided they are approved by a General Meeting of Society and the Secretary of State, § 2.
4. Manner of voting, § 3.
5. Council to appoint Registrar, &c., § 4.
6. Registrar to make Registers of Members of Society, &c., and to keep an Index and Books, as may be required, § 5.
7. All Members, Associates, &c. of the Society at the passing of this Act entitled to be registered, § 6.
8. Registrar bound to certify, &c., and his Certificate good Evidence in absence of the contrary, § 7.
9. Persons appointed under Charter or Byelaws, or this Act, to conduct Examinations. Power to Examiners to grant Certificates, § 8.
10. Examiners to be appointed for Scotland, § 9.
11. Persons who have obtained Certificates entitled to be registered; Persons registered as Pharmaceutical Chemists eligible to be Members; Eligibility of Persons registered as Assistants, &c., § 10.
12. Exemptions, § 11.
13. Persons not duly registered shall not assume or use Name or Title of Pharmaceutical Chemist, or any Name, Title, or Sign implying the same. Penalty on Persons offending. Penalties, how recoverable in England and Wales; in Scotland, § 12.
14. Limitation for Recovery of Penalties, &c., § 13.
15. Application of Penalties, § 14.
16. Registrar falsifying Register, &c. guilty of a Misdemeanor, § 15.
17. Any Person wilfully procuring false Certificate, guilty of a Misdemeanor, § 16

Chief Registrar in Bankruptcy. See Secretary of Bankrupts.

Children. See Assaults on Women and Children; Factories.

Coast Volunteers. See Naval Coast Volunteers.

Coin.

1. For the Punishment of Offences in the Colonies in relation to the Coin, 16 & 17 Vict. c. 48.
2. 2 & 3 W. 4. c. 34, amended by 7 W. 4. & 1 Vict. c. 90., extended to the Colonies, § 1.
3. Punishment for importing counterfeit Coin into the Colonies, § 2.
4. This Act not to apply in any Colony to any Offence for Punishment whereof local Provision is already made, § 3.
5. Power to local Legislature to vary Provisions of this Act, § 4.

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6. To prevent the defacing of the current Coin of the Realm, 16 & 17 Vict. c. 102.
7. Penalty for defacing the Coin by stamping Words thereon or bending the same, § 1.
8. Tender of Coin so defaced not to be a legal Tender, and Penalty for uttering the same, § 2.

Collegiate Churches. See Cathedral and Collegiate Churches; Brecon Collegiate Church.

Common Law Procedure.

1. To amend the Process, Practice, and Mode of Pleading in the Superior Courts of Common Law at Westminster, and in the Superior Courts of the Counties Palatine of Lancaster and Durham, 15 & 16 Vict. c. 76.
2. Commencement of Act, § 1.
3. Personal Actions, when Defendant resides within the Jurisdiction, to be commenced by Writ of Summons in Form No. 1. of Schedule (A.), § 2.
4. No Form or Cause of Action to be mentioned in Writ, § 3.
5. Writ to state Names of all Defendants, and for only One Action, § 4.
6. Writ to be dated of Day of issuing, and tested in Name of Chief or Senior Judge, § 5.
7. Writ to be indorsed with Name and Abode of Attorney, or a Memorandum that Writ has been sued by Plaintiff in Person, § 6.
8. Attorney to declare if Writ issued by his Authority, and to declare Name and Abode of his Client, if ordered. If Writ issued without Authority of Attorney, Proceedings to be stayed, § 7.
9. Indorsement of Debt and Costs on Writ and Copy of Writ for a Debt, with Notice that Proceedings will be stayed on Payment within Four Days, § 8.
10. Concurrent Writs may be issued, § 9.
11. From Commencement of this Act certain Provisions of 2 W. 4. c. 39. repealed, § 10.
12. Renewal of Writs of Summons to save the Statute of Limitation, and for other Purposes, § 11.
13. Renewal of Writs issued before this Act, § 12.
14. Production of renewed Writ Evidence of Commencement of Action, § 13.
15. Writ may be served in any County, § 14.
16. Indorsement of Service to be made, § 15.
17. As to Service of Writ on Corporation and Inhabitants of Hundreds and Towns, § 16.
18. Proceedings where personal Service cannot be effected, but Defendant knows of the Writ, and evades Service, § 17.
18. As to Actions against British Subjects residing out of the Jurisdiction of Superior Courts, § 18.
20. As to Actions against Foreigners residing out of the Jurisdiction of Superior Courts, § 19.
21. Omission to insert or indorse Matters in or on Writ not to nullify it, § 20.
22. Substitution by Mistake, &c. of One Form of Writ for another may be by Judge without Costs, § 21.
23. Writs for Service in and out of Jurisdiction, § 22.
24. Affidavits in certain Cases may be sworn before a Consul, &c., § 23.
25. Distringas to compel Appearance or to proceed to Outlawry abolished, § 24.
26. Special Indorsement of the Particulars of Debts or liquidated Demands may be made on the Writ. Special Indorsement to stand for Particulars of Demand, § 25.
27. Appearance according to Provisions of Acts of 12 G. 1. c. 29., and 2 W. 4. c. 39., abolished, § 26.
28. Final Judgment upon Writ specially indorsed in default of Appearance, § 27.
29. Judgment for Nonappearance where the Writ is not indorsed in the special Form, § 28.
30. Appearance to be entered at any Time before Judgment, § 29.
31. Appearance by the Defendant in Person to give an Address at which Proceedings may be served, § 30.
32. Mode of Appearance to Writ of Summons, § 31.
33. Proceedings mentioned in Writ or Notice may be had and taken, § 32.
34. Proceedings where only some of the Defendants appear to a Writ specially indorsed, § 33.
35. Nonjoinder and Misjoinder of Plaintiffs may be amended before Trial, § 34.
36. Nonjoinder and Misjoinder of Plaintiffs may be amended at the Trial, as in Cases of Amendments of Variances under 3 & 4 W. 4. c. 42.,—§ 35.
37. Upon Notice or Plea of Nonjoinder of Plaintiffs, Proceedings may be amended, § 36.
38. Misjoinder of Defendants may be amended before or at Trial, § 37.
39. Upon Plea in Abatement for Nonjoinder of Defendants, Proceedings may be amended, § 38.
40. Provision in the Case of subsequent Proceedings against the Persons named in a Plea of Abatement for Nonjoinder of Defendants, § 39.
41. Joinder of Claims by Husband and Wife with Claims in right of Husband, § 40.
42. Different Causes of Action may be joined, but separate Trials may be ordered, § 41.
43. Questions of Fact may, after Writ issued, by Consent and Leave of a Judge, be raised without Pleadings, § 42.
44. Agreement may be entered into for the Payment of Money and Costs according to the Result of the Issue, § 43.

45. Judgment to be entered according to the Agreement, and Execution issued forthwith, unless stayed, § 44.
46. Proceedings upon Issue may be recorded, § 45.
47. Questions of Law may be raised after Writ issued, by Consent, &c., without Pleading, § 46.
48. Agreement as to Payment of Money and Costs, according to Judgment upon Special Case, § 47.
49. Costs to follow the Event, unless otherwise agreed, § 48.
50. Fictitious and needless Averments not to be made, § 49.
51. Judgment upon Demurrer to be given according to the very Right of the Cause, § 50.
52. Objections by way of Special Demurrer taken away, § 51.
53. Pleadings framed to embarrass may be struck out or amended, § 52.
54. Four Days Notice substituted for Rule to declare, reply, or rejoin, § 53.
55. Pleadings to be dated and entered as of Time of Pleading, unless Order to the contrary, § 54.
56. Profert and Oyer abolished, § 55.
57. Document may be set forth, and be considered a Part of the Pleading in which it is set forth, § 56.
58. Performance of Conditions precedent may be averred generally, § 57.
59. Plaintiff to declare within a Year, § 58.
60. Forms of Commencement, &c. of Declaration, § 59.
61. Commencement of Declaration after Plea of Nonjoinder, § 60.
62. Declaration for Libel or Slander, § 61.
63. Rule to plead, and Demand of Plea abolished, § 62.
64. Time for pleading, where Defendant is within Jurisdiction, to be Eight Days, § 63.
65. Express Colour abolished, § 64.
66. Special Traverses abolished, § 65.
67. Formal Commencement and Prayer of Judgment unnecessary, § 66.
68. Commencement of Plea, § 67.
69. Plea of Matter subsequent to Action, § 68.
70. Plea Puis darrein Continuance, when and how to be pleaded, § 69.
71. Payment into Court in certain Actions, § 70.
72. Payment into Court how pleaded, § 71.
73. No Order to pay Money into Court, § 72.
74. Proceeding by Plaintiff after Payment into Court, § 73.
75. Pleas to Actions partaking both of Breach of Contract and Wrong, § 74.
76. Payment, Set-off, and other Pleadings which can be construed distributively shall be so construed, § 75.
77. Traverse of the Declaration, § 76.
78. Traverse of Plea or subsequent Pleading of Defendant, § 77.
79. Traverse of Replication or subsequent Pleading of the Plaintiff, § 78.
80. Joinder of Issue, § 79.
81. As to pleading and demurring together, § 80.
82. Several Matters may be pleaded at any Stage of the Pleadings, § 81.
83. Judge's Order to plead several Matters sufficient, § 82.
84. Objection to Pleadings to be heard on Summons to plead several Matters, § 83.
85. Certain Pleas may be pleaded together without Leave, § 84.
86. Signature of Counsel, § 85.
87. For pleading several Matters without Leave, Judgment may be signed, § 86.
88. One new Assignment only allowed in respect of the same Cause of Action, § 87.
89. Pleas not to be repeated, § 88.
90. Form of Demurrer and Joinder in Demurrer, § 89.
91. Time for pleading after Amendment, § 90.
92. Forms in Schedule may be adopted, § 91.
93. Rule to compute abolished, § 92.
94. Judgment by Default for liquidated Demands final, § 93.
95. Inquiry of Damages may be directed to take place before the Master, § 94.
96. Judgment for Money Demands without Distinction between Debt and Damages, § 95.
97. Saving as to certain Provisions of 8 & 9 W. 3. c. 11.,— § 96.
98. Time for Notice of Trial and Inquiry, § 97.
99. Notice of Countermand, § 98.
100. Costs of the Day, § 99.
101. Statute 14 G. 2. c. 17. as to Judgment in case of Nonsuit repealed, § 100.
102. Proceeding where Plaintiff neglects to bring on the Cause to be tried, § 101.
103. Nisi Prius Record not to be sealed or passed, § 102.
104. Trials in Counties Palatine, § 103.
105. Jury Process abolished, § 104.
106. Precept by Judges of Assize to summon Jurors for Civil as well as Criminal Trials, § 105.
107. A printed Panel to be prepared, and annexed to the Record, § 106.
108. Sheriffs of London and Middlesex to summon Common Jurors, and prepare a Panel, to be annexed to the Record, § 107.
109. Special Jurors, not exceeding Forty-eight in Number, to be summoned to try all Special Jury Causes at Assizes, § 108.
110. Mode of obtaining a Special Jury in Country Causes, § 109.
111. Special Juries in London and Middlesex, how struck, § 110.
112. Remedy for Delay by Notice of Trial by Special Jury, § 111.
113. Notice to Sheriff of Trial by Special Jury, § 112.
114. If Special Jury not summoned, Cause to be tried by a Common Jury, § 113.
115. View to be by Rule without Writ, § 114.
116. Proceedings before Jurors so returned same as before this Act, § 115.
117. Defendant's Right to try, upon Default of the Plaintiff, preserved, § 116.
118. Admission of Documents, § 117.
119. Proof of Admission, § 118.
120. Proof of Notice to produce, § 119.
121. Execution after Trial, § 120.
122. Ground Writs abolished, § 121.
123. Writs in Counties Palatine to be directed to the Sheriff, § 122.
124. Expenses of Execution, § 123.
125. Writs of Execution to remain in force for One Year, and to be renewed if necessary, § 124.
126. Production of renewed Writ, Evidence of Renewal, § 125.
127. Sheriff or Gaoler may discharge Prisoner by Authority of Attorney in the Cause, § 126.
128. Proceedings for charging in Execution a Person already in Prison of the Court, § 127.
129. Execution in Six Years without Revival, § 128.
130. Judgment to be revived by Writ or with Leave of Court, or Judge, by Suggestion, § 129.

131. Proceedings upon Application for Suggestion to revive Judgment, § 130.
132. Writ of Revivor, and Proceedings thereon, § 131.
133. Writs of Scire facias in other Cases to be tested, directed, and proceeded upon in like Manner, § 132.
134. Appearance to Writ of Revivor, § 133.
135. As to Issue of Writ of Revivor upon Judgment more than Ten Years old, § 134.
136. Action not to abate by Death, § 135.
137. Proceedings in case of Death of One or more of several Plaintiffs or Defendants, § 136.
138. Proceeding in case of sole Plaintiff, § 137.
139. Proceeding upon Death of sole or sole surviving Defendant, § 138.
140. Death between Verdict and Judgment, § 139.
141. Proceedings in case of Death after Interlocutory, and before final Judgment, § 140.
142. Marriage not to abate Action, § 141.
143. Bankruptcy and Insolvency of Plaintiff, when not to abate Action, § 142.
144. Upon Motion in arrest of Judgment, pursuant to 1 W. 4. c. 7., or for Judgment Non obstante veredicto, omitted Facts may by Leave of the Court be suggested, § 143.
145. Judgment to follow Result of Suggestion, § 144.
146. Costs of abortive Issues, § 145.
147. Error to be brought within Six Years, § 146.
148. Proviso for Disabilities, § 147.
149. Writ of Error abolished, § 148.
150. Error in Law how brought, § 149.
151. Error not Supersedeas till Service of the Copy of the Note and Grounds of Error, § 150.
152. Bail in Error, § 151.
153. Suggestion instead of Assignment of and Joinder in Error, § 152.
154. Roll to be made up and Suggestion entered by Plaintiff in Error, § 153.
155. Error brought by One of several Persons against whom Judgment has been given, § 154.
156. Judgment Roll to be brought into Court instead of Transcript, § 155.
157. Jurisdiction of Courts of Error over the Proceedings, § 156.
158. Court of Error to have like Powers with Court below, § 157.
159. Proceedings in Error in Fact, § 158.
160. Plaintiff may discontinue Proceedings in Error, § 159.
161. Defendant may confess Error, and consent to the Reversal of Judgment, § 160.
162. Death of Plaintiff in Error no Abatement, § 161.
163. Providing for Death of One of several Plaintiffs in Error, § 162.
164. Proceedings upon Death of sole Plaintiff or of all the Plaintiffs in Error, § 163.
165. Death of Defendant in Error no Abatement, § 164.
166. Proceedings upon Death of One of several Defendants in Error, § 165.
167. Proceedings upon Death of sole Defendant or of all the Defendants in Error, § 166.
168. Marriage not to abate Proceedings in Error, § 167.
169. Ejectment to be brought by Writ, § 168.
170. Form and Duration of Writ of Ejectment, § 169.
171. Service of Writ of Ejectment, § 170.
172. Appearance of Persons named in the Writ, § 171.
173. Appearance of Persons not named, § 172.
174. Appearance and Defence by Landlord, § 173.
175. Notice to defend for Part only, § 174.
176. Want of Certainty cured by Particulars, § 175.
177. Defence by Persons not in possession, § 176.
178. Judgment for Default of Appearance or Defence, § 177.
179. Issue how made up, § 178.
180. Special Case may be stated, § 179.
181. Trial of Issue, § 180.
182. Verdict when Title appears to have expired before Trial, § 181.
183. Trial may be ordered to take place in any County, § 182.
184. Nonappearance at Trial, § 183.
185. Special Verdict, and Bill of Exceptions, § 184.
186. Judgment upon Finding for Claimant, § 185.
187. Judgment upon Finding for Defendant, § 186.
188. Execution for Recovery of Possession and Costs may be joint or separate, § 187.
189. Defence by Joint Tenants, Tenants in Common, or Coparceners, § 188.
190. Trial and Judgment in Ejectment against Joint Tenants, Tenants in Common, and Coparceners, § 189.
191. Action not to abate by Death, § 190.
192. Proceedings upon Death before Trial where Right survives, § 191.
193. Proceedings upon Death before Trial where Right does not survive, § 192.
194. Upon Death of One of the several Claimants having obtained a Verdict, § 193.
195. Proceedings in case of Death of Claimant where Right does not survive, § 194.
196. Proceedings upon Death of One of several joint Defendants, § 195.
197. Upon Death of all the Defendants in Ejectment before Trial, § 196.
198. Upon Death of all Defendants in Ejectment after Verdict, § 197.
199. Upon Death before Trial of Defendant in Ejectment, who defends separately for Part, § 198.
200. Upon Death of Defendant defending separately for Property in respect of which others also defend, § 199.
201. Claimant may discontinue by Notice, § 200.
202. Discontinuance of Action by One of several Claimants, § 201.
203. Judgment for not proceeding to Trial after Notice, § 202.
204. Defendant may confess the Action, § 203.
205. Confession by One of several Defendants defending separately for Part, § 204.
206. Confession by One of several Defendants who defend for same Property, § 205.
207. Formal Entry of Judgment on the Roll unnecessary for Purposes of Execution, § 206.
208. Effect of Judgment, § 207.
209. Error and Bail in Error in Ejectment, § 208.
210. Tenants to give Notice of Ejectment to Landlord, § 209.
211. Proceedings in Ejectment by Landlord for Non-payment of Rent, § 210.
212. Lessee proceeding in Equity not to have Injunction or Relief without Payment of Rent and Costs, § 211.
213. Tenant paying all Rent with Costs, Proceedings to cease, § 212.
214. Ejectment by Landlord against Tenant holding over after Expiration of Term or Determination of Tenancy by Notice to quit. Rule or Summons for the Tenant to to give Bail. On Rule or Summons absolute, if Tenant shall not conform, Judgment to be for the Landlord, § 213.

215. On Trial of any Ejectment between Landlord and Tenant, Juries to give Damages for Mesne Profits down to the Verdict, or to a Day specified therein, § 214.
216. On Trials after Bail found, Judge shall not stay the Execution except by Consent, or on Tenant's finding Security. Bail in Error to discharge such Security, § 215.
217. Recognizances to be taken as other Recognizances of Bail; Actions on them limited, § 216.
218. Landlord to recover Possession of Lands, &c. after Service of Writ in Ejectment, § 217.
219. Saving of former Remedies, § 218.
220. In Ejectment by Mortgagee, the Mortgagor's rendering the Principal, Interest, and Costs in Court shall be deemed a full Satisfaction, and the Court may compel the Mortgagee to re-convey, § 219.
221. Not to extend to Cases where the Right of Redemption is controverted, or the Money due not adjusted; or to prejudice any subsequent Mortgage, § 220.
222. Jurisdiction of Courts and Judges, § 221.
223. Amendment, § 222.
224. General Rules may be made by the Judges, § 223.
225. New Forms of Writs and other Proceedings, § 224.
226. Rules may be made by each Court for Government of its Officers, § 225.
227. Injunctions and Orders to stay Proceedings to have a specific Effect, § 226.
228. Interpretation of Terms, § 227.
229. Her Majesty may direct all or Part of this Act to extend to any Court of Record, § 228.
230. Certain of the Provisions of this Act to extend and apply to the Court of Common Pleas at Lancaser and the Court of Pleas at Durham, § 229.
231. Powers given by this Act to the Judges of the Superior Courts at Westminster to make Rules, &c. may be exercised by Judges of the Court of Common Pleas at Lancaster and Court of Pleas at Durham as to those Courts, § 230.
232. Judges may make Rules for applying other Provisions of this Act to Court of Common Pleas at Lancaster and Court of Pleas at Durham, § 231.
233. Provisions to apply to Masters of Courts at Westminster to apply to Prothonotaries of Court of Common Pleas at Lancaster and Court of Pleas at Durham, and their Deputies, &c., § 232.
234. As to Proceedings in Error, § 233.
235. Certain Provisions of 4 & 5 W. 4. c. 62. and 2 & 3 Vict. c. 16. repealed, § 234.
236. Short Title of Act, § 235.
237. Act not to extend to Ireland or Scotland, § 236.

Common Lodging Houses.

1. For making further Provisions with respect to Common Lodging Houses, 16 & 17 Vict. c. 41.
2. Short Title, § 1.
3. Common Lodging Houses Act, 1851, and this Act to be as One, § 2.
4. All Common Lodging Houses to be registered, and kept only by registered Keepers, § 3.
5. Local Authority may refuse to register Houses, &c., § 4.
6. Evidence of Register, § 5.
7. Supply of Water to Common Lodging Houses, § 6.
8. As to Removal of sick Persons from Common Lodging Houses to Hospitals, &c., § 7.
9. Power to order Reports from Keepers of Common Lodging Houses kept for Beggars and Vagrants, § 8.
10. Power to Town Councils, &c. to remove Causes of Complaint certified under Nuisances Removal, &c. Act, § 9.
11. Oxford and Cambridge Commissioners to act as the Local Authority under this Act, § 10.
12. As to Offences against this Act, 11.
13. Conviction for Third Offence to disqualify Persons from keeping Common Lodging Houses, § 12.
14. Acts may be executed by Justices at Petty Sessions, § 13.
15. As to Expenses of executing Act by Justices, § 14.

Commons. See Copyhold and Inclosure Commissions.

Contagious Diseases in Sheep and other Cattle.

1. To continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals, 15 & 16 Vict. c. 11.
2. 11 & 12 Vict. c. 107. continued until 1st September 1853, § 1.

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3. To extend and continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals, 16 & 17 Vict. c. 62.
4. 11 & 12 Vict. c. 107. recited. Penalty on Persons bringing glandered Horses, &c. into Market, or turning them out on uninclosed Land, § 1.
5. Recited Act continued until 1st September 1856, and End of next Session, § 2.

Convicted Prisoners.

1. For enabling the Justices of Counties to contract in certain Cases for the Maintenance and Confinement of convicted Prisoners in the Gaols of adjoining Counties, 16 & 17 Vict. c. 43.
2. When Gaol of any County is insufficient for the Custody of Prisoners, the Secretary of State may authorize the Justices of any adjoining County to contract for the Maintenance, &c. of such Prisoners, § 1.

See *Female Convicts.*

Copyhold and Inclosure Commissions.

1. To continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts, 16 & 17 Vict. c. 124.
2. Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued for One Year, § 1.

See next head.

Copyholds (Enfranchisement of).

1. To extend the Provisions of the Acts for the Commutation of Manorial Rights, and for the gradual Enfranchisement of Lands of Copyhold and Customary Tenure, 15 & 16 Vict. c. 51.

2. 4 & 5 Vict. c. 35., 6 & 7 Vict. c. 23., 7 & 8 Vict. c. 55. recited. For effecting Enfranchisement after next Admittance, § 1.
3. Mode of effecting Enfranchisements, § 2.
4. Appointment of Valuer not to be revoked without mutual Consent, except that Commissioners may remove for Misconduct, &c., § 3.
5. In case of Death, &c. of Valuers, others to be appointed, § 4.
6. Commissioners, &c. may call for and enforce Production of Books and Documents, § 5.
7. Power of Entry for Purposes of Act, § 6.
8. Valuers how to proceed, § 7.
9. Questions of Law or Fact may be referred to the Commissioners. Appeal to be had on Matter of Law on a Case stated, § 8.
10. Award to be confirmed by the Commissioners, § 9.
11. Charge under Act to be a First Charge, § 10.
12. Enfranchisements to be according to Form in Schedule, § 11.
13. Form of Charge, § 12.
14. Certificates to be transferable by Endorsement, § 13.
15. Stamp on Certificates, § 14.
16. Commissioners may correct any Error in Award, &c. after Notice to Parties interested, § 15.
17. Valuer to take particular Circumstances of the Cases into consideration, § 16.
18. If Consideration not paid, the Lord may take possession, § 17.
19. Land so obtained by Lord may be let for not exceeding Seven Years, § 18.
20. Steward's Compensation to include Preparation of Deed of Enfranchisement, § 19.
21. Inspection, &c. of Court Rolls of the Manor, § 20.
22. After Enfranchisement, the Lord may give up to the Commissioners all Court Rolls; Inspection, &c. thereof, § 21.
23. Title of Lord to be made for the Purpose of Enfranchisement, § 22.
24. After an Application for Enfranchisement, Tenant may require Commissioners to inquire into the Lord's Title, § 23.
25. Identity of Lands, § 24.
26. As to Purchase by the Lord in certain Cases, § 25.
27. Power to Lord having a limited Interest to charge Purchase Money on Manor, &c., § 26.
28. After 1st July 1853, when a Heriot shall be due and payable, the Lord or Tenant may require or compel Enfranchisement, § 27.
29. Declaration to be taken by Valuers, § 28.
30. As to Recovery of Interest in Enfranchisement Considerations, § 29.
31. As to Expense of Proceedings under this Act, § 30.
32. How Expenses of Enfranchisement to be borne where the Lord has but a limited Interest in a Manor, or is Trustee thereof, § 31.
33. How Tenants Expenses of Enfranchisement are to be borne, § 32.
34. Confirmation of Award by Commissioners to be Proof of prior Proceedings being regular, § 33.
35. After Confirmation of Apportionment, &c. in Cases of Enfranchisement, the customary Modes of Descent to cease, and the Lands to descend and to be subject to Dower and Curtesy in like Manner as Freehold Lands. Proviso. Proviso as to Gavelkind, § 34.
36. Commissioners to have Power to suspend Proceedings, § 35.
37. Power to Lord to sell Rentcharge, § 36.
38. Commissioners to certify the Amount of Consideration Money for Redemption, § 37.
39. Consideration Money for Redemption of Sale, how payable, § 38.
40. Consideration Money in Cases of Owners under Disability, how payable, § 39.
41. As to Consideration Money under 20*l.*, § 40.
42. Power to commute or enfranchise at fixed Fines or Rentcharges, § 41.
43. Tenants may deduct Rentcharges, &c. payable to Landlord, § 42.
44. Surrenderee by way of Mortgage, &c. to be deemed a Tenant for certain Purposes, § 43.
45. Enfranchisement not to affect previous Leases or Demises, § 44.
46. Not to affect Commonable Rights in respect of Lands enfranchised, § 45.
47. Enfranchisement not to affect Rights under any Will, Settlement, &c., § 46.
48. Defective Titles of Lords and Tenants, § 47.
49. Act not to extend to Mines or Minerals, &c., nor to Copyholds for Lives where Tenants have not a Right of Renewal, § 48.
50. Copies registered at the Office of Commissioners to be Evidence, § 49.
51. Ageeements, &c. to be exempt from Stamp Duty, § 50.
52. Penalty on Persons obstructing Commissioner, Assistant Commissioner, Valuer, or Umpire, § 51.
53. Construction of Words, § 52.
54. This Act to be deemed Part of first-recited Act, § 53.
55. Titles of Acts, § 54.
56. Not to impede Enfranchisement irrespective of this Act, or Powers in other Acts of Parliament, § 55.

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57. To explain and amend the Copyhold Acts, 16 & 17 Vict. c. 57.
58. 4 & 5 Vict. c. 35., 6 & 7 Vict. c. 23., 15 & 16 Vict. c. 51., 14 & 15 Vict. c. 104. recited. Removing Doubts as to Enfranchisement, &c. of Lands holden of Ecclesiastical Corporations, § 1.
59. Commutations or Enfranchisements in consideration of Surrender of limited Interests confirmed, § 2.
60. Enfranchisements that may be effected under other Acts may also be effected under Copyhold Acts, § 3.
61. Application of Consideration Money in Cases where Enfranchisement might have been effected under the 14 & 15 Vict. c. 104.,—§ 4.
62. Trustees appointed by Commissioners to have all such Powers as if within the Scope of Sect. 14. of 6 & 7 Vict. c. 23.,—§ 5.
63. Trustees appointed by Copyhold Commissioners to transfer the Funds to Ecclesiastical Commissioners, § 6.
64. Liability of Trustees to cease, § 7.
65. Pending Proceedings to be completed. Recital or Endorsement to be Evidence, § 8.
66. Ecclesiastical Commissioners to give Memorandum of Payment, Conveyance, or Transfer. Memorandum to be Evidence, § 9.
67. Costs how to be settled, § 10.
68. Act to be Part of Copyhold Acts, § 11.

Copyright.

1. To enable Her Majesty to carry into effect a Convention with France on the Subject of Copyright; to extend and explain the International Copyright Acts; and to explain

the Acts relating to Copyright in Engravings, 15 & 16 Vict. c. 12.

2. 7 & 8 Vict. c. 12. s. 18. repealed, § 1.
3. Her Majesty may by Order in Council direct that Authors of Foreign Books may for a limited Time prevent unauthorized Translations, § 2.
4. Thereupon the Law of Copyright shall extend to prevent such Translations, § 3.
5. And by Order in Council may direct that Authors of Foreign Dramatic Works may for a limited Time prevent unauthorized Translations, § 4.
6. Thereupon the Law for protecting their Representation shall extend to unauthorized Translations, § 5.
7. Adaptations, &c. of Dramatic Pieces, § 6.
8. All Articles in Newspapers, &c. relating to Politics, &c. may be republished or translated, unless Author has notified his Intention to reserve the Right, § 7.
9. No Author to be entitled to Benefit of this Act without complying with the Requisitions herein specified, § 8.
10. Pirated Copies prohibited to be imported, except with Consent of Proprietor. Provisions of 5 & 6 Vict. c. 45. as to Forfeiture, &c. of pirated Works, &c. to extend to Works prohibited to be imported under this Act, § 9.
11. Incorporation with 7 & 8 Vict. c. 12.,—§ 10.
12. French Translations to be protected as herein-before mentioned, without further Order in Council, § 11.
13. Rates of Duty not to be raised during Continuance of Treaty, and if further Reduction is made for other Countries it may be extended to France, § 12.
14. For Removal of Doubts as to Construction of Schedule to 9 & 10 Vict. c. 58.,—§ 13.
15. For Removal of Doubts as to Lithographs, Prints, &c., § 14.

Corporations. See Municipal Corporations.

County Courts.

1. Further to facilitate and arrange Proceedings in the County Courts, 15 & 16 Vict. c. 54.
2. Lord Chancellor to appoint Five Judges of County Courts held under 9 & 10 Vict. c. 95., to frame a Scale of Fees, to be submitted to Judges of Superior Courts for Approval. Costs to be taxed by Clerk of Court, subject to Review, § 1.
3. So much of 13 & 14 Vict. c. 61. s. 14. as limits the Sitting of Court of Appeal to a Time out of Term repealed. Appeals to be heard in Term as well as out of Term, § 2.
4. Power to Judges of Superior Courts to make Orders regulating Appeals, § 3.
5. Power to the Court or a Judge at Chambers to make an Order entitling the Plaintiff to recover his Costs, § 4.
6. Re-issuing Warrants for Distraint, § 5.
7. Protection to Officers, § 6.
8. On Petition to Her Majesty, the Jurisdiction of Court of local Jurisdiction may be excluded from that of the County Court in concurrent Causes, § 7.
9. As to Audit of Clerk's Account, § 8.
10. Account of Fees to be delivered, § 9.
11. Provision of 9 & 10 Vict. c. 95. as to Persons qualified to practise before County Courts not to extend to this Act, § 10.
12. Hundred Courts of Offlow and Hemlingford abolished, § 11.
13. Compensation to Officers of Hundred Courts, § 12.
14. Compensations to be paid out of Consolidated Fund, § 13.
15. Limiting Salaries of Judges and Clerks, § 14.
16. Lord Chancellor may order Retiring Pension to be paid to County Court Judges, § 15.
17. Judges of County Courts not to practise at the Bar or as Special Pleaders, § 16.
18. No Clerk to be appointed for more than One District, except in certain Cases, § 17.
19. A Registry of County Courts Judgments to be established, § 18.
20. No other Persons to be appointed Clerks of the Bristol Court until all the present Clerks shall die, resign, or be removed, § 19.

County Elections. See Elections.

County Palatine (Courts of). See Common Law Procedure.

County Rates.

1. To consolidate and amend the Statutes relating to the Assessment and Collection of County Rates in England and Wales, 15 & 16 Vict. c. 81.
2. Repeal of 12 G. 2. c. 29., in part, 13 G. 2. c. 18., in part, 37 G. 3. c. 65., 55 G. 3. c. 51., in part, 56 G. 3. c. 49., 57 G. 3. c. 94., 1 & 2 G. 4. c. 85., 1 W. 4. c. xlviii., 4 & 5 W. 4. c. 48., 8 & 9 Vict. c. 111., and 12 & 13 Vict. c. 65., in part, —§ 1.
3. Justices at Sessions to appoint Committees for preparing a Basis or Standard for assessing County Rates, § 2.
4. Meetings of Committee, § 3.
5. Committee may appoint a Clerk, § 4.
6. Committees may require Returns of the annual Value of the Property in any Parish liable to be assessed, with the Date of the last Valuation. Such Returns to be laid before a Vestry Meeting previous to their being presented to the Committee, § 5.
7. Meaning of "full and fair annual Value," § 6.
8. Committees empowered to inspect Rates, Assessments, Valuations, &c., § 7.
9. Penalty on Overseers or others refusing to attend to produce Documents, § 8.
10. Committees may cause new Valuations to be made, § 9.
11. If Parish Officers, &c. neglect to make Returns, or make false Returns, Expenses of Valuations to be paid by Parishes, § 10.
12. Costs of Valuations directed by Committee, § 11.
13. Allowances and Compensation to Persons employed the Execution of this Act, § 12.
14. When Committee have prepared a Basis for a County Rate differing in Value from the preceding, they shall cause it to be printed, and distributed to the acting Justices and Overseers of the Poor. Overseers to submit the proposed Basis to a Vestry Meeting, § 13.
15. Notice of the Time within which Objections may be made to proposed Basis to be sent to the Overseers, § 14.
16. Notice to be given when Basis will be taken into consideration by Court of General or Quarter Sessions, § 15.
17. Basis to be deemed valid after Confirmation by Court of General or Quarter Sessions, § 16.
18. Appeal against Basis. Notice of Appeal, § 17.
19. Hearing and determining Appeals, § 18.
20. Sessions to determine Costs of Appeal and of Valuation ordered by Sessions, § 19.
21. Committee may revise Basis or Rate from Time to Time, § 20.
22. Justices in General or Quarter Sessions to make a fair

and equal County Rate, whenever Circumstances appear to require it, § 21.
23. Parishes aggrieved may appeal, § 22.
24. Rate to be raised, notwithstanding Appeals, until Determination of Justices. In case Justices order Rate to be set aside, decreased, or lowered, Money paid subsequent to the Time of Appeal to be returned out of the General County Rate, § 23.
25. Expenses of Appeals or Proceedings at Law shall be paid in such Proportions as the Justices or Courts of Law shall award, § 24.
26. Costs may be awarded upon Notices of Appeal not prosecuted, § 25.
27. Justices of the Peace shall send Precepts directly to Guardians of Unions for the Payment of County Rates. Guardians to pay such Rates. County Treasurer to receive the same, § 26.
28. If the Guardians fail to pay such Rates, the Justices may issue Warrants to the Overseers of Parishes, &c. to pay the same, § 27.
29. If the Overseers, &c. fail to pay, the Justices may levy the Rate by Distress and Sale, § 28.
30. Parishes not in arrear with Contributions to be reimbursed by those which are in arrear, § 29.
31. Justices may issue Precepts to the Overseers of Parishes, &c. not comprised in Unions, or only partly within the Jurisdiction of the Justices, § 30.
32. Powers of Act to extend to Places where there are no separate Churchwardens, &c., or where no separate or distinct Poor Rate is made for any Place extending into Two or more Counties, &c. Justices not to act beyond their Jurisdiction, § 31.
33. The Overseers of Parishes situated partly within Boroughs and partly without to collect the County Rates leviable on the Part of the Parish not comprised within the Borough, § 32.
34. Appeal against the Rate, and Audit of Accounts, § 33.
35. Mode of procuring the Funds when Precept is sent to the Guardians of Union comprising the divided Place, § 34.
36. Where the Amount required for the County or other Rate is small, the making of the Rate for Reimbursement may be postponed, § 35.
37. Mode of Collection where the Office of High Constable has not become vacant, § 36.
38. High Constable to give Security, § 37.
39. Mode of enforcing Repayment by Borough Treasurers of Money expended by Counties out of the County Rates as provided by 5 & 6 W. 4. c. 76. ss. 114 & 117.,—§ 38.
40. Delivery of Precepts, &c. by Post, and Evidence thereof, § 39.
41. Justices in General or Quarter Sessions to appoint Justices to fix and determine Boundaries between Counties, Ridings, Divisions, or Parts of Counties, and other Places of distinct and separate Jurisdiction, § 40.
42. Appointment of new Justices, § 41.
43. In case of Difference between Justices, a Referee to be appointed to meet them, and determine Boundary, § 42.
44. Act not to determine any Question of Boundary, except for the Purpose of rating, § 43.
45. Limitation of Actions, § 44.
46. Penalty on Persons obstructing Overseers, &c., § 45.
47. Penalties and Forfeitures, Costs and Charges, may be levied by Distress and Sale of Offender's Goods. Committal. Application of Penalties, § 46.
48. Counties where Rates have been regulated by particular Acts authorized to make use of the Provisions of this Act, § 47.
49. All Business relating to the Assessment and Application of County Rates shall be transacted in open Court, § 48.
50. Notice thereof to be given, § 49.
51. Treasurers of Counties or of Divisions of Counties to publish once in every Year an abstract Account of their Receipts and Expenditures, § 50.
52. The Act extended to all Places having separate Commission of the Peace, and to all Rates of the Nature of County Rates, § 51.
53. Construction of the Words "Parish," "Union," "Guardians," § 52.

Court of Bankruptcy. See Registrar of Meetings; Secretary of Bankrupts.

Court of Chancery.

1. To amend the Practice and Course of Proceeding in the High Court of Chancery, 15 & 16 Vict. c. 86.
2. Engrossing Bills on Parchment discontinued, and a printed Bill to be filed instead, § 1.
3. Writs of Subpœna and Summons to be abolished, § 2.
4. Defendants to be served with a printed Bill in lieu of the Writs of Subpœna and Summons, § 3.
5. The filing and Service of a printed Bill or Claim to have the same Effect as the filing and issuing of Writs of Subpœna and Summons, § 4.
6. As to Service of printed Bill, § 5.
7. Written Copies of Bills may be served in certain Cases, upon Plaintiff undertaking to file a printed Copy in Fourteen Days, § 6.
8. Plaintiff to deliver printed Copies of Bill or Claim at Rate prescribed by Lord Chancellor, § 7.
9. Prints of Amendments to Original Bill also to be filed. In certain Cases a printed Bill may contain written Amendments, § 8.
10. Power to Lord Chancellor to revive the present Practice as to filing of Bills, &c., § 9.
11. Bills of Complaint to contain concise Narratives of material Facts, &c., in distinct Paragraphs, § 10.
12. Next Friend of any Infant, &c. to sign a written Authority, § 11.
13. Interrogatories to be filed in Record Office by Plaintiff within Time prescribed, § 12.
14. Defendants may answer without Leave within the Time now allowed, though not required so to do by Plaintiff; but after that Time Defendant must have Leave, § 13.
15. Defendant's Answer may contain not only Answer to Interrogatories, but Statements material to his Case, § 14.
16. Plaintiff may, on Expiry of Time for answering, but before Replication, move for a Decree or Decretal Order. Affidavits may be filed, § 15.
17. Court may refuse or grant such Motion, or make Order for further Prosecution, &c., § 16.
18. Practice of excepting to Bills, Answers, &c. for Impertinence abolished. Proviso as to Costs, § 17.
19. Court or Judge may order Defendant to produce Documents, &c. on Oath, § 18.
20. In certain Cases Defendant, after Answer, may file Interrogatories for Examination of Plaintiff. Defendant may exhibit a Cross Bill instead of filing Interrogatories, § 19.
21. Upon Application of Defendant, after Answer, Plaintiff may be required to produce Documents on Oath, § 20.

22. Practice of issuing Commissions to take Answers, &c. within the Jurisdiction of the Court abolished, § 21.
23. Pleas, Declarations, &c. in Chancery, how to be sworn and taken in Scotland, Ireland, the Channel Islands, &c., § 22.
24. Penalty for falsely swearing, &c., § 23.
25. Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act, § 24.
26. Answers, &c. to be filed without Oath of Messenger, § 25.
27. Issue may be joined by filing Replication as at present, § 26.
28. Defendant not having been required to answer, and not answering, may move for Dismissal of Bill for Want of Prosecution, § 27.
29. Practice of Court as to, and Mode of examining Witnesses, abolished. Court may order particular Witnesses to be examined upon Interrogatories as now practised, § 28.
30. Plaintiff, where Suits by Bill at issue, may give Notice to Defendant to adduce Evidence orally or by Affidavit, § 29.
31. Evidence may be taken orally if required, but the Court may in certain Cases make an Order, &c., § 30.
32. Witnesses to be examined by One of the Examiners of the Court in the Presence of the Parties, § 31.
33. Depositions to be taken down and read over to the Witness, who is to sign the same. On Refusal Examiner to sign, and may state any special Matter, § 32.
34. If Parties refuse to be sworn or to answer any lawful Questions, the same Course to be pursued as is now adopted. Proviso as to Witness demurring to Questions, § 33.
35. Original Depositions to be transmitted to the Record Office, and filed, § 34.
36. Commission for Examination of Witnesses dispensed with, and Examiner empowered to administer Oaths, § 35.
37. Affidavits as to particular Facts, &c. may be used, § 36.
38. Affidavits to be divided into Paragraphs numbered, § 37.
39. Evidence oral or by Affidavit, on both Sides, to be closed within Time prescribed by General Order. Witnesses by Affidavit subject to oral Cross-examination, and afterwards to Re-examination. Witnesses bound to attend. As to Expenses attending Cross-examinations, &c., § 38.
40. Court may require the Production and oral Examination before itself of any Witness, &c., and determine Payment of the Costs, § 39.
41. Any Party in a Cause may by Subpœna require Attendance of any Witness before an Examiner, § 40.
42. Evidence subsequent to Hearing to be taken the same as prior to Hearing, § 41.
43. Defendant not to take Objection for Want of Parties in any Case to which Rules herein set forth shall extend, § 42.
44. Practice of setting down a Cause on Objection for Want of Parties, abolished, § 43.
45. Court may proceed in any Suit, &c., without Representative of deceased Person, or may appoint One, § 44.
46. Creditor, &c. may summon Executor, &c. to show Cause why an Order for Administration of Personal Estate should not be granted. Power to Judge to order Administration of such Estate, § 45.
47. Copy of Summons to be filed in Record Office of Court, § 46.
48. Creditor, &c. may obtain an Order for Administration of Real Estate, § 47.
49. Court may direct Sale of mortgaged Property instead of a Foreclosure on such Terms as it may think fit, § 48.
50. Suit not to be dismissed for Misjoinder of Plaintiffs, but Court may modify its Decree, according to special Circumstances, § 49.
51. No Suit to be objected to because only declaratory Order sought, § 50.
52. Court may decide between some of the Parties without making others interested Parties to the Suit. Proviso, § 51.
53. In case of Abatement, &c. of Suit an Order may be made, which shall have same Effect as a Bill of Revivor, § 52.
54. New Facts, &c. after Commencement of Suit to be introduced as Amendments to Bill, &c., § 53.
55. Where Account required to be taken, Court may give special Directions as to the Mode of taking same, § 54.
56. Court may order Real Estate to be sold, if required, § 55.
57. Before Sale of Estate Abstract of Title to be laid before some Conveyancing Counsel. Time for Delivery of Abstract to be specified in Conditions of Sale, § 56.
58. Where Real or Personal Property is the Subject of Proceedings, Court may allow to Parties Part or the whole of the annual Income, § 57.
59. Practice as to Injunctions to stay Proceedings at Law to be assimilated to Practice as to Special Injunctions, § 58.
60. Answer of Defendant, on Motion for Injunction or Receiver, &c., to be regarded as an Affidavit, § 59.
61. In case Directions as to Practice, &c. not followed, Court may make Order and award Costs, § 60.
62. Court of Chancery not to direct Cases to be stated for Opinions of Court of Common Law, but to decide the same, § 61.
63. Court may determine legal Title of Party seeking Relief without requiring Parties to proceed to Law, § 62.
64. Lord Chancellor and Judges to make General Rules and Orders for carrying Purposes of this Act into effect, § 63.
65. Such General Rules and Orders to be laid before Parliament, § 64.
66. Power to Lord Chancellor to increase Salaries of Examiners. If Examiner decline to continue, Lord Chancellor may order a certain Annuity to be paid to him, § 65.
67. Construction of Terms, § 66.
68. Commencement of Act, § 67.

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69. For the Relief of the Suitors of the High Court of Chancery, 15 & 16 Vict. c. 87.
70. No Officer hereafter to receive Fees for his own Use, but all Officers to be paid by Salary, § 1.
71. Officers to continue to receive Fees until Lord Chancellor shall otherwise direct, and pay them into the Suitors Fee Fund, § 2.
72. Officers not to take Gratuities, § 3.
73. How Offenders to be prosecuted, § 4.
74. Allowances for copying to cease, and Power to Lord Chancellor to make Regulations as to Copies, § 5.
75. Power to Lord Chancellor, by Order, to vary, reduce, and abolish Fees, and to provide for their Collection by Stamps, § 6.
76. After such Order, Fees not to be received in Money, but by means of Stamps, § 7.
77. Commissioners of Inland Revenue to give the necessary Directions as to the Stamps, to keep separate Accounts, and pay Monies into Suitors Fee Fund, § 8.
78. Provision for Sale of Stamps, § 9.

79. Commissioners of Inland Revenue may make Regulations as to Allowance for spoiled Stamps, § 10.
80. Provisions of former Acts relating to Stamps to be applicable to Stamps under this Act, § 11.
81. No Document to be received or used unless stamped, § 12.
82. Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed, § 13.
83. Power to abolish Fees in Lunacy, and to substitute a Per-centage in lieu thereof, § 14.
84. Certain Statutory Jurisdiction given to Lord Chancellor, intrusted with Care of Lunatics, to be exercised by the Persons for the Time being so intrusted, § 15.
85. Salaries of Lord Chancellor and Judges of the Court of Chancery to be paid out of Consolidated Fund, § 16.
86. Repeal of Sect. 61. of 5 Vict. c. 5.,—§ 17.
87. Brokerage heretofore received by Accountant General to be paid by him into Suitors Fee Fund, § 18.
88. Salary to be paid to present Accountant General in lieu of Brokerage, § 19.
89. Nothing in Act to affect the Rights as a Master in Ordinary, § 20.
90. Power to Treasury to make Regulations as to Brokerage, § 21.
91. Salary of all future Accountants General to be 3,000*l.* per Annum, § 22.
92. Certain Officers of Lord Chancellor removed, and their Offices abolished, § 23.
93. Certain Officers of the Lord Chancellor to be paid by Salary in lieu of Fees, § 24.
94. The Secretary of Presentations and the Secretary of Commissions of the Peace to account for and pay Fees into Consolidated Fund, § 25.
95. The Persons or Person holding such last-mentioned Offices to receive the yearly Sum of 800*l.*, § 26.
96. Certain Offices abolished, § 27.
97. Duties of Subpœna Office transferred to Clerk of Records and Writs, § 28.
98. Duties of Affidavit Office to be performed by Clerks of Records and Writs, § 29.
99. Orders in Lunacy, when drawn up and signed, to be entered by the Registrar in Lunacy, and Office Copies of such Orders to be furnished and signed by him, and the Accountant General to act upon such Orders, § 30.
100. Orders in Lunacy in certain Cases to be acted upon in the same Manner as if drawn up by the Registrar of the Court of Chancery, § 31.
101. Certificates and Reports of Masters in Lunacy to be only filed in the Office of Registrar in Lunacy, § 32.
102. Forging the Signature of Registrar of Lunacy, or of his Seal, to be Felony, § 33.
103. Master of Reports and Entries to countersign Cheques, &c., § 34.
104. To perform other Duties, as Lord Chancellor may direct, § 35.
105. Account of Monies of the Suitors of the Court kept at the Report Office to be discontinued, and Offices of Clerks of Accounts abolished, § 36.
106. Lord Chancellor to make General Orders for carrying Act into effect, § 37.
107. Orders under this Act may be varied, § 38.
108. Duties and Salaries of Clerks in Accountant General's Office, § 39.
109. Amount of Salaries to Clerks of Taxing Masters, § 40.
110. Deposits on Appeals to be paid into Bank, and placed to "The Appeal Deposit Account," § 41.
111. Persons may sell by Auction, under an Order of the Court of Chancery, without being liable to Duty imposed by 8 & 9 Vict. c. 15.,—§ 42.
112. Indemnity in respect of former Sales, § 43.
113. Officers whose Emoluments are diminished in consequence of this Act may make Claim for Compensation to Commissioners of Treasury, § 44.
114. Payments to be made to Persons whose Offices are abolished, § 45.
115. Lord Chancellor may order Pensions for retiring Officers, § 46.
116. Lord Chancellor may remove and give Pensions to disabled Officers, § 47.
117. Salaries to grow due from Day to Day, but to be payable quarterly out of Suitors Fee Fund, § 48.
118. Compensation to Chaff Wax, &c. to be paid out of Consolidated Fund, § 49.
119. All other Compensations and Superannuation or retiring Allowances to grow due from Day to Day, but to be payable quarterly out of Suitors Fund, § 50.
120. Alteration of quarterly Days of Payment of certain Salaries out of Suitors Fee Fund, § 51.
121. Provisions for Expenses of Officers of the Court, § 52.
122. Surplus of Suitors Fund to be from Time to Time carried over to and to become Part of Suitors Fee Fund, § 53.
123. Provision in case of Surplus or Deficiency of Suitors Fee Fund, § 54.
124. Interpretation of Term "Lord Chancellor," § 55.

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125. For the further Relief of the Suitors of the High Court of Chancery, 16 & 17 Vict. c. 98.
126. Funds, the Dividends of which have not been received for Fifteen Years, may be transferred to the Suitors Fee Fund Account, § 1.
127. Rights of Suitors to Stock or Dividends transferred not to be affected, but to be satisfied out of the Suitors Fee Fund, § 2.
128. Periodical Investigations and Transfers to be made of Accounts the Dividends of which have not been received for Fifteen Years, § 3.
129. Dividends, &c. issued from Monies placed out to provide for Chancery Officers to be transferred to Suitors Fee Fund, § 4.
130. Reduced Stamp Duties to be payable hereafter on Powers of Attorney, &c., § 5.
131. Stamp Duties to be under the Management of Commissioners of Inland Revenue, § 6.
132. Accountant General may be empowered to act on Powers of Attorney in Receipt of future Monies, § 7.
133. Compensation Allowances may be applied to making good Monies improperly withheld or abstracted by Parties entitled to such Allowances, § 8.
134. Orders may be annulled or altered, § 9.
135. As to the Term "Lord Chancellor," § 10.
136. Officers of the Court of Chancery who were formerly Officers of the Court of Exchequer enabled to compute the Period during which they were such Officers for the Purposes of retiring Pensions, § 11.

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137. For making further Provision for the Execution of the Office of Examiner of the High Court of Chancery, 16 & 17 Vict. c. 22.
138. After passing of this Act, the Oath herein named to be taken by all Examiners, § 1.
139. Qualification of Examiners, § 2.
140. As to Payment of Salaries and retiring Pensions, § 3.

See *Masters in Chancery; Oaths in Chancery.*

Courts of Common Law and of the Counties Palatine. See Common Law Procedure; Nisi Prius Offices.

Criminal Law. See Apprehension of Offenders; Assaults on Women and Children.

Crown Lands and Revenues.

1. To remove Doubts as to the Lands and Casual Revenues of the Crown in the Colonies and Foreign Possessions of of Her Majesty, 15 & 16 Vict. c. 39.
2. 1 W. 4. c. 25. s. 2., 1 Vict. c. 2. s. 2., recited. Recited Provisions not to be deemed to have extended to the Produce of the Sale of Lands in the Colonies, § 1.
3. Provisions not to prevent the Appropriation of Casual Revenues in the Colonies to Colonial Purposes, § 2.

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4. To facilitate the Redemption of certain Charges on the Hereditary Possessions and Land Revenues of the Crown, and to make other Provisions in regard to the Management of such Hereditary Possessions and Land Revenues, 16 & 17 Vict. c. 56.
5. The Recipients of Pensions not exceeding 10*l.* per Annum may, with the Consent of the Ecclesiastical Commissioners, sell the same to the Crown, § 1.
6. On Payment of Purchase Money to the Ecclesiastical Commissioners, and Conveyance being made, Pension purchased to be extinguished, § 2.
7. Application of Purchase Money, § 3.
8. Pensions to become due and payable on 5th April and 10th October in each Year, § 4.
9. Provision for the Settlement of disputed Claims, § 5.
10. Deeds enrolled in Land Revenue Record Office not to require Enrolment in Courts of Law, &c., § 6.
11. Form of Conveyance of W. H. White's Fee-farm Rents, § 7.
12. Act not to extend to Scotland, § 8.

See *Woods and Forests.*

Customs (Duties of).

1. To alter certain Duties of Customs, 16 & 17 Vict. c. 54.
2. Duties now chargeable on under-mentioned Articles to cease, and following Duties to be charged, § 1.
3. Duties chargeable on Goods, &c. hereafter mentioned imported into United Kingdom to cease on 1st June 1853, § 2.
4. Duties to be charged on Tea after 1st June 1853, § 3.
5. Duties on Goods, &c. hereafter mentioned to cease on and after 4th June 1853, § 4.
6. In lieu of present Duties on Articles under mentioned, the following to be charged after 4th June 1853, § 5.
7. In lieu of present ad valorem Duties on Articles under mentioned, the following shall be charged on and after 4th June 1853, § 6.
8. In lieu of Duties charged on a certain Article, the following shall be charged on and after 8th June 1853, § 7.
9. On certain other Articles the following Duties to be charged on and after 12th June 1853, § 8.
10. And on certain other Articles the following Duties to be charged on and after 11th June 1853, § 9.
11. In lieu of present ad valorem Duties on Articles under mentioned, the following shall be charged on and after 11th June 1853, § 10.
12. Duties charged on certain Goods to cease on 23d June 1853, § 11.
13. So much of 3 & 4 W. 4. c. 101. s. 3. as allows certain Draft on weighing Tea repealed, § 12.
14. Duties to be under the Management of Commissioners of Customs, § 13.

See next head.

Customs.

1. For consolidating Customs Duties Acts, 16 & 17 Vict c. 106.
2. Instead of all other Duties and Drawbacks of Customs there shall be paid and allowed the Duties and Drawbacks in Tables annexed, § 1.
3. Manufactures of Gibraltar, &c. from Foreign Materials deemed Foreign, § 2.
4. Commissioners of Customs to provide Samples of White-clayed and Brown-clayed Sugar, § 3.
5. Duties in Table to be levied on Goods imported into Isle of Man, § 4.
6. Power to the Treasury to remit and reimpose the Duties levied on unenumerated Articles. Orders to be published in the Gazette, and laid before Parliament, § 5.
7. Free Goods, § 6.
8. Metage Dues on Fruit, § 7.
9. Commencement of Act, § 8.

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10. To amend and consolidate the Laws relating to the Customs of the United Kingdom and of the Isle of Man, and certain Laws relating to Trade and Navigation and the British Possessions, 16 & 17 Vict. c. 107.
11. Appointment of Officers. Salaries and Securities. Salaries, &c. not not subject to Duties. Superannuation Allowances not assignable, § 1.
12. Persons employed on Service of the Customs to be deemed Officers for such Service. Existing Appointments and Securities for good Conduct to remain in force, § 2.
13. Officers taking Fee or Reward not authorized by Law, to be dismissed, § 3.
14. Declaration on Admission to Office, § 4.
15. Hours of Attendance, and Division of Duties in those Hours, § 5.
16. Holidays, § 6.
17. Officers of Customs not to serve in public Offices, § 7.
18. What shall be deemed Orders, &c. of Commissioners of Customs, § 8.
19. Treasury may appoint Ports and Quays, and alter or annul the same. Existing Ports, &c. to continue, § 9.
20. Treasury may appoint Warehousing Ports. Commissioners may appoint Warehouses, &c., and Premises for Refining Sugar for Exportation, and approve Security. Commissioners of Customs to provide Warehouses for Tobacco, and to charge Rent, § 10.
21. Warehouse Keeper to give general Security, § 11.
22. Existing Appointments, Approvals, and Bonds to continue in force. Importer's Bonds dispensed with, § 12.
23. Commissioners may appoint Stations and Sufferance Wharves, &c., and regulate Discharge of Cargo, and boarding of Officers, § 13.
24. Power to revoke or alter former Warrants or Orders, § 14.
25. Treasury to appoint in what Ports Agents shall be licensed. Existing Appointments not to be altered, § 15.
26. Commissioners to grant Licences to Agents. Bond to be given for faithful Conduct. Agents may appoint Clerks to act for them under certain Conditions, § 16.
27. Commissioners may order in what Ports Goods may be

carried or water-borne by authorized Persons. Commissioners may grant Licences and require Bonds. Existing Licences to continue in force, § 17.

28. Duties, Drawbacks, &c. to be under the Management of the Commissioners of Customs. Duties and Drawbacks to be in British Currency, and according to Imperial Weight and Measure, § 18.
29. When new Duties of Customs are imposed in lieu of former ones, such former ones are to continue until the new Duties become chargeable, except in certain Cases. Duties due before the passing of this Act to be levied, &c. as if payable by this Act, § 19.
30. Goods in Warehouse, when entered for Home Consumption, to be chargeable with existing Duties on like Sort of Goods, § 20.
31. All Monies, &c. received by Receiver General of Customs to be paid into the Bank of England. All Monies arising in Ireland to be paid into the Exchequer, § 21.
32. The Treasury may make Rules for keeping the Accounts of the Revenue of the Customs, and for Appropriation thereof. Responsibility for Monies, &c., § 22.
33. Bank to keep an Account, to be returned to the Customs, for Inspection by the Comptroller General. Any Default to be reported to the Treasury, § 23.
34. Bank of England not to dispose of Monies, &c. except for a specified Purpose, § 24.
35. In London, Debentures and Orders to be paid by Receiver General; at any other Port by the Collector. Time for Return of Duties overpaid extended to Six Years, § 25.
36. Commissioners of Customs may close Accounts of Collectors, § 26.
37. On the Death or Removal of Receiver General the Balance to vest in his Successor. § 27.
38. Punishment for Forgery on Receiver General, Transportation for Life, § 28.
39. In case of Dispute, Importer to deposit the Duty demanded. On Payment of such Deposit, and passing Entries for the Goods, Importer to have Delivery, § 29.
40. Deposits to be carried to Consolidated Fund. If no Action brought within the Three Months, Deposit to be retained as Duties. If Action brought, and determined against the Revenue, Importer to be indemnified. By whom Costs of Suit payable, § 30.
41. Disputes and Inquiries in London, § 31.
42. Power to remit or mitigate Penalties, § 32.
43. Appeal to open Court, § 33.
44. Commissioner to conduct public Inquiry, § 34.
45. Commissioners to prosecute or decide. Award may be enforced, § 35.
46. Power to keep Order, § 36.
47. Disputes and Inquiries at Outports, § 37.
48. Inquiries and Examinations may be conducted by Commissioners, Surveyors General, and other Officers of Customs. Oath may be administered. Persons convicted of making a false Oath deemed guilty of Perjury, § 38.
49. Power to summon Witnesses, § 39.
50. Regulations for Conduct of Inquiries, § 40.
51. Importation and Prohibition, § 41.
52. Time of Importation of Goods and Time of Arrival of Ships defined, § 42.
53. Importation direct, § 43.
54. Prohibitions and Restrictions, § 44.
55. Arms, &c. may be prohibited, § 45.
56. Printed Lists of prohibited Books to be exposed at Custom Houses, § 46.
57. Vessels Inwards. Ship to come quickly to Place of unlading, and bring to at the Stations for boarding Officers. Accommodation of Officers on board. Penalty 20*l.*, § 47.
58. Officers to board Ships; to have free Access to all Parts; may seal or secure Goods and open Locks. Goods concealed forfeited. If Seal, &c. broken, Master to forfeit 100*l.* Officers may put Seals upon Stores Inwards. If such Seals be broken, or the Stores secretly conveyed away, Master to forfeit 20*l.*, § 48.
59. Time and Place of landing Goods Inwards. Goods unshipped contrary to Regulations forfeited. Goods not forthwith removed and landed, forfeited, § 49.
60. Master to report within Twenty-four Hours after Arrival. Form of Report. Particulars relating to Ship. Particulars of Cargo (if any). If in Ballast to be so stated. Particulars of Stores. &c. Declaration of Master, § 50.
61. On Failure, Master to forfeit 100*l.*, § 51.
62. Commissioned Ships, British or Foreign, having Goods on board, Person in charge to deliver an Account, or forfeit 100*l.* Such Ships liable to Search, § 52.
63. Master to deliver Bills of Lading and answer Questions. Bulk not to be broken or Stowage altered. Penalty 100*l.*, § 53.
64. Packages reported "Contents unknown," may be opened and examined. Prohibited Goods forfeited, § 54.
65. Entry for Home Consumption. Form of Entry for Payment of Duty on Goods at landing. Declaration of Importer or Agent. Particulars in Entry to correspond with Report, § 55.
66. Payment of Duties. Warrant for Delivery, § 56.
67. Detention of Goods for under Value. Service of Notice in case of. In case of Sale of Goods, how Proceeds to be applied, § 57.
68. Entry for the Warehouse. Particulars of Entry. Warrant for warehousing, § 58.
69. Goods entered for Warehouse may upon further Entry be delivered for Home Use or Exportation, § 59.
70. Particulars of Entry. Warrant for Delivery. Account of free Goods, § 60.
71. Entry by Bill of Sight when Goods not known. Form of Entry by Bill of Sight, § 61.
72. Warrant for landing. Before Delivery, Importer to make perfect Entry, § 62.
73. Goods entered by Bill of Sight not to be delivered, unless Duty is paid or deposited, § 63.
74. Goods to be taken to Queen's Warehouse in default of perfect Entry within Three Days, and sold in default of such Entry within One Month after landing. If Entry not in manner required by Law, Goods forfeited, § 64.
75. Re-importation of British Goods. Entry by Bill of Store. Exceptions, § 65.
76. Bill of Entry to be in Duplicate, § 66.
77. Importer or Agent failing to comply with Regulations to forfeit 20*l.*, § 67.
78. No Entry or Warrant valid unless Goods properly described therein, § 68.
79. Goods concealed in Packages, or delivered without Entry, forfeited. Passengers Baggage, § 69.
80. Surplus Stores not excessive may be entered for private Use or Warehouse, § 70.
81. Entry of Goods by Agents without Licence or by unauthorized Persons not permitted. Penalty 20*l.* Not to extend to Persons acting by proper Authority, § 71.
82. Agent to produce Authority if required, § 72.
83. Officers may take Samples, § 73.
84. Goods not entered within Fourteen Days may be conveyed to Queen's Warehouse. Small Packages or Quantities of Goods may be conveyed to Queen's Warehouse.

If Duties and Charges on such Goods be not paid within Three Months, the Goods may be sold, § 74.

85. If Goods remain on board importing Ship beyond Fourteen Days, such Ship may be detained for Expenses, § 75.

86. Abatement of Duty on damaged Goods. Proof required. Goods derelict, &c., and Droits of Admiralty, to be treated as Foreign Goods. Exceptions. Damage to be assessed by competent Persons. Abatement not to exceed Three Fourths of Duty, and not to apply to certain Goods, § 76.

87. Goods from Possessions abroad. Master to deliver Certificate, § 77.

88. Power to the Lords of the Treasury to require Certificates of Production, § 78.

89. Certificate of Growth of Sugar and Spirits from British Possessions in America and the Mauritius, § 79.

90. Certificate of Sugar from Limits of East India Company's Charter, § 80.

91. East India Sugar warehoused at the Cape of Good Hope and imported from thence, § 81.

92. Goods of Guernsey, Jersey, &c. Duty-free. With Exceptions, § 82.

93. Master to deliver Certificate, § 83.

94. Inwards Entry. Certificate of Wine from British Possessions, § 84.

95. Unshipping, carrying, landing, weighing, &c., and depositing of Goods, to be done at the Expense of the Importer. Timber to be piled at the Expense of the Importer, so as to enable the Officer of Customs to measure it, § 85.

96. Goods removed or carried into the Warehouse without Examination or Authority, forfeited, § 86.

97. Landing Waiter to take Account of Goods for Warehouse. Contents of Packages to be marked thereon, and entered in Landing Book, § 87.

98. Goods to be entered and Duties ascertained and paid according to Landing Account, § 88.

99. Warehoused Goods to be deposited in original Packages, or those of which Account is taken. Goods altered or removed without Sanction of Officers forfeited, § 89.

100. Commissioners to direct what Goods may be bulked, sorted, packed, &c., § 90.

101. Warehouse Keeper neglecting to stow Goods properly to forfeit 5*l.*, § 91.

102. Warehouse Keeper neglecting to produce Goods deposited, when required, to forfeit 5*l.*, § 92.

103. Goods not duly warehoused, or fraudulently concealed or removed, forfeited, § 93.

104. Importer or Proprietor of warehoused Goods clandestinely gaining Access thereto to forfeit 100*l.* § 94.

105. Duty on Goods taken out of Warehouse without Entry to be paid by Warehouse Keeper. Persons taking Goods out of Warehouse, or destroying Goods in Warehouse, to be deemed guilty of a Misdemeanor. Importer or Consignee, if defrauded by Officers, to be indemnified, § 95.

106. If Goods be damaged by Fire, &c. the Importer not entitled to Compensation, § 96.

107. Commissioners of Customs may remit Duties on warehoused Goods lost or destroyed, § 97.

108. Goods may be removed from one Port to another; or from one Warehouse to another in the same Port. Regulations for Removal, § 98.

109. Officers at Port of Removal to transmit Account of Goods to Officers at Port of Destination. Remover to give Bond in the Amount of Duty. Bond may be given either at Port of Removal or Port of Destination. Bond, how to be discharged. General Removal Bond may be given, § 99.

110. Goods, on Arrival at Port of Destination, to be subject to same Regulations as Goods on first Importation, § 100.

111. On Arrival of Goods at Port of Destination they may, after formal re-warehousing, be entered for Exportation or for Home Use, on Payment of Duties, § 101.

112. No Spirits which shall have been imported into the United Kingdom shall be removed except from Warehouse. Penalty for Removal of Spirits contrary hereto, § 102.

113. Warehoused Goods, if not cleared for Home Use or Exportation within Five Years, must be re-warehoused. Duties on Deficiencies and Expense of Examination to be paid down, § 103.

114. Goods in Warehouse not cleared or re-warehoused, or Duties paid on Deficiencies, after Five Years, to be sold. Proceeds of Sale, how to be applied. Goods not worth the Duty may be exported or destroyed, § 104.

115. Goods in Warehouse may be sorted, repacked, &c. To be repacked in the original or other legal sized Packages. Wine or Spirits may be bottled for Exportation only. Brandy may be mixed with Wine in the Proportion of Ten Gallons to One hundred. Casks of Wine or Spirits may be filled up or racked off. Wines may be mixed, and Samples taken. After repacking, damaged Parts may be destroyed, § 105.

116. Foreign Import or Duty-paid Packages only to be used in repacking, § 106.

117. Goods in Warehouse may be taken out, under certain Regulations, and with Security for Duties. Delivery of Sugars Duty-free to be refined for Exportation only, § 107.

118. Refiner to give Bond, § 108.

119. Entry for Exportation or Home Use, § 109.

120. Persons entering warehoused Goods for Home Use to deliver Bill of Entry, and pay down Duties. Duties to be paid according to Landing Account, except in certain Cases. Duties on certain Goods to be charged on ascertained Quantity on Delivery, unless Deficiency has been caused by improper Means, § 110.

121. Value of Goods (for Allowance on Deficiencies) to be estimated by Officers at the Market Price, § 111.

122. Deficiencies in Goods entered for Exportation not to be charged with Duty, unless fraudulent, § 112.

123. Entries for Wood Goods restricted, § 113.

124. Cards imported not to be sold without a Wrapper provided by the Commissioners of Inland Revenue. Penalty 10*l.* if not a Maker; 20*l.* if a Maker. Cards kept for Sale without Wrapper forfeited, § 114.

125. Commissioners of Inland Revenue to provide Wrappers to enclose therein Cards imported, § 115.

126. Forgery of Wrapper, § 116.

127. Warehoused Goods not to be exported in Ships of less than Fifty Tons Burden, except to Guernsey or Jersey, § 117.

128. Vessels Outwards. Master to deliver Certificate of Clearance of last Voyage, and to make Entry Outwards. Form of Entry of Ships Outwards. Penalty, § 118.

129. Goods not to be shipped, except on proper Days and Places, nor until Entry and Clearance. Searcher may open Pakages and examine Goods, § 119.

130. On Entry Outwards, Bond for due shipping and landing shall be given, § 120.

131. Exporter to deliver Shipping Bill. Form of Shipping Bill for Goods for which Bond is required to be given on Exportation, § 121.

132. Inland Revenue Drawback. Notice to Officer. Order to Searcher. Shipment to be certified, § 122.

133. Goods not entitled to Drawback if of less Value than claimed. Penalty for Entry of such Goods, § 123.
134. No Drawback on Tobacco not properly manufactured, and Penalty on Persons fraudulently attempting to obtain Drawback, § 124.
135. Shipping Bill for Free Goods, &c. to be delivered to Searcher. Form of Shipping Bill for British Manufactures and Foreign Goods free of Duty, § 125.
136. Shipping Bill signed by Searcher to be the Clearance for the Goods, § 126.
137. Licensed Lighterman to carry Goods, § 127.
138. Warehoused Goods removed or shipped for Exportation without Authority, forfeited, § 128.
139. Commissioners may remit Duty on warehoused Goods lost or destroyed while in course of Removal or Shipment, § 129.
140. Issuing and passing Debenture, § 130.
141. Declaration as to Exportation and Right to Drawback. Name of Person entitled to be declared, 131.
142. Payment within Two Years, § 132.
143. Warehouse or Debenture Goods not exported, or if relanded, or carried to Guernsey, &c. without Entry, forfeited, § 133.
144. Drawbacks of Duties on Wine allowed for Officers in the Navy, § 134.
145. Persons entering such Wine for Drawback to declare the Name and Rank of Officer claiming the same, § 135.
146. Officers leaving the Service, &c., such Wine permitted to be transferred to others, § 136.
147. Pursers of Her Majesty's Ships of War may ship Tobacco for the Use of Crew free of Duty, on giving Bond, § 137.
148. Purser removed from one Ship to another may tranship Tobacco, with Permission of Collector, § 138.
149. Limiting the Quantity of Tobacco, § 139.
150. Victualling Bill for Stores, § 140.
151. If Inward Cargo reported for Exportation, Copy of Report thereof to be delivered to the Searcher, § 141.
152. Before Clearance, Master to deliver Content. Form of Content. Before Clearance, Certificate to be delivered to Searcher. Label signed, Authority to depart, § 142.
153. Goods on board to correspond with Content, § 143.
154. Goods shipped contrary to Provisions forfeited, § 144.
155. In Ballast. Clearance notified on Victualling Bill. Master to answer Questions. Ships, whether laden or in Ballast, to clear out. Penalty 100*l.*, § 145.
156. Officers may board any Ship after Clearance. Goods on board, and without Certificate where required, forfeited. If any certificated Goods missing, Penalty 20*l.*, § 146.
157. If Officers put Seals upon Stores from the Warehouse Outwards, and such Seals be broken, Master to forfeit 20*l.*, § 147.
158. Ships not bringing to at Stations, Penalty 20*l.*, § 148.
159. Time of Exportation and Departure defined, § 149.
160. Goods prohibited by Proclamation. Forfeiture, § 150.
161. All Trade by Sea from one Part of the United Kingdom to another to be deemed Coastwise, and no Part to be deemed beyond the Sea, § 151.
162. Coasting Trade of United Kingdom, § 152.
163. Coasting Ship confined to Coasting Voyage, § 153.
164. Times and Places for landing and shipping, § 154.
165. Master of Coasting Vessel to keep a Cargo Book. Penalty for false Entries in such Book, § 155.
166. Account previous to Departure to be delvered to Collector. Commissioners may grant General Transires, § 156.
167. Transire to be delivered in Twenty-four Hours after Arrival. Inland Revenue Goods. Goods from the Isle of Man. Penalty for illegal unlading. Forfeiture of Goods, § 157.
168. Officer may go on board and examine any Coasting Ship, § 158.
169. Absolute Prohibitions. Restrictions. Sugar and Rum may be imported into the British Possessions in the West Indies and South America, and the Mauritius, in certain Cases, § 159.
170. Foreign Reprints of Books under Copyright prohibited, § 160.
171. Foreign Manufactures with British Marks, § 161.
172. Sugar, &c., though British, deemed Foreign in certain Cases, § 162.
173. Coasting Trade of the British Possessions, § 163.
174. Ship and Cargo to be reported on Arrival. Particulars of Report. Penalty for false Report, § 164.
175. Entry Outwards of Ship or Cargo. Penalty for not clearing 50*l.*, § 165.
176. Entry of Goods Inwards and Outwards, § 166.
177. Entry of Goods to be laden or unladen. Regulations Inwards and Outwards. Regulations Coastwise. Forfeiture, § 167.
178. Goods not stated to be Produce of British Possession to be deemed of Foreign Production, § 168.
179. If no Officer of Customs resident at the Port of Shipment, Certificate by whom to be granted, § 169.
180. Clearing Officers to certify that Cargo is below Deck. Captains of Ships not to sail without Certificate, § 170.
181. No Part of the Cargo to be placed on Deck. Proviso for Removal of Cargo in Cases of Leakage. Stores not Cargo, § 171.
182. Penalty for Default, § 172.
183. Dues in Canada on American Boats to be the same as in America on British Boats, § 173.
184. Certain Produce of the State of Maine to be treated as Produce of New Brunswick, § 174.
185. Newfoundland Fishing Certificates in lieu of Clearance during Fishing Season. At the End of the Season the Certificate to be delivered up. Ships trading to forfeit Certificate, § 175.
186. Certificate of Production for Sugar or Spirits. Declaration of Grower. Declaration of Exporter. Declaration of the Master, § 176.
187. Certificate of Production on Re-exportation from another Colony, § 177.
188. Certificate of Production of East India Sugar, § 178.
189. Certificate of Production of Wine, § 179.
190. Certificate of Production of Goods in Guernsey, &c., § 180.
191. Officers may board Ships, § 181.
192. Seized Goods, if unclaimed for a Month, to be condemned, and dealt with accordingly, § 182.
193. Penalties and Forfeitures, how to be recovered in British Possessions abroad, § 183.
194. Application of Penalties, § 184.
195. Bail may be given for Seizures, § 185.
196. Suits to be commenced in Name of Officers, § 186.
197. Limitation of Appeals, § 187.
198. Security to abide an Appeal from Vice Admiralty, § 188.
199. Persons authorized to seize under 5 G. 4. c. 113. to have Benefit of this Act. Application of Penalties, § 189.
200. Colonial Laws repugnant to Acts of Parliament void, § 190.

201. Trade with the Channel Islands. Penalties, § 191.
202. Spirits from and to the Channel Islands in Ships of Fifty Tons, and Casks of Twenty Gallons. Exception of Spirits in Glass Bottles, or Stores. Licensed Boats of Ten Tons supplying Sark, § 192.
203. Cigars, &c. may be imported into Channel Islands in Packages of the same Weight as may be imported into the United Kingdom, § 193.
204. Malta deemed to be in Europe, § 194.
205. All Bonds and Securities entered into valid. Bonds to be taken to the Use of Her Majesty. Bonds of Minors valid, § 195.
206. How Bonds satisfied may be discharged, § 196.
207. Exoneration of Estates of Obligors. Form of Certificate of Exoneration. Certificates to be sufficient Evidence of Exoneration, § 197.
208. Making false Declarations. Signing false Documents, and untruly answering Questions. Counterfeiting and using false Documents. Penalty 100*l.*, § 198.
209. Commissioners may make General Regulations for Vessels and Boats not exceeding One hundred Tons, § 199.
210. Vessels and Boats used contrary to Regulations forfeited, § 200.
211. Commissioners of Customs may grant special Licences, on Terms, § 201.
212. Commissioners may revoke Licences, § 202.
213. Vessels made use of in Removal of uncustomed or prohibited Goods forfeited, § 203.
214. Regulations to extend to Channel Islands, § 204.
215. Ships not to sail from Channel Islands without Clearance. Forfeiture, § 205.
216. Boats of Vessels to have thereon the Name of Vessel, Port, and Master, § 206.
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218. British Vessels having secret Places for concealing or Devices for running Goods, and Foreign Vessels having Goods in secret Places, forfeited, § 208.
219. Goods unshipped without Payment of Duty, and prohibited Goods, liable to Forfeiture. Prohibited Goods shipped or water-borne with Intent to be exported, &c. Goods concealed on board, and Goods packed therewith, forfeited, § 209.
220. Spirits and Tobacco found removing to be deemed run, § 210.
221. Restricted Goods to be deemed run, § 211.
222. Certain Vessels belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of the Coast of the United Kingdom or Channel Islands with certain Goods on board, forfeited, with the Goods, § 212.
223. Any Vessel or Boat arriving within any Port of the United Kingdom or of the Channel Islands having prohibited Goods on board or attached thereto forfeited. Commissioners may waive Forfeiture, § 213.
224. Forfeiture not to extend to Ships and Goods in certain Cases, § 214.
225. Ships in Port with a Cargo, and afterwards found in Ballast and Cargo unaccounted for, forfeited, § 215.
226. Certain Ships from which Goods are thrown overboard to prevent Seizure to be forfeited, § 216.
227. Ships belonging to Her Majesty's Subjects, or One Half on board being Subjects, throwing Goods overboard during Chase, forfeited. Persons escaping deemed Subjects, § 217.
228. Ships to bring to on being chased by Preventive Service. Not bringing to may be fired into, § 218.
229. Ships may be searched within the Limits of the Ports, § 219.
230. Officers of Customs may, on probable Cause, stop Carts, &c., and search for Goods, § 220.
231. Officers authorized by Writ of Assistance may search Houses for uncustomed or prohibited Goods, § 221.
232. Ships and Boats used in Removal of run Goods to be forfeited, § 222.
233. Ships, Boats, Goods, and Persons may be seized or detained, and Goods delivered to the proper Officer, § 223.
234. Police Officers seizing Goods to carry them to the Customs Warehouse, § 224.
235. Goods stopped by Police Officers may be retained until Trial of Persons charged with stealing them, § 225.
236. Notice to be given by seizing Officer to Owner of Ships or Goods seized, and Seizures to be claimed within One Month, § 226.
237. Commissioners of Treasury or of Customs may restore Seizures, § 227.
238. Ships and Goods seized may be disposed of as Commissioners of Customs may direct. Fishing Implements, &c. seized may be sold, unless claimed as in Sec. 226. of this Act, § 228.
239. Persons may be searched if Officers have Reason to suspect smuggled Goods are concealed upon them. Penalty on Persons denying having Foreign Goods about them, § 229.
240. Persons before Search may require to be taken before a Justice or Officer of Customs, § 230.
241. Penalty on Officers for Misconduct, § 231.
242. Persons concerned in importing prohibited or restricted Goods, whether unshipped or not, and Persons unshipping, harbouring, or having Custody of such Goods, to forfeit Treble the Value, or 100*l.*, § 232.
243. If Goods removed prior to Examination, Penalty upon Parties concerned in the Removal, § 233.
244. Persons unshipping or concerned in the carrying away or concealing Spirits or Tobacco, to forfeit 100*l.*, and may be detained, § 234.
245. Persons found or discovered to have been on board Vessels liable to Forfeiture for being found within certain Limits of the Coast, subject to be committed to any House of Correction, § 235.
246. Persons on board Vessels within Ports of the United Kingdom or the Channel Islands, with contraband Articles, subject to Penalty of 100*l.*, and Detention, § 236.
247. Persons in Her Majesty's Service detained, to be secured on board until Warrant procured, § 237.
248. Any Person escaping may afterwards be detained, § 238.
249. Magistrates to proceed to Conviction of Smugglers in certain Cases, without an Order of Customs, § 239.
250. Where Persons are taken before a Justice for any Offence under any Act relating to the Customs, such Justice may order them to be detained a reasonable Time, or admit to Bail, § 240.
251. Penalty on Persons offering Goods for Sale under Pretence of being run or prohibited, § 241.
252. No Subject of Her Majesty, except Officers, to take up Spirits in small Casks sunk or floating upon the Sea, § 242.
253. Commissioners of Treasury or Customs may restore Seizures, and mitigate or remit Punishments and Penalties, § 243.

254. Persons signaling Smuggling Vessels may be detained, and to forfeit 100*l.*, or be kept to Hard Labour for One Year, § 244.
255. Proof of a Signal not being intended on Defendant, § 245.
256. Any Person may prevent Signals, and enter Lands for that Purpose, § 246.
257. Persons assembling, to the Number of Three or more, to run Spirits, Tobacco, &c., or obstructing Officers, to be sent to House of Correction to Hard Labour, § 247.
258. Three or more armed Persons assembled to land or rescue smuggled Goods guilty of Felony, § 248.
259. Persons shooting at Boats belonging to Navy or Revenue Service, guilty of Felony, § 249.
260. Any Person, in company with Four others having smuggled Goods, or with One other, armed or disguised, guilty of Felony, § 250.
261. Persons assaulting Officers by Force or Violence may be transported, § 251.
262. Commanding Officers may haul their Vessels on shore without being liable to Suit, § 252.
263. Officers of Army, &c. may patrol Coasts without being liable to Suit, § 253.
264. Officers wounded to be provided for, &c., § 254.
265. Rewards for detaining Smugglers, § 255.
266. Rewards out of Penalties, § 256.
267. Rewards to Officers making Seizures. The Treasury or Commissioners of Customs to fix the Value of Spirits and Tobacco, § 257.
268. How Value is to be ascertained, § 258.
269. All Rewards and Seizures payable to Officers of Army, Navy, or Marines to be regulated by Order in Council, § 259.
270. Commissioners may distribute Officers Shares of Seizure so as to reward Persons not actually present, § 260.
271. Rewards to Persons giving Information of Goods floating or sunk in the Sea, § 261.
272. Penalty on Officers and Persons making collusive Seizures, or taking Bribes, and on Persons offering them, § 262.
273. Jurisdiction. Penalties and Forfeitures how to be sued for. Proviso where the Duties and Penalties sought to be recovered shall not exceed 100*l.* Where Suits for Recovery of Duties and Penalties, though not exceeding 100*l.*, may be prosecuted before a Superior Tribunal, § 263.
274. Proceedings at the Option of Defendant to be instituted in Superior Courts, though the Sum claimed for Duties and Penalties does not exceed 100*l.*, § 264.
275. Justices Jurisdiction in Consent where the Sums claimed shall exceed 100*l.*, § 265.
276. Where Proceedings in the Court of Exchequer by Capias is waived in favour of the Subject, Justices may issue Warrant and admit to Bail, § 266.
277. Penalties joint and several may be sued for by joint and several Information, § 267.
278. Persons previously convicted may, on Verdict, be imprisoned in House of Correction, § 268.
279. Informations, Convictions, &c. to be in Form, &c. in Schedule, § 269.
280. Justices may summon Offender. Summons to be served personally, or by leaving same at Place of Abode or on board Ship, § 270.
281. On Attendance of the Party on the Day and at Place appointed, Justices may hear and determine the Case, § 271.
282. If Party summoned to answer do not appear, Justice to proceed as if he had appeared, § 272.
283. Justices may condemn Goods liable to Forfeiture, § 273.
284. Justices may summon Witnesses. Service of Summons. Penalty for neglecting to attend, § 274.
285. Offences on the Waters, &c., and Jurisdiction, § 275.
286. Justice of adjoining County may act when required, § 276.
287. Justice of Counties to have concurrent Jurisdiction in Cities, Boroughs, &c. situate in such Counties, § 277.
288. Justice may commit in default of Payment of Penalty until paid, § 278.
289. Officers of Customs may execute Warrants of Commitment, § 279.
290. Justices may mitigate Penalties in certain Cases to One Fourth, § 280.
291. Persons detained and convicted to be committed to Gaol for Nonpayment without Mitigation, or to Hard Labour where required by this Act, § 281.
292. Penalties and Forfeitures to be paid to Commissioners, § 282.
293. Any Person committed in default of Payment of a Penalty less than 100*l.* to be discharged by Gaoler in Six Months if not duly released, § 283.
294. Justices may imprison in default of Payment of Penalty, and if Party previously convicted may sentence to Hard Labour, § 284.
295. Justices may commit to nearest House of Correction, if none in their Jurisdiction, § 285.
296. Justices may commute Hard Labour where Offender is a Female or infirm, § 286.
297. If Prisoner be found to have been previously convicted, Imprisonment may be extended, § 287.
298. Married Women may be committed, § 288.
299. Actual Expenses incurred by the Commitment of Smugglers to Hard Labour to be paid out of Consolidated Customs. Allowance to poor Persons confined for Offences against Laws of Customs to be made by Commissioners, § 289.
300. Writs of Certiorari and Habeas Corpus not to issue except on Affidavit, § 290.
301. No Writ of Habeas without Notice to Solicitor of Customs, § 291.
302. Justices Clerks Fees, § 292.
303. Procedure for Penalties, § 293.
304. Service of Subpœna, § 294.
305. Judgment by Default if Persons in Gaol do not appear, and plead to Information served, § 295.
306. Execution may issue to Sheriff of any County without reference to County where Venue laid, § 296.
307. Impoverished Persons may sue in formâ Pauperis, § 297.
308. Sheriff to grant special Warrant on Writ of Capias endorsed by Solicitor of Customs, § 298.
309. Sheriff indemnified for Escape if Warrant granted at Request of Customs. Gaoler to receive Offender, § 299.
310 When Offenders are arrested and give Bail to the Sheriff, the Bail Bond to be assigned to Her Majesty, § 300.
311. Indictment to be preferred by Order of the Commissioners, and Suits to be in the Name of the Attorney General or Lord Advocate or of some Officer, § 301.
312. The Attorney General or Lord Advocate may enter a Nolle prosequi, § 302.
313. Within what Time Suits, Indictments, or Informations are to be exhibited, § 303.
314. Indictments or Informations may be tried in any County in England, Scotland, or Ireland respectively, § 304.

315. Defendant's Proofs in Smuggling Cases, 305.
316. Averments in Smuggling Cases, § 306.
317. Vivâ voce Evidence may be given that a Party is an Officer. Witness competent, although entitled to Part of Seizure or Reward, § 307.
318. What shall be deemed sufficient Evidence of an Order of the Treasury, or of the Commissioners of Customs or Inland Revenue, § 308.
319. Claim to be in Name of bonâ fide Owners. Verified by Oath of Ownership, § 309.
320. If Goods owned by more than Five Co-proprietors, Two may make the Oath, § 310.
321. If Goods owned by a Company or Copartnership, the Oath may be made by public Officer or Agent, § 311.
322. In Suits on Seizure, Judge may certify probable Cause in Bar, § 312.
323. One Month's Notice of Action to Officer before Process, § 313.
324. Evidence limited to Subject in Notice, § 314.
325. Officer may tender Amends, § 315.
326. Officer omitting to tender Amends may pay Money into Court, § 316.
327. Actions against Officers to be brought within Two Months after Cause arises, § 317.
328. Actions for illegal Seizures may be tried in County Court, § 318.
329. Venue confined to District where Action arises, § 319.
330. Action brought in Civil Bill Court, Ireland, § 320.
331. Action in Sheriff's Court, Scotland, § 321.
332. Where 20*l.* only is recovered, no Costs to be allowed unless Judge certifies, § 322.
333. Solicitors Clerks and Officers of Customs may conduct Cases, § 323.
334. Queen may restrict the Privileges of Foreign Ships in certain Cases, § 324.
335. And may impose additional Duties, § 325.
336. Order in Council to specify Ships to which it applies, § 326.
337. The Queen may regulate the Trade of certain Colonies, § 327.
338. Queen in Council may regulate Coasting Trade of Colonies on their Address, § 328.
339. Coasting Trade of India to be regulated by Governor General in Council, § 329.
340. Orders to be published in Gazette, and to be laid before Parliament, § 330.
341. Orders may be revoked, § 331.
342. Lands and Buildings to be vested in the Secretary of the Customs and his Successors. Secretary for the Time Heir-at-Law of deceased Trustee, § 332.
343. Secretary, under Authority of Commissioners, may sell or let Lands vested in him, and execute necessary Conveyances, &c., § 333.
344. Monies produced by Sale of such Lands to be paid to the Receiver General, § 334.
345. Treasury may authorize Persons to survey and mark out Lands for Watch-houses, &c.; and to treat with Owners, § 335.
346. Parties seised or entitled to Lands under Disability empowered to sell or convey to Treasury or Customs, § 336.
347. Bodies or Persons refusing to treat, or to accept Consideration offered, Justices and others may put Her Majesty's Officers in possession. Justices and others may have a Jury summoned, § 337.
348. Incorporation of Lands Clauses Consolidation Act (England and Ireland), § 338.
349. Incorporation of Lands Clauses Consolidation Act (Scotland), § 339.
350. Jury in ascertaining Compensation for Premises to settle Proportion to be paid to Lessees, § 340.
351. Upon delivering up Lands to the Owners all Erections for the Public Service to be removed, making Compensation to Owners. In case of Dispute Compensation to be settled by Two Justices. Act not to affect Agreements between the Treasury and the Owner, § 341.
352. Money given for Lands belonging to incapacitated Persons, &c. to be paid to the proper Officer of the Exchequer for their Use; and upon his Certificate of Receipt, Lands may be vested in Her Majesty, § 342.
353. Barons of Exchequer, upon Application of Parties interested, may order Disposal of Money deposited, § 343.
354. On the Death or Removal of Officer of Exchequer, Stocks and Securities shall vest in his Successor, § 344.
355. Certain Sections of Lands Clauses Consolidation Act incorporated, § 345.
356. Isle of Man to be deemed Part of United Kingdom for the Purposes of this Act, § 346.
357. Goods delivered out of Charge of Customs in the Isle of Man not to be brought into Great Britain or Ireland. Goods brought to Isle of Man but not delivered out of Charge of Customs may be brought to Great Britain or Ireland, under Conditions, § 347.
358. Goods, the Growth or Manufacture of Isle of Man, may be imported into Great Britain or Ireland on Certificate, &c., § 348.
359. Declaration and Certificate of Growth or Manufacture of Goods from Isle of Man, § 349.
360. Act not to affect Excise Drawbacks, § 350.
361. Stores of Manx Ships, § 351.
362. Treasury may restrict Imports, § 352.
363. Management of Duties. Duties to be paid into the Exchequer. Part of Duties may be retained for Expenses of the Government, § 353.
364. Expenses of the Government, and 2,300*l.* per Annum to Harbour Commissioners of Isle of Man, to be paid by Customs, § 354.
365. Additional Allowance for Public Works in Isle of Man, § 355.
366. General Orders to be printed, § 356.
367. Interpretation of Terms, § 357.
368. Acts set forth in Schedule repealed. Orders, &c. under Acts repealed to be valid, § 358.
369. Act to be registered in Royal Courts of Guernsey and Jersey, § 359.
370. Commencement and Short Title of Act, § 360.

See *Differential Duties.*

D.

Deans and Chapters of York and Carlisle. See Cathedral and Collegiate Churches.

Deaths. See Registration of Births, Deaths, and Marriages.

Deserters from Foreign Ships. See Foreign Deserters.

Differential Duties.

1. To enable Her Majesty to abolish otherwise than by Treaty, on Condition of Reciprocity, Differential Duties on Foreign Ships, 15 & 16 Vict. c. 47.
2. Where the Trade and Shipping of Great Britain have been placed in the Ports of any Foreign Power on a Footing of Reciprocity, Her Majesty may issue an Order in Council, declaring the Trade, &c. of such Foreign Power to have the Benefit of the Provisions of this Act, and thereupon the Provisions of 59 G. 3. c. 54. shall be applicable, § 1.
3. Order in Council may be revoked, § 2.

Disabilities. See Members of Parliament.

Dissenters. See Protestant Dissenters.

E.

Ecclesiastical Jurisdiction.

1. For further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in England, 15 & 16 Vict. c. 17. and 16 & 17 Vict. c. 108.
2. Certain Provisions of 10 & 11 Vict. c. 98. continued, § 1.

Ecclesiastical Patronage. See Patronage of Bishops, &c.

Elections.

1. To provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament, 15 & 16 Vict. c. 57.
2. Upon Address of Houses of Parliament, Her Majesty may appoint Commissioners to make Inquiry into corrupt Practices at Elections, § 1.
3. Commissioners to be sworn, § 2.
4. Secretary and Clerks to be appointed, § 3.
5. Place of Meeting, § 4.
6. Commissioners may hold Meetings in London or Westminster, § 5.
7. Inquiry by the Commissioners, § 6.
8. Reports to be laid before Parliament, § 7.
9. Power to send for Persons and Papers, § 8.
10. Persons implicated in corrupt Practices who may be examined, and shall make a faithful Discovery, indemnified, § 9.
11. Witnesses examined not to be indemnified unless they shall have a Certificate from the Commissioners, § 10.
12. Commissioners to examine on Oath, &c., § 11.
13. Penalty for Non-attendance, or refusing to give Evidence, § 12.
14. Penalty for false swearing, &c., § 13.
15. Expenses of Witnesses, § 14.
16. Expenses of the Inquiry, § 15.
17. Protection of Commissioners, § 16.
18. Limitation of Actions, § 17.
19. To limit the Time of taking the Poll in Counties at contested Elections for Knights of the Shire to serve in Parliament in England and Wales to One Day, 16 & 17 Vict. c. 15.
20. Provisions of 2 & 3 W. 4. c. 45. relating to Duration of Poll repealed, § 1.
21. Regulating Time for Polling at Elections for Knights of the Shire, § 2.
22. Section 70. of 2 & 3 W. 4. c. 45. to remain applicable to Elections, § 3.

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23. To limit the Time for proceeding to Election in Counties and Boroughs in England and Wales, and for Polling at Elections for the Universities of Oxford and Cambridge, and for other Purposes, 16 & 17 Vict. c. 68.
24. Writs to the Sheriffs of Counties to require them to make Election for their Counties only. Writs for the Election in the Universities of Oxford and Cambridge, and in Boroughs, to be directed to the Returning Officers thereof. Writs, &c. to be made conformable to this Act, § 1.
25. Elections in Counties to be not later than the Twelfth nor sooner than the Sixth Day after the Sheriffs Proclamation, § 2.
26. Elections in Cities, Boroughs, &c. to be within Six Days after the Receipt of the Writ, Three clear Days Notice being given, § 3.
27. Polling at the Universities to continue for Five Days only, § 4.
28. Vice Chancellors to appoint additional Polling Places, and appoint Pro Vice Chancellors, &c. for conducting the Poll, § 5.
29. Polls not to be taken at Inns, &c. without Consent of all the Candidates, § 6.
30. Power for Her Majesty, on Petition of Justices, to direct that Polling Places in Counties shall cease to be such, and that other Places be substituted in lieu thereof, § 7.
31. Proceedings upon the said Petition to be as provided by Sect. 2. of 6 & 7 W. 4. c. 102.,—§ 8.

Employment of Children in Factories. See Factories.

Enfranchisement of Copyholds. See Copyholds (Enfranchisement of).

Engravings. See Copyright.

Evidence.

1. To amend an Act of the Fourteenth and Fifteenth Victoria, Chapter Ninety-nine, 16 & 17 Vict. c. 83.
2. Husbands and Wives of Parties to be admissible Witnesses, § 1.
3. Except in Criminal Cases and in Cases of Adultery, § 2.
4. Husbands and Wives not compelled to disclose Communications, § 3.
5. So much of Sect. 1. of 6 & 7 Vict. c. 85. as relates to Husbands and Wives, repealed, § 4.
6. Short Title, § 5.
7. Commencement of Act, § 6.

Examiner in Chancery. See Court of Chancery.

Exchange of Land. See Inclosure.

Exchequer Bonds. See South Sea Annuities.

Excise Duties. See Horses let for Hire; Soap; Spirits.

Excise Summary Proceedings.

1. To amend the Laws relating to Summary Proceedings for Penalties and Forfeitures under the Acts relating to the Excise, 15 & 16 Vict. c. 61.
2. Informations for Penalties or Forfeitures under the Excise Laws within the Limits of the Chief Office may be heard and determined either by Commissioners of Inland Revenue or Justices of the Peace, § 1.
3. Commissioners may hear and determine Informations at Chief Office or elsewhere within its Limits, § 2.
4. Officers of Inland Revenue, or Persons employed by the Commissioners or Solicitor, may conduct Proceedings before Justices, § 3.

F.

Factories.

1. Further to regulate the Employment of Children in Factories, 16 & 17 Vict. c. 104.
2. 3 & 4 W. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., and 13 & 14 Vict. c. 54. recited. No Child to be employed before Six in the Morning nor after Six in the Evening, § 1.
3. Power to employ Children in the Hours between Seven in the Morning and Seven in the Evening from 30th Sept. to 1st April, under certain Regulations, § 2.
4. Children not to be employed, under 7 & 8 Vict. c. 15. s. 36, in recovering lost Time, after Seven in the Evening, § 3.
5. Hours of Employment of Children not to be extended, § 4.
6. Recited Acts to be construed as One Act, § 5.
7. Commencement of Act, § 6.

Female Convicts.

1. For providing Places of Confinement in England or Wales for Female Offenders under Sentence or Order of Transportation, 16 & 17 Vict. c. 121.
2. Provisions for and concerning Appointment of Places of Confinement in England for Male Convicts under Sentence or Order of Transportation extended to Females, § 1.

Foreign Deserters.

1. To enable Her Majesty to carry into effect Arrangements made with Foreign Powers for the Apprehension of Seamen who desert from their Ships, 15 & 16 Vict. c 26.
2. Her Majesty may by Order in Council declare that Deserters from Foreign Ships may be apprehended and given up, § 1.
3. Upon Publication of Order in Council Justices shall aid in recovering Deserters from the Ships of Foreign Powers, and may apprehend them, and send them on board, § 2.
4. Penalty on Persons harbouring such Deserters, § 3.
5. Orders to be published in the London Gazette, § 4.
6. Orders may be revoked or altered, § 5.

Foreign Merchant Ships. See Differential Duties.

Forgery. See Bank Notes.

Friendly Societies.

1. To continue and amend an Act passed in the Fourteenth Year of the Reign of Her present Majesty, to consolidate and amend the Laws relating to Friendly Societies, 15 & 16 Vict. c. 65.
2. 13 & 14 Vict. c. 115. recited. Acts relating to Friendly Societies passed previously to 10 Geo. 4. c. 56. to continue in force as to such Societies, § 1.
3. Payment of Salaries and Expenses of Registrars, § 2.
4. Trustees of Friendly Societies to furnish Accounts to the Commissioners of the National Debt, § 3.
5. Recited Act further continued, § 4.

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6. To amend the Laws relating to the Investments of Friendly Societies, 16 & 17 Vict. c. 123.
7. Friendly Societies may invest their Funds otherwise than as required by 13 & 14 Vict. c. 115.,—§ 1.
8. Societies availing themselves of this Act not to invest any further Portions of their Funds with the Commissioners for the Reduction of the National Debt, § 2.
9. Societies not already having an Account with the said Commissioners, after passing of Act not to invest Funds with said Commissioners, § 3.

See *Industrial and Provident Societies; Loan Societies; Savings Banks.*

G.

General Board of Health. See Board of Health; Public Health.

Government Annuities. See Savings Banks.

Government of India. See India.

H.

Hackney and Stage Carriages.

1. For the better Regulation of Metropolitan Stage and Hackney Carriages, and for prohibiting the Use of advertising Vehicles, 16 & 17 Vict. c. 33.
2. Persons desiring a Licence for a Hackney Carriage, &c. to apply to Commissioners of Police for a Certificate. No Licence to be granted by Board of Inland Revenue without such Certificate, § 1.

3. Commissioners of Police may cause Carriages, &c. to be inspected, and if not in fit Condition may suspend Licences, and recall Stamp Office Plate. Notice to be given to Inland Revenue, § 2.
4. Penalty for using Carriage not in fit Condition, § 3.
5. As to Rates and Fares to be taken for Hackney Carriages. No Back Fare to be taken or demanded, § 4.
6. Table of Fares to be put up inside and outside of Hackney Carriages. Driver to produce Book of Fares when required, § 5.
7. As to Settlement of Disputes as to Distances, § 6.
8. As to Distance Drivers of Hackney Carriages shall be required to drive, § 7.
9. Driver to deliver a Ticket to Hirer of Carriage, § 8.
10. Number of Persons to be carried to be painted on Hackney Carriage, § 9.
11. Quantity of Luggage to be carried without Charge, § 10.
12. Property left in Carriages to be deposited at the Police Office. Penalty for Default. Property not claimed to be disposed of. Penalty on refusing or neglecting to give up Property left in Stage Carriages, § 11.
13. Commissioners of Police to appoint Persons to enforce good Order at Hackney Carriage Stands, &c., § 12.
14. Commissioners, with Consent of Treasury, to pay Wages to such Persons, and direct Water Rates to be paid, § 13.
15. Lamps to be placed inside Metropolitan Stage Carriages, § 14.
16. Printed Bills, &c. not to be placed on Carriages, so as to obstruct Light, &c., § 15.
17. Advertising Vehicles, &c. prohibited, § 16.
18. Drivers and Conductors of Metropolitan Stage Carriages, and of Hackney Carriages, liable to Penalties for Offences herein named, § 17.
19. Police Magistrates or Justices of Peace may hear and determine Offences. In case of Disputes the Hirer may require the Driver to drive to a Police Court, or Police Station, § 18.
20. Penalty for Offences, § 19.
21. Meaning of certain Words used in this Act, § 20.
22. This Act to be construed with 6 & 7 Vict. c. 86. and 13 & 14 Vict. c. 7.,—§ 21.
23. Commencement of Act, § 22.

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24. To reduce the Duties payable in respect of Hackney Carriages used in the Metropolis, and to amend the Laws relating to the granting of Licences and Payment of Duties in respect of Metropolitan Stage and Hackney Carriages, and to make Provision as to the Charge for the Hire of Hackney Carriages in certain Cases, 16 & 17 Vict. c. 127.
25. Repeal of Duties in respect of Hackney Carriages in the Metropolis, § 1.
26. Grant of new Duties on Hackney Carriages in lieu of Duties repealed, § 2.
27. Commencement of Repeal and Grant of Duties, § 3.
28. Duties granted to be Duties of Excise under the Care of the Commissioners of Inland Revenue, § 4.
29. Licences granted under 1 & 2 W. 4. c. 22. to cease, and Hackney Carriages to be licensed under this Act, § 5.
30. Persons possessed of Licences in force to keep Hackney Carriages, to have new Licences granted to them in exchange, § 6.
31. Commencement and Termination of Licences, § 7.
32. A proportionate Part only of the yearly Duty to be charged on Licences taken out before 2d January 1854, § 8.
33. Renewal of Licences, § 9.
34. Numbered Plate to be delivered up on Expiration of Licences, or in default Duty to continue payable, § 10.
35. Numbered Plates on Hackney Carriages not licensed to be used on Sundays to be distinguished from those on Carriages licensed to be used on every Day of the Week, § 11.
36. Where Licences for Hackney Carriages and Metropolitan Stage Carriages are to be granted and the Duties paid, § 12.
37. 1*s.* a Mile to be paid for every Mile beyond the Circumference of a Circle Four Miles from Charing Cross if Carriage be discharged beyond such Circumference, § 13.
38. Where more than Two Persons are conveyed in a Hackney Carriage drawn by One Horse, 6*d.* in addition to the Fare to be paid for each Person above Two for the whole Hiring, § 14.
39. When Carriage hired by Time, 6*d.* to be paid for every Fifteen Minutes, or Portion thereof, over the Hour, § 15.
40. Proprietors of Hackney Carriages withdrawing Carriages from Hire beyond a certain Time liable to a Penalty, § 16.
41. "The Limits of this Act" defined, § 17.
42. None but Officers of Inland Revenue or of the Metropolitan Police to prosecute before Justices for Penalties, § 18.

Highway Rates.

1. To continue an Act for authorizing the Application of Highway Rates to Turnpike Roads, 15 & 16 Vict. c. 19. and 16 & 17 Vict. c. 66.
2. 4 & 5 Vict. c. 59. continued, § 1.

Holloway House of Correction.

1. For authorizing the Occupation of the House of Correction recently erected by and for the City of London at Holloway in the County of Middlesex, 15 & 16 Vict. c. 70.
2. Prison to be deemed to be a good and valid Prison, § 1.

Horses let for Hire.

1. To repeal the Duties payable in respect of Horses let for Hire, and to grant new Duties on Licences to let Horses for Hire, 16 & 17 Vict. c. 88.
2. Duties on Horses let for Hire, and on Licences to let Horses, repealed, § 1.
3. Grant of new Duties on Licences to let Horses for Hire, § 2.
4. Duties granted to be Duties of Excise under the Care of the Commissioners of Inland Revenue, § 3.
5. Persons who let Horses for Hire to take out Licences under this Act, § 4.
6. Not to extend to Horses used in licensed Stage or Hackney Carriages, § 5.
7. Persons applying for Licence to sign a Requisition containing certain Particulars, § 6.
8. Particulars to be specified in Licences, § 7.
9. Commencement and Expiration of Licences, § 8.
10. Renewal of Licences, § 9.
11. A proportionate Part of the yearly Duty to be paid on Licences taken out before the 6th April 1854, § 10.
12. Licences to Persons commencing Business to be granted on Payment of a proportionate Part of the Duty according to the Quarter in which they are taken out, § 11.

13. Persons before Licence shall not be entitled to take out Licence on Payment of less than the annual Duty unless their former Licence expired at least One Year previously, § 12.
14. Persons desirous of keeping to let for Hire a greater Number of Horses or Carriages than specified in Licence may take out a supplemental Licence, § 13.
15. Persons intending to let Horses for Hire to make Entry of their Stables and Coach-houses, § 14.
16. Penalty for letting Horses for Hire without Licence, or keeping a greater Number of Horses, &c. than Licence authorizes, § 15.
17. None but Officers of Inland Revenue to prosecute before Justices for Penalties, § 16.

Huddersfield Burial Ground.

1. To provide a Burial Ground for the Township of Huddersfield in the County of York, 15 & 16 Vict. c. 41.
2. Huddersfield Improvement Commissioners to execute the Act, § 1.
3. Boundaries of the Township to be Limits of Scheme, § 2.
4. Commissioners may provide Offices, § 3.
5. Commissioners may appoint Officers, &c., § 4.
6. Commissioners may provide Burial Grounds, One Half of which shall be consecrated, § 5.
7. Vicar of Huddersfield for Time being to appoint Clerk, § 6.
8. One Half of such Burial Ground to be unconsecrated, § 7.
9. Commissioners may give Notice when Interments may be made in such Ground, § 8.
10. Burials to cease wholly or in part in certain Grounds after such Notice, § 9.
11. Burials may be prohibited in other Grounds in the said Township, § 10.
12. Licence may be granted for Exercise of exclusive Rights already acquired, § 11.
13. Inhabitants to have same Rights in new Ground as in Grounds where Interments are discontinued, § 12.
14. Bodies may be removed by Permission, § 13.
15. Officer of Commissioners to select Site of Grave, and keep Plan and Register, &c., § 14.
16. Certificate of Registry of Death, or Coroner's Certificate, to be delivered to Officer appointed to keep Burial Registers, § 15.
17. Depth of Graves, &c., § 16.
18. Commissioners may provide a House for Reception and Care of Bodies previously to Interment, § 17.
19. Commissioners may make Provision for Funerals being conducted at fixed Charges, § 18.
20. Hearses, &c. to be Toll-free, § 19.
21. Commissioners may fix Scale of Charges, § 20.
22. Sections of Cemeteries Clauses Act incorporated, § 21.
23. If Parties become entitled to Compensation, the Amount to be ascertained and recovered summarily, § 22.
24. Regulations of Burials to be approved by General Board of Health, § 23.
25. Fees for Performance of Burial Service in consecrated Part of Ground, § 24.
26. Fees for Interments in unconsecrated Ground. Fee may, at the Request of Relatives, be paid to Minister performing Service on Interments in unconsecrated Ground, § 25.
27. Extra Fees for Interment of Bodies from without the Township, § 26.
28. Clerk to receive same Fee as Parish Clerk, § 27.
29. Money received by Officers to be paid to Treasurer, § 28.
30. Compensation in respect of Burial Grounds affected by Order for Discontinuance of Burial. Compensation to be made for Damage, after Inquiry, § 29.
31. Expenses under this Act to be defrayed out of Monies received thereunder, or in case of Deficiency out of Poor Rates, § 30.
32. Fees and Payments may be mortgaged. No Priority amongst Mortgagees, § 31.
33. Sinking Fund to be set apart for paying off Sums borrowed on Mortgage, § 32.
34. Provisions of Commissioners Clauses Act incorporated, § 33.
35. Parts of Lands Clauses Act incorporated, § 34.
36. Parts of Public Health Act incorporated, § 35.
37. Accounts to be kept of Receipts and Disbursements, and such Accounts to be audited, § 36.
38. Expenses of Act, &c. defrayable out of Fees, § 37.

I.

Improvement of Land. See Inclosure.

Inclosure.

1. To authorize the Inclosure of certain Lands, in pursuance of the Seventh Annual and also of a Special Report of the Inclosure Commissioners for England and Wales, 15 & 16 Vict. c. 2.

2. To authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England and Wales, 16 & 17 Vict. c. 3.

3. To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales, 16 & 17 Vict. c. 11.

4. To authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England and Wales, 16 & 17 Vict. c. 120.

5. To amend and further extend the Acts for the Inclosure, Exchange, and Improvement of Land, 15 & 16 Vict. c. 79.
6. 8 & 9 Vict. c. 118., 9 & 10 Vict. c. 70., 10 & 11 Vict. c. 111., 11 & 12 Vict. c. 99., 12 & 13 Vict. c. 83., 14 & 15 Vict. c. 53. recited. No Lands to be inclosed without the previous Authority of Parliament, § 1.
7. Outfall Drains. Drains, &c. may be made in Lands out of the Parish in which the Lands to be inclosed are situate, § 2.
8. Remedy in case of Nonpayment of Expenses, § 3.
9. Sale of Land directed to be inclosed. Meeting to consent to Sale, § 4.
10. Meeting of Persons interested to determine Appropriation of Surplus, § 5.
11. Resolutions at such Meeting to be confirmed by Commissioners, § 6.
12. Second Meeting may be held, § 7.
13. Appropriation of Surplus if Resolutions disallowed, § 8.
14. Award to be made, § 9.
15. Award not to be impeached, § 10.
16. Sales how to be made, § 11.
17. Application of Purchase Money, § 12.
18. Obtaining Possession of Encroachments. Expenses, § 13.
19. Village Greens and Allotments for Exercise and Recreation shall not be fenced in certain Cases, § 14.
20. Report to be sent to the Commissioners within One Month from Allotments being staked out. Possession not to be given without an Order of the Commissioners, § 15.

21. As to the Allotment of Fruit Trees, § 16.
22. Deposit of Orders of Exchange and Partition in certain Cases, § 17.
23. Commencement of Rentcharge out of Labouring Poor Allotments, § 18.
24. Rentcharge may be sold towards Expenses, § 19.
25. 8 & 9 Vict. c. 118. s. 54. need not be specially referred to in Claims, § 20.
26. Allotments set out under Local Acts may be exchanged, § 21.
27. Application of Compensation for Common Rights paid under the Lands Clauses Consolidation Act, 1845, § 22.
28. In Cases of Boundary Appeal, Commissioners may order Production of Maps, &c. Costs of Appeal, § 23.
29. Extending Provisions of firstly-recited Act as to Bond in Cases of Boundary Appeal, § 24.
30. Power to recover Costs in Cases of feigned Issue, § 25.
31. Costs incurred by Commissioners to be deemed Part of Inclosure Expenses in certain Cases, § 26.
32. Fee to Clerk of the Peace upon the Deposit of Copy of Inclosure Award, § 27.
33. The Word "Parish" to include District having separate Surveyor of Highways, § 28.
34. Confirmed Awards and Orders may be corrected, § 29.
35. Copy of Map may be annexed to Award, § 30.
36. Land held under separate Titles, &c. by the same Person may be partitioned, § 31.
37. Power to effect Partitions and Exchanges where Parties interested in Land, Subject Matter of Partition, and also in the Entirety of any Land, § 32.
38. Penalty where Stock found on regulated Pastures, § 33.
39. This Act to be deemed Part of recited Acts, § 35.

Inclosure Commission. See Copyhold and Inclosure Commission.

Income Tax.

1. For granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, 16 & 17 Vict. c. 34.
2. From 5th April 1853 certain Duties herein mentioned to be charged on Property, &c., § 1.
3. Duties payable in respect of Subjects described in Schedules, § 2.
4. Duties on fractional Parts, § 3.
5. Duties to be under the Management of the Commissioners of Inland Revenue, § 4.
6. Duties to be assessed and raised under the Provisions of recited Acts, § 5.
7. 5 & 6 Vict. c. 35. not to exempt Persons receiving Profits from Possessions, &c. in Ireland, &c. or in Foreign Parts, § 6.
8. Duties in respect of Possessions, &c. in Ireland to be charged in the same Manner as similar Securities in Great Britain, § 7.
9. Persons holding Offices in Ireland, and Members of Parliament in Ireland, chargeable, notwithstanding 5 & 6 Vict. c. 35.,—§ 8.
10. Commissioners under former Acts to be Commissioners under this Act, § 9.
11. Persons intrusted with the Payment in the United Kingdom of Interest or Dividends from Foreign Companies to do all Acts necessary in order to Assessments being made thereon in manner directed by 5 & 6 Vict. c. 80.,—§ 10.
12. Governor, &c. of Bank of Ireland to be Commissioners for assessing Duties on Dividends, Salaries, &c. payable by the Bank, &c., § 11.
13. Clerks of Boards of Guardians in Ireland to transmit to Commissioners of Inland Revenue annually Copies of the Poor Rates, § 12.
14. Duties under Schedules (A.) and (B.) in Ireland to be assessed according to the Valuations under the Poor Relief Acts. On whom Assessments to be made. Assessment of Persons receiving Rent out of Hereditaments in Ireland exempt from Poor Rates, § 13.
15. Commissioners of Inland Revenue may direct Re-valuations where existing Valuations are incorrect, § 14.
16. Allowance for Poor Rates chargeable on the Landlord's Rent in Ireland, § 15.
17. By whom Assessments under Schedules (A.) and (B.) in Ireland are to be made and collected, § 16.
18. How Assessments in Ireland under Schedules (A.) and (B.) are to be collected and recovered, § 17.
19. Landlords in Ireland entitled to claim Return of Duty paid by them in respect of Rent lost by Bankruptcy or absconding of Tenant, § 18.
20. Persons having Custody of Valuations under Poor Relief Acts in Ireland to produce same to Officers under this Act, and permit Copies to be taken, § 19.
21. By whom Assessments under Schedules (D.) and (E.) to be made in Ireland, § 20.
22. Appeals in Ireland to be heard by Commissioners for Special Purposes, § 21.
23. Persons assessed aggrieved by Determination of Commissioners may require Appeal to be re-heard by an Assistant Barrister, &c., § 22.
24. After hearing Appeals in Ireland, Duplicates of Assessments to be delivered to Collectors, with Warrants to collect the same, § 23.
25. Commissioners for Special Purposes, Inspectors and Surveyors of Taxes, &c., in executing this Act in Ireland, to exercise same Powers as similar Officers in England, § 24.
26. Unions, &c. in Ireland not to be responsible for Collectors, § 25.
27. Who to be Commissioners where there are not sufficient Officers in any Court or Department. Powers of Commissioners for General Purposes as to Duties on Offices to be executed in Ireland by Commissioners for Special Purposes, § 26.
28. Persons assessed under Sched. (D.) may compound, § 27.
29. Exemption of Persons whose Income is under 100*l.*, and Abatement to those whose Income is under 150*l.* a Year respectively, § 28.
30. In computing Income from Rent in Ireland, Poor Rates to be deducted, § 29.
31. Relief to Persons claiming Abatement of Assessment, and proving their Incomes to be under 100*l.* a Year, § 30.
32. Claims of Exemption or for Relief in Ireland to be made to Commissioners for Special Purposes, § 31.
33. Duties in respect of Tithe Commutation Rentcharges may be assessed on the Owners, § 32.
34. Allowances to be made in respect of certain Burdens on Tithe Rentcharges in Ireland, § 33.
35. As to Deductions for the Repairs of Collegiate Churches and Chapels, Chancels, &c., § 34.
36. Tenants of Lands who are called upon to pay Arrears due from former Occupiers may deduct the Amount from their Rent, § 35.
37. Houses let in several Tenements to be charged on Landlords, § 36.

38. Deduction to be allowed under Schedule (A.) for Expenses of Sea Walls, &c., § 37.
39. Duties on Tolls called Customs levied in Burghs in Scotland and expended for Public Purposes to be repaid, § 38.
40. Hop Grounds to be charged under Schedule (B.) as other Lands, § 39.
41. Deductions of Duty on Payment of Rent, Interest, &c., § 40.
42. Deductions to be made from net Payment after allowing for Poor Rate in Ireland, § 41.
43. Deduction of Duty to be allowed on Payment of Rent-charges under the Drainage Advances Acts, § 42.
44. No Action of Ejectment in Ireland to be defeated on Ground of Deductions reducing the Amount due under a Year's Rent, § 43.
45. Occupiers of Lands, &c. having made true Returns of their annual Value not required to make further Returns until 1857, § 44.
46. Assessments under Schedules (A.) and (B.) to continue in force for subsequent Years, § 45.
47. Extending to Tenant Farmers the Relief granted by 13 & 14 Vict. c. 12. s. 3.,—§ 46.
48. Appellants may require Commissioners to appoint a Valuer to value Lands, § 47.
49. Duty on Professions to be charged on an Average of Profits of Three Years, § 48.
50. Friendly Societies legally established entitled to Exemption under Schedules (C.) and (D.), § 49.
51. In estimating Profits under Schedule (D.) doubtful Debts to be valued, § 50.
52. Expenses necessarily incurred in respect of a public Office to be deducted from Amount to be Assessed, § 51.
53. Abatement to Clergymen for Expenses incurred in Performance of their Duties, § 52.
54. Public Officers becoming entitled to increased Salaries, &c. to be charged by supplemental Assessment, § 53.
55. Persons who have made Insurance or contracted for a Deferred Annuity on the Lives of themselves or Wives to be allowed an Abatement of Duty in respect of the annual Premiums made, § 54.
56. Persons who have removed before appealing may be allowed Appeal in the District to which they have removed, § 55.
57. Penalty for inducing Persons to make false Returns, § 56.
58. Allowances to Clerks to Commissioners, § 57.
59. Remuneration to Collectors in Ireland, § 58.
60. Commencement and Continuance of Act, § 59.

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61. To extend for a limited Time the Provision for Abatement of Income Tax in respect of Insurances on Lives, 16 & 17 Vict. c. 91.
62. Defining Insurance Offices in which Insurances on Lives may be effected in order to give a Right to Abatement of Income Tax, § 1.
63. Continuance of Act, § 2.

See *Property Tax.*

Indemnity.

1. To indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively, 15 & 16 Vict. c. 4. and 16 & 17 Vict. c. 14.

See *Offices and Employments.*

India.

1. To provide for the Government of India, 16 & 17 Vict. c. 95.
2. 3 & 4 W. 4. c. 85 recited. Until Parliament shall otherwise provide, the British Territories in India to be continued under the Government of the Company, subject to the Provisions of this Act, § 1.
3. After the Second Wednesday in April 1854, there shall be Eighteen Directors of the Company, § 2.
4. Her Majesty to appoint Three of the first Directors for Two, Four, and Six Years. Directors appointed by Her Majesty to be Persons who shall have served Ten Years in India, § 3.
5. The present Directors and the Directors out by Rotation, to appoint from their own Body Fifteen of the first Directors under this Act, Five for Two Years, Five for Four Years, and Five for Six Years, § 4.
6. Upon the happening of casual Vacancies, Number of Directors appointed by the Crown to be increased to Six, those not so appointed to be reduced to Twelve, § 5.
7. Vacancies among Directors how to be filled up, § 6.
8. Ordinary Term of Offices of Directors to be Six Years, and Directors re-eligible, § 7.
9. Term of Office of Directors to expire, and biennial Elections to be holden on the Second Wednesday in April, § 8.
10. Six of the Directors not appointed by the Crown to be Persons who shall have served Ten Years in India, § 9.
11. Qualification of a Director, as respects the Possession of East Indian Stock; 1,000*l.* to be a Qualification. Director before acting to make a Declaration, § 10.
12. Directors appointed by Her Majesty may sit in Parliament, § 11.
13. The Authority of the present Directors to cease on the Second Wednesday of April 1854, § 12.
14. Directors before acting to take Oath herein named, § 13.
15. Quorum of General Courts of the Company, § 14.
16. The Provisions of 3 & 4 W. 4. c. 85. for creating a Presidency of Agra, which has been suspended by 5 & 6 W. 4. c. 52., to remain so until the same be revoked, § 15.
17. A separate Governor may be appointed for the Presidency of Bengal; in the meantime a Lieutenant Governor may be appointed, § 16.
18. Power to Directors to create One new Presidency or to authorize Governor General to appoint a new Lieutenant Governorship, § 17.
19. Power to alter from Time to Time the Limits of Presidencies and Lieutenant Governorships, § 18.
20. The Enactments as to existing Presidencies to extend to new Presidencies, § 19.
21. All Appointments of Members of Council to be subject to the Approbation of Her Majesty, § 20.
22. Provision of 3 & 4 W. 4. c. 85. excluding the Fourth Ordinary Member of Council from certain Meetings, repealed, § 21.
23. Legislative Councillors added to the Council of India for making Laws and Regulations. Legislative Councillors to vote only at Meetings for making Laws and Regulations, § 22.
24. Appointment of a Vice President of Council to preside at Meetings in Absence of Governor General; Quorum for Legislative Business, § 23.
25. Governor General's Assent to be requisite to the Validity of Laws, § 24.
26. Time for Meeting of Council with new Legislative Councillors to be fixed by Governor General by Proclamation, § 25.

27. No Law or Regulation of Governor General in Council invalid by reason of the same affecting any Prerogative of the Crown, § 26.
28. All Fines, Penalties, &c. to belong to the East India Company, § 27.
29. Recital of Provisions of 3 & 4 W. 4. c. 85. as to Appointment of Indian Law Commissioners. Her Majesty may appoint Commissioners in England, to consider and report on the Reforms proposed by the India Law Commissioners, § 28.
30. Advocate General to be approved by Board of Control, § 29.
31. Commander-in-Chief of Her Majesty's Forces to be Commander-in-Chief of the Company's Forces, § 30.
32. Limit of European Troops of the Company and of their Troops in training at Home extended, § 31.
33. Sick Leave or Furlough Regulations may be extended as to Residence out of Limits of Company's Charter, § 32.
34. Salary of President of Board of Control, § 33.
35. Yearly Allowances to Chairman, Deputy Chairman, and Directors, instead of those now payable under Byelaws, § 34.
36. Salaries, § 35.
37. Provisions of 53 G. 3. c. 155. and 3 & 4 W. 4. c. 85. repealed, and existing Rights of Patronage of Appointments to cease, § 36.
38. Persons desirous of being admitted to Haileybury, or appointed Assistant Surgeons, to be admitted for Examination, § 37.
39. Board of Control to make Regulations. Regulations to be laid before Parliament, § 38.
40. Regulations as to Admission to Haileybury and Addiscombe, and for Examination of Candidates, § 39.
41. Regulation as to Admission into the Civil and Military Service, and of Assistant Surgeons. § 40.
42. Persons qualified and entitled according to the Regulations only to be appointed, § 41.
43. Board of Control to appoint Examiners, § 42.
44. Commencement of Act, § 43.

See *Bishops in India and the Colonies.*

Indictments. See Assaults on Women and Children.

Industrial and Provident Societies.

1. To legalize the Formation of Industrial and Provident Societies, 15 & 16 Vict. c. 31.
2. 13 & 14 Vict. c. 115. recited. Societies of Working Men may be established for attaining the Objects of Friendly Societies Acts by means of joint Trade, § 1.
3. Rules of the Society, § 2.
4. Interest of Members not transferable, § 3.
5. As to Members becoming bankrupt or insolvent, § 4.
6. Awards of Arbitrators may be enforced by County Courts where Sum, &c. in dispute is within its Jurisdiction. Where it exceeds such Jurisdiction, then to be submitted to Superior Courts, § 5.
7. Sheriff's Jurisdiction in Scotland, § 6.
8. Investment of Funds, § 7.
9. Laws relating to Friendly Societies to be applicable, except as varied by this Act, or certified to be applicable. 7 & 8 Vict. c. 110. not to extend to Societies constituted under this Act, § 8.
10. Limitation of Interest of Members in Funds of Society, § 9.
11. Annual Returns to be prepared as Registrar may direct, § 10.
12. Liability of the Members not to be restricted, § 11.
13. Provisions of Friendly Societies Acts giving such Societies Priority over other Creditors as to Estate of Officers, and Exemption from Stamp Duties in certain Cases, not to apply to Societies constituted under this Act, § 12.
14. Meaning of Words "County Court," § 13.

Inland Revenue Office.

1. For carrying into execution an Agreement for the Sale of Property belonging to Her Majesty, in right of Her Crown and of Her Duchy of Lancaster, to the Commissioners of Inland Revenue; and for enabling such Commissioners to dispose of their present Chief Office and other Property in the City of London, 15 & 16 Vict. c. 40.
2. Recited Agreement for Sale of Duchy Property confirmed, and such Property vested in the Secretary of the Commissioners of Inland Revenue, § 1.
3. Exchequer Bills deposited for the Purchase Money to be sold and the Produce to be appropriated, § 2.
4. Commissioners of Inland Revenue to pay a Moiety of the Rent reserved under a Lease from the Waterloo Bridge Company, § 3.
5. Property vested in the Crown by 8 G. 3. c. 32. to be vested in the Secretary of Inland Revenue, § 4.
6. For the Purposes mentioned in 7 & 8 G. 4. c. 53.,—§ 5.

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7. For enabling the Commissioners of Inland Revenue to dispose of certain Property in the City of London, 16 & 17 Vict. c. 8.
8. Property conveyed to the Crown by Deed dated 24th March 1772 to be vested in the Secretary of Inland Revenue for the Purposes mentioned in 7 & 8 G. 4. c. 53.,—§ 1.

Insurances on Lives. See Income Tax.

International Copyright. See Copyright.

Intestates (Personal Estates of).

1. To provide for the Administration of Personal Estates of Intestates and others to which Her Majesty may be entitled in right of Her Prerogative or in right of Her Duchy of Lancaster, 15 & 16 Vict. c. 3.
2. Administration of the Personal Estate of Intestates and others, where Her Majesty is entitled, may be granted to the Solicitor of the Treasury for the Time being (as Nominee of Her Majesty) and his Successors, § 1.
3. Administration Bond not necessary, notwithstanding Provisions of 22 & 23 Car. 2. c. 10.,—§ 2.
4. Administrations granted to the late George Maule, as Nominee of Her Majesty, to be continued by the Solicitor of the Treasury for the Time being, § 3.
5. Monies accruing under the Administrations and Forfeitures to be carried to a general Account, § 4.
6. Treasury to make Rules, &c. as to Payment of Monies into and out of the general Account, &c., § 5.
7. Monies not claimed by Grantees of the Crown to be carried to the Consolidated Fund, and Claims afterwards established to be paid out of the Consolidated Fund, § 6.
8. Executors of George Maule to transfer Trust Funds to the Trust Accounts; upon such Transfer Executors, &c. discharged from all Liabilities, § 7.

Inventions. See Patent Law Amendment; Protection of Inventions; Stamps on Patents.

IRELAND.

Advances to Districts.

1. To amend the Acts relating to the Repayment of Advances made to Districts in Ireland, 15 & 16 Vict. c. 16.
2. 13 & 14 Vict. c. 14. recited. Treasury Minute of 21st October 1851 confirmed, § 1.
3. Orders of Poor Law Commissioners, amending previous Orders founded on erroneous Valuations of Property, confirmed, § 2.
4. Power to Treasury to cause erroneous Charges to be corrected, § 3.
5. Poor Law Commissioners may cause Adjustments to be made for the Indemnification of Electoral Divisions, &c. who may have paid more than their due Proportion of Charges, § 4.
6. Power to Poor Law Commissioners to rescind Orders, and act upon further Directions of the Treasury, § 5.

See Consolidated Annuities.

Belfast Custom House.

1. To empower the Commissioners of Her Majesty's Customs to acquire certain Lands and Houses in the Borough of Belfast, for the Purpose of erecting a Custom House and other Offices and Buildings required for the Public Service in the said Borough, 15 & 16 Vict. c. 30.
2. Provisions of 8 & 9 Vict. c. 18. extended to this Act, § 1.
3. Short Title of Act, § 2.
4. Power to Purchase Lands, &c. delineated on deposited Plans, § 3.
5. Errors and Omissions in Schedule may be corrected by Two Justices, who may certify the same. Certificate to be deposited, § 4.
6. Powers for compulsory Purchase of Lands limited, § 5.
7. Powers given to Commissioners to apply to Purchases made as well as those to be made, § 6.
8. All Lands and Houses purchased by the Commissioners to vest in the Secretary for the Time being, § 7.
9. Secretary, under Authority of Commissioners, may sell or let surplus Lands, § 8.
10. Monies produced by Sale of Lands and Houses to be paid to the Receiver General of Customs, § 9.
11. After Payment Purchasers to stand possessed of the Lands or Houses so purchased, § 10.
12. Commissioners may exchange Lands with Belfast Corporation, § 11.
13. Commissioners may take Lands on Lease, § 12.
14. Power to Commissioners to take Portion of Albert Square, and apply it to the Purposes of this Act, § 13.
15. Interpretation of certain Terms, § 14.

Belfast Municipal Boundaries.

1. To extend the Municipal Boundaries of the Borough of Belfast, and to reduce the Scale of rating upon certain Property within the said Borough, 16 & 17 Vict. c. 114.
2. Title of Act, § 1.
3. Limits of the Borough altered and extended, § 2.
4. Acts in force relating to the Borough of Belfast to apply to the Borough as extended by this Act, § 3.
5. Provisions as to buying and selling outside the Borough, § 4.
6. Repeal of so much of 8 & 9 Vict. c. 142. as enables the Council to rate Property exceeding 80*l.* annual Value at 4*s.* 6*d.* in the Pound. Rate on such Property not to exceed 3*s.* in the Pound, § 5.
7. Exempting Demesnes in certain Cases from Payment of Rates, § 6.
8. Nothing in Act shall prevent burning Bricks, &c. in Places not lighted and watched, § 7.
9. Extending Provisions of 10 & 11 Vict. c. cclv. to Queen's College and Court House and Gaol of County of Antrim, § 8.
10. The Roman Catholic Seminary to be exempted from Operation of Act, § 9.
11. As to Meaning of certain Words in Sect. 72 of 8 & 9 Vict. c. cxlii., § 10.
12. No House to be hereafter built, &c. to be thatched without Permission of Council, § 11.
13. Commencement of Act, § 12.
14. Expenses of Act, § 13.

Common Law Procedure.

1. To amend the Procedure in the Superior Courts of Common Law in Ireland, 16 & 17 Vict. c. 113.
2. Commencement of Act, § 1.
3. Short Title of Act, § 2.
4. Repeal of former Acts, § 3.
5. Interpretation of Terms, § 4.
6. Special Forms of Personal Actions abolished, § 5.
7. One Form Personal Action and Action of Ejectment, § 6.
8. Court to have like Jurisdiction as heretofore, § 7.
9. Actions to be commenced by Writ of Summons and Plaint, § 8.
10. Residence and Description of Parties to be mentioned in Writ, § 9.
11. Form of Plaint, § 10.
12. Particulars of Demand and Credits to be endorsed, § 11.
13. Writ to be endorsed with Name and Abode of Attorney, or of Plaintiff in Person, § 12.
14. Attorney, on Demand, to declare whether Writ issued by his Authority, and to declare Name and Abode of Plaintiff, § 13.
15. Duplicates of Plaint, § 14.
16. Writs for Commencement of Actions to be issued in Rotation for the several Courts. No Objection on Ground of Privilege to be valid, § 15.
17. No Writ of Summons to be invalid on account of verbal or technical Error or Omission, § 16.
18. Arrest on Mesne Process, § 17.
19. Warrants of Attorney and other Writings to remain in force, § 18.
20. Statutes relating to Actions to remain in force, § 19.
21. Limitation of certain Actions, § 20.
22. Limitation after Judgment arrested or reversed, § 21.
23. Remedy for Disabilities, § 22.
24. After Acknowledgment or part Payment on account of Specialty, Judgment, Recognizance, &c., § 23.
25. After Acknowledgment or part Payment in respect of Liabilities on Simple Contract, § 24.
26. Indorsement of Payment by Creditor not to take Case out of Statute, § 25.
27. As to Debts alleged by way of Set-off, § 26.
28. Memorandums not to require Stamps, § 27.
29. Renewal of Writs of Summons to save the Statute of Limitation, and for other Purposes, § 28.
30. Renewal of Writs issued before this Act, § 29.
31. Production of renewed Writ Evidence of Commencement of Action, § 30.
32. Writ may be served in any County, § 31.
33. Service of Summons in ordinary Cases, § 32.
34. Service on Corporations, § 33.

35. Courts may direct Substitution of Service, § 34.
36. Affidavit of Service of Process, § 35.
37. Affidavits in certain Cases may be sworn before a Consul, § 36.
38. Filing Plaint, § 37.
39. Rule for Costs of not filing Summons of Plaint, § 38.
40. Appearance and Defence to be filed together, § 39.
41. Defence by way of Set-off, § 40.
42. Particulars of Set-off to be endorsed, § 41.
43. Rule to plead abolished, § 42.
44. Time for pleading, where Defendant is within Jurisdiction, to be Twelve Days, § 43.
45. Time for pleading after amending, § 44.
46. Copies to be served, § 45.
47. Further Particulars, § 46.
48. Inspection and Examination of Premises or Chattels may be ordered by the Court on behalf of either Party, § 47.
49. No pleading after Defence, § 48.
50. Replication and subsequent Pleadings, § 49.
51. Appointing next Friend for Plaintiff being a Minor or Lunatic, § 50.
52. Appointing a Guardian for Defendant being a Minor or Lunatic, § 51.
53. Security for Costs, when and how to be obtained, § 52.
54. Forms in Schedule may be adopted, § 53.
55. Different Causes of Action may be joined, but separate Trials may be ordered, § 54.
56. Joinder of Claims by Husband and Wife, with Claims in right of Husband, § 55.
57. Form and Nature of Defence and subsequent Pleadings. § 56.
58. Several Matters may be pleaded at any Stage of the Pleadings, § 57.
59. Certain Defences may be pleaded together without Leave, § 58.
60. Double Pleas and Demurrer, § 59.
61. Costs of several Issues, § 60.
62. Forms and Fictions abolished, § 61.
63. Venue to be stated only in Margin of Summons and Plaint, § 62.
64. Setting out of Deeds in Pleading, § 63.
65. Production, Inspection, and Copy of Deeds, § 64.
66. Summons and Plaint for Libel or Slander, § 65.
67. Performance of Conditions precedent may be averred generally, § 66.
68. The Process or Adjudication of an inferior Jurisdiction may be pleaded generally, § 67.
69. Facts not traversed admitted. Character of Assignees to be taken as admitted, unless denied, § 68.
70. General Issue by Statute abolished, § 69.
71. Defence by way of Denial to traverse some particular Fact. Defences which admit a Contract in Fact to be pleaded specially, § 70.
72. Pleas in Actions for Wrongs, § 71.
73. Defence of Matter subsequent to Action, § 72.
74. Defence of Matter subsequent to last Pleading, how to be pleaded, § 73.
75. Payment not to be proved in Reduction of Amount without Plea, § 74.
76. Payment of Money into Court, § 75.
77. Drawing Money so lodged, § 76.
78. Taxation of Costs where Money accepted in full Satisfaction, § 77.
79. Issue to try Sufficiency of Payment when declined, § 78.
80. Pleas to Actions partaking both of Breach of Contract and Wrong, § 79.
81. Objections by Demurrer, § 80.
82. Pleadings good in Substance sufficient, § 81.
83. Judgment on Demurrer final, § 82.
84. Pleadings framed to embarrass may be amended, § 83.
85. Nonjoinder or Misjoinder of Parties, § 84.
86. Amendment before Trial of Nonjoinder or Misjoinder of Plaintiff, § 85.
87. Amendment at Trial, § 86.
88. Upon Notice of Nonjoinder of Plaintiffs, Proceedings may be amended, § 87.
89. Proceedings when Nonjoinder of Defendant objected to, § 88.
90. Upon Notice of Nonjoinder of Defendants, Proceedings may be amended, § 89.
91. Subsequent Proceedings against the Persons named in a Notice for Nonjoinder of Defendant, § 90.
92. Misjoinder of Defendants may be amended before or at the Trial, § 91.
93. Questions of Law raised by Consent without pleading, § 92.
94. Agreement as to Error and Payment of Money and Costs, according to Judgment upon Special Case, § 93.
95. Proceedings in Error upon Special Case, § 94.
96. Costs to follow the Event, unless otherwise agreed, § 95.
97. Final Judgment may be marked where Demand liquidated, § 96.
98. Where only some of the Defendants take Defence, § 97.
99. Inquiry of Damages before the Master, where the Claim is Matter of Calculation, § 98.
100. Master shall examine the Affidavits of Service, § 99.
101. Ordinary Writ of Inquiry in other Cases, § 100.
102. Inquiries may be holden before Master of the Court when Venue in Dublin, § 101.
103. Abstract of Issues for Nisi Prius to be settled by a Judge, § 102.
104. Time for Notice of Trial and Inquiry, § 103.
105. Notice of Countermand, § 104.
106. Costs of the Day, § 105.
107. Order for Costs for not proceeding to Trial, § 106.
108. Defendant's Right to try upon Default of the Plaintiff, § 107.
109. Notice of Trial by Defendant, § 108.
110. Precept by Judges of Assize to summon Jurors for Civil as well as Criminal Trials, § 109.
111. A printed Panel to be prepared and annexed to the Abstract, § 110.
112. Sheriffs of Dublin to summon Common Jurors, and prepare a Panel to be annexed to the Abstract, § 111.
113. Special Jurors summoned to try all Special Jury Cases, § 112.
114. Mode of obtaining a Special Jury, § 113.
115. Remedy for Delay by Notice of Trial by Special Jury, § 114.
116. Notice to Sheriff of Trial by Special Jury, § 115.
117. View to be by Rule, § 116.
118. Proceedings before Jurors so returned same as before this Act, § 117.
119. Admission of Documents, § 118.
120. Proof of Admissions, § 119.
121. Proof of Notice to produce, § 120.
122. Bill of Exceptions not to set forth the Pleadings, § 121.
123. Judgment not to be arrested on technical Grounds, § 122.
124. Entry of Judgment on the Roll unnecessary for Execution, § 123.

125. When Judgment to be made up, Summary of Pleadings to be lodged, and Judgment marked thereon, § 124.
126. Judgment for Money Demands without Distinction between Debt or Damages, § 125.
127. Award of Costs in vexatious Actions, § 126.
128. Execution after Trial, § 127.
129. Execution may issue to any County, § 128.
130. Execution to issue for the Amount really due, § 129.
131. Expenses of Execution, § 130.
132. Sheriff empowered to seize Money, Bank Notes, &c., and to pay Money or Bank Notes to Execution Creditor, § 131.
133. Attachment of Government and Public Stock and Shares, § 132.
134. Order for Transfer and Payment, § 133.
135. Charging Order on contingent and future Interests, § 134.
136. Order in respect of Money in Name of Accountant General, § 135.
137. Execution against Beneficed Clergymen, § 136.
138. Return of Devastavit not to be made but on Finding of Jury, § 137.
139. Detainer of a Prisoner in Execution, § 138.
140. Discharge of a Prisoner from Execution, § 139.
141. Sheriff or Gaoler may discharge Prisoner by Authority of Attorney in the Cause, § 140.
142. Renewal of Execution, § 141.
143. Production of renewed Writ Evidence of Renewal, § 142.
144. Satisfaction of Judgments by Party, § 143.
145. Court may order Satisfaction to be entered on Judgment fully paid, § 144.
146. Assignment of Breaches on penal Covenant, § 145.
147. Damages on Breaches to be ascertained, § 146.
148. Suggestion of further Breaches, and Execution on same, § 147.
149. Execution without Revival, § 148.
150. Judgment to be revived by Suggestion, § 149.
151. Application for Suggestion, § 150.
152. Writ of Revivor, and Proceedings thereunder, § 151.
153. Plea of Payment of Judgment, § 152.
154. Writs of Scire facias in other Cases, § 153.
155. Writ of Revivor, how procured, § 154.
156. Action not to abate by Death, § 155.
157. Proceedings on Death of One of several Plaintiffs or Defendants, § 156.
158. Proceeding in case of sole Plaintiff, § 157.
159. Proceeding upon Death of sole or sole surviving Defendant, § 158.
160. Death between Verdict and Judgment, § 159.
161. Death after interlocutory and before final Judgment, § 160.
162. Marriage not to abate Action, § 161.
163. Bankruptcy and Insolvency of Plaintiff, when not to abate Action, § 162.
164. Upon Motion in arrest of Judgment, or for Judgment non obstante veredicto, Suggestion of Facts, § 163.
165. Costs to follow Result of Issue, § 164.
166. Costs of abortive Issues, § 165.
167. Error to be brought within Six Years, § 166.
168. Error may be brought by legal Representative of a deceased Party, § 167.
169. Proviso for Disabilities, § 168.
170. Writ of Error abolished, § 169.
171. Error in Law, how brought, § 170.
172. Error no Supersedeas till Service of the Copy of the Note and Ground of Error, § 171.
173. Bail in Error, § 172.
174. Suggestion of Joinder in Error, § 173.
175. Entry of Suggestion to be made by Plaintiff in Error, § 174.
176. Error by One of several Persons, § 175.
177. Judgment Roll to be brought into Court of Error, § 176.
178. Jurisdiction of Courts of Error, § 177.
179. Court of Error to have like Powers with Court below, § 178.
180. Proceedings in Error in Fact, § 179.
181. Plaintiff may discontinue Proceedings in Error, § 180.
182. Defendant may confess Error, and consent to Reversal of Judgment, § 181.
183. Death of Plaintiff in Error no Abatement, § 182.
184. Death of One of several Plaintiffs in Error, § 183.
185. Death of sole Plaintiff or of all the Plaintiffs in Error, § 184.
186. Death of Defendant in Error no Abatement, § 185.
187. Proceedings upon Death of One of several Defendants in Error, § 186.
188. Proceedings upon Death of sole Defendant or of all the Defendants in Error, § 187.
189. Marriage not to abate Proceedings in Error, § 188.
190. Injunctions to have a specific Operation, § 189.
191. Pleadings dated of Time of pleading, § 190.
192. Writs to be tested and returnable in Vacation as well as in Term, § 191.
193. Rules shall issue and run in Vacation as well as in Term Time, § 192.
194. Court on Motion may order a fixed Sum to be paid in lieu of taxed Costs, § 193.
195. Ejectment to be commenced by Writ of Summons and Plaint, § 194.
196. Form of Duration of Writ of Summons in Ejectment, § 195.
197. Trial may be ordered to take place in any County, § 196.
198. Service of Ejectment, § 197.
199. Form of Defence in Ejectment, § 198.
200. Partial Defence, § 199.
201. Defence of Persons not named or in possession, § 200.
202. Judgment by Default for Want of Defence, § 201.
203. Abstract of Issues, § 202.
204. Proof of Title, § 203.
205. Verdict when Title appears to have expired before Trial, § 204.
206. Nonappearance at Trial, § 205.
207. Ascertainment of Rent, § 206.
208. Judgment and Execution upon finding for Plaintiff, § 207.
209. Judgment and Execution upon finding for Defendant, § 208.
210. Execution in Ejectment, § 209.
211. Defence by joint Owners, § 210.
212. Judgment against joint Owners, § 211.
213. Action not to abate by Death, § 212.
214. Suggestion of Death of Plaintiff, § 213.
215. Death before Trial of Plaintiff where Right does not survive, § 214.
216. Death of sole Plaintiff where Right does not survive, § 215.
217. Death of One of several Plaintiffs after Verdict, § 216.
218. Death of One of several joint Defendants, § 217.
219. Upon Death of all the Defendants before Trial, § 218.
220. Death before Trial of Defendant in Ejectment who defends for Part, § 219.

221. Death of Defendant defending separately for Property in respect of which others also defend, § 220.
222. Death of all Defendants after Verdict, § 221.
223. Plaintiff may discontinue by Notice, § 222.
224. Defendant may confess the Action, § 223.
225. Confession by One Defendant, § 224.
226. Effect of Judgment in Ejectment, § 225.
227. Inquiry as to Mesne Rates after Writ of Error, § 226.
228. General Provisions to apply to Ejectments, § 227.
229. Action for Replevin to be commenced by Writ of Summons and Plaint, § 228.
230. Plaintiff may sue out also a Writ of Replevin, § 229.
231. If Plaintiff in Replevin be non-prossed or nonsuited, Defendant entitled to Judgment and Execution for his Rent, § 230.
232. Amendment, § 231.
233. Holidays, § 232.
234. General Rules may be made by the Judges, § 233.
235. Consolidated Court of Nisi Prius for the Trial of Issues arising in any of the Superior Courts, § 234.
236. Such Court to sit continuously, § 235.
237. Officers of Consolidated Nisi Prius Court, § 236.
238. Cases to be tried in Consolidated Nisi Prius Court, § 237.
239. Judges of either Court may do Business depending in any of the Courts, § 238.
240. Courts may hold Sitting in Vacation, § 239.
241. New Forms of Writs and other Proceedings, § 240.
242. Schedules to form Part of Act, § 241.
243. Schedule of Law Fund Duties, § 242.
244. Schedule of Fees and Costs, § 243.

Consolidated Annuities.

1. For the Remission of the Consolidated Annuities charged upon Districts in Ireland, 16 & 17 Vict. c. 75.
2. All Sums payable in respect of the Year commencing from the 30th September 1852, and in respect of all subsequent Years, remitted, § 1.
3. Annuities payable previously to 30th September 1852 may be remitted, in whole or in part, in distressed Districts, § 2.

Courts of Common Law. See Common Law Procedure; Taxing Officer at Common Law.

Crime and Outrage Prevention.

1. To continue an Act of the Eleventh Year of Her present Majesty (11 & 12 Vict. c. 2.), for the better Prevention of Crime and Outrage in certain Parts of Ireland, 15 & 16 Vict. c. 66., and 16 & 17 Vict. c. 72. § 1.

Distressed Unions and Electoral Divisions.

1. For the Application of certain Money accrued from Fines and Forfeitures in Ireland in aid of certain distressed Unions and Electoral Divisions in that Country, 15 & 16 Vict. c. 68.
2. Unapplied Balance under 1 & 2 Vict. c. 99. to be transferred to General Rate in Aid Account under 12 & 13 Vict. c. 24. § 1.

Drainage.

1. To amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in Ireland, 16 & 17 Vict. c. 130.
2. Treasury may give Directions concerning Completion of Works, § 1.
3. Treasury may reduce the Amount to be charged against Proprietors of Lands, § 2.
4. Treasury to cause Reports on Inquiries to be deposited with the Clerk of the Peace, and Notice of Deposit published, and until Directions of the Treasury are given, Works may be continued as if this Act had not been passed, § 3.
5. Power to Treasury to reduce Amount charged under existing Awards, § 4.
6. Awards when enrolled to be conclusive, § 5.
7. Commissioners may pay off Debentures on Notice, § 6.
8. Treasury may permit Amount not charged against Proprietors, § 7.
9. Saving for Creditors, § 8.
10. Commissioners to account and report annually to Parliament, § 9.
11. Parts of Acts set forth in the Schedule to this Act repealed, § 10.
12. Treasury to appoint Persons to act as Arbitrators, § 11.
13. Commissioners may purchase Lands for Works, § 12.
14. Notice to be given to Proprietors and Occupiers of Land with respect to Purchase or Compensation, § 13.
15. Arbitrator to be appointed where Parties do not agree, § 14.
16. Arbitrator may call for Papers, &c., and examine Witnesses, § 15.
17. Arbitrator to make a Declaration, § 16.
18. Documents to be delivered to Arbitrator, and Parties to be summoned to attend, § 17.
19. Arbitrator to adjudicate upon Claims, and make his Award, § 18.
20. Remuneration of Arbitrator, § 19.
21. Arbitrator may direct by whom Costs to be paid, § 20.
22. Party dissatisfied with Award may enter a Traverse, § 21.
23. Commissioners may convene a Meeting of Proprietors for electing a standing Committee, § 22.
24. In case of Default of Proprietors, Commissioners may appoint such Committee, § 23.
25. Committee may appear upon Arbitration, Trial of Traverse, &c., § 24.
26. On Neglect of Committee, Commissioners may appoint a Person to represent them, § 25.
27. Filling up Vacancies in Committee, § 26.
28. Expenses of employing Counsel, &c., to be Part of the Expenses in the District, § 27.
29. Receipt to be given for Purchase Money or Compensation, and Receipt for Purchase Money to operate as a Conveyance, § 28.
30. Provisions concerning Compensation for Land to extend to Interference with Mills, &c., § 29.
31. Power of Entry for executing Work pending Proceedings for Purchase or ascertaining Compensation, § 30.
32. Power to dig for Materials, § 31.
33. Summary Proceedings to be deemed to authorize Interference with Mills, § 32.
34. Remedy by summary Application to the Court of Chancery in the event of Commissioners failing to secure the due Amount of Water Power to the Owner of any Mill or Factory, § 33.
35. Commissioners and Trustees may proceed for Maintenance Rates, § 34.
36. Rents may be increased by separate Instrument, § 35.
37. Parties entitled to Purchase Money, Compensation, or Damages to have same ascertained as herein provided, § 36.

38. Commissioners may remove any insufficient Bridge, erecting a temporary Bridge, § 37.
39. Grand Jury to present for new Bridge, § 38.
40. Where any new Bridge, &c., is formed over a Stream between Two Counties, each to pay equal Moieties, § 39.
41. Foregoing Provisions applicable where Bridges have been already removed, § 40.
42. Trustees having Maintenance of Works to appoint a Superintendent, § 41.
43. Proprietors or Occupiers may complain to Superintendent, § 42.
44. Parties may appeal to Petty Sessions, § 43.
45. Acts to be construed as One Act. Interpretation of "the Commissioners," § 44.

Dublin Registration of Voters.

1. To authorize the Appointment of Barristers for the Purpose of effecting a complete annual Revision of Lists and Registry of Voters for the City of Dublin, and to remove Doubts as to the Rate Books for the Purposes of such Registry, 16 & 17 Vict. c. 58.
2. Appointment of Barristers to discharge Duties imposed on Chairman of Sessions of the County of Dublin, § 1.
3. Barristers to have the same Powers, &c. as the said Chairman, § 2.
4. Barristers to revise Register of Parliamentary Voters for the City of Dublin, § 3.
5. Short Titles, § 4.
6. Removal of Doubts respecting Rate Books, § 5.

Dublin Hackney and Stage Carriages.

1. To consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of Dublin Metropolis, 16 & 17 Vict. c. 112.
2. Repeal of Acts, § 1.
3. Acts of One Commissioner valid, § 2.
4. After June 1st 1854, Licences granted under 37 G. 3. c. 58., &c. to be null and void, save as to those granted for 1854, § 3.
5. Reduction to present Holders of Licences upon which Fines have been paid on obtaining new Licences, § 4.
6. Licence Duties to be paid as in Schedule (B.), § 5.
7. How Duties are to be applied, § 6.
8. The Duties fixed by this Act may be altered or abolished, with the Consent of the Lord Lieutenant or other Chief Governor, § 7.
9. Licence to Proprietors to be applied for by Requisition in Writing. Not to apply to certain Carts, § 8.
10. Approval of Commissioners to be endorsed on the Requisition, and Duty paid before Issue of Licence, § 9.
11. Commissioners to grant Licences to Proprietors. Commissioners may refuse or revoke Licences, § 10.
12. Particulars to be specified in each Licence, § 11.
13. Entries of all Licences to be made in a Book to be kept in the Office of the Commissioners, and certified Extracts to be Evidence in all Proceedings for Penalties or otherwise, § 12.
14. Penalty on Persons procuring Licences in a fictitious Name, § 13.
15. Notice to be given of Change of Place named in Licence, and Change to be endorsed. Penalty for Neglect, 40*s.*, § 14.
16. Commissioners to issue Plates with Licences, § 15.
17. A Fee of 1*s.* to be paid for every Dublin Plate, § 16.
18. Plates to be delivered up on Expiration of Licences, § 17.
19. New Dublin Plates to be delivered in lieu of those defaced or lost. Penalty for not delivering up lost Plate when found, or for using a Plate after it has been defaced, 40*s.*, § 18.
20. Drivers of Carriages, Carts, &c. without Plates may be apprehended, and Carriages or Carts may be detained, § 19.
21. Carriages having Dublin Plates to be deemed Hackney, &c. according to the Evidence of Plate, § 20.
22. Forgery of any Licence or Dublin Plate a Misdemeanor, § 21.
23. Commissioners empowered to recall Dublin Plates for the Purpose of being changed, § 22.
24. Commissioners to give Notice of Revocation of Licence, § 23.
25. Plates may be seized where the Licence is discontinued or revoked, or where the same are used without Licence. Penalty for obstructing Officer, 5*l.* Licences may be revoked in certain Cases, § 24.
26. No Person to let to Hire any unlicensed Carriage, &c. Penalty on keeping for Use or letting to Hire any Hackney, &c. Carriage, Cart, or Job Horse, without Licence, § 25.
27. Property left in licensed Carriages to be deposited at Police Station, § 26.
28. Commissioners may regulate the Route and Conduct of Persons driving Carriages, Cattle, &c. during the Hours of Divine Service, § 27.
29. Commissioners to make Regulations for preventing Obstructions by Carriages, &c. in the Phœnix Park, &c., § 28.
30. Commissioners may make Regulations for preventing Obstructions in the Streets, &c., § 29.
31. Proof of Publication of Rules to be deemed sufficient, Notice to all Persons concerned, § 30.
32. Proprietors of Stage Carriages not liable to Penalties for deviating from Route, § 31.
33. Compensation for Hurt or Damages, § 32.
34. Penalty on Persons acting as Drivers, &c. without having Licence and Badge; and on Proprietors suffering Persons to act as Drivers or Conductors not being licensed. Proviso as to Persons being employed temporally, § 33.
35. Proprietors to be summoned to appear and produce Drivers and their Licences, &c., § 34.
36. Justices to determine Disputes between Proprietors and Drivers, § 35.
37. Agreements between Drivers, &c. and Proprietors to be in Writing, § 36.
38. Proceedings with respect to Licences on quitting Service, § 37.
39. Driver to deliver a Ticket to Hirer of Carriage, § 38.
40. Penalty on Drivers of Hackney Carriages refusing to Hire, or exacting more than legal Fare, § 39.
41. Hackney Carriages found in any Street to be deemed plying for Hire. Driver refusing Fare, Penalty, 40*s.*, § 40.
42. Compensation to be made to Party improperly summoned for refusing to Hire, § 41.
43. Penalty for demanding in any Case more than Sum agreed for, § 42.
44. Agreement to pay to Driver more than legal Fare not binding. Extra Sum so paid may be recovered, § 43.
45. Drivers not to charge more than Sum agreed for, when the Distance stated shall be exceeded without Direction, § 44.

46. Deposit to be made for any Hackney Carriage kept waiting, § 45.
47. Carriages may ply on Sundays, and shall be then subject to all the Regulations in force, § 46.
48. Persons refusing to pay for any Carriage or Cart, &c. or for Damage, may be committed, § 47.
49. Commissioners, with Consent of Recorder of the City of Dublin, may alter Fares of Hackney Carriages, by increasing or diminishing same, § 48.
50. Commissioners to appoint or alter Places for Carriage Stands, and limit the Number of Carriages at each, § 49.
51. Commissioners to make Rules for the Regulation of Hackney Carriages, and Conduct of Drivers, &c., § 50.
52. Penalty on Person acting as Driver, whether licensed or not, without Consent of Proprietor, § 51.
53. Commissioners to grant Licence to act as a Driver, &c. on Production of Certificate. What shall be specified in the Licence, § 52.
54. Drivers, &c. applying for Licences to sign Requisition for the same. Persons making false Representations to foreit 40*s.*, and Licence may be revoked, § 53.
55. Licences may be revoked or suspended by Justices, § 54.
56. An Abstract of the Laws and a Badge to be delivered to Drivers, &c. with Licence. Badge to be worn by Drivers, &c. Penalty for Neglect, or refusing to permit any Person to inspect Badge, 40*s.*, § 55.
57. Drivers Licences and Badges to be surrendered upon the Discontinuance of Licence. Penalty for wearing a Badge without having a Licence, § 56.
58. New Badges to be delivered in lieu of defaced or lost Badges. Penalty for not delivering up lost Badge when found, or for wearing a Badge after it has been defaced, 40*s.*, § 57.
59. Forgery of Licence or Badge, or knowingly uttering a forged Licence or Badge, a Misdemeanor, § 58.
60. Notice to be given by Drivers of any Change of Abode to be endorsed on Licence. If not given, to forfeit 40*s.*, § 59.
61. Advertising Vehicles, &c. prohibited, § 60.
62. Infliction of Penalties and Recovery of Fines, &c. Offences, wheresoever committed, to be cognizable by Divisional Justices. In case of Disputes the Hirer may require the Driver to drive to a Police Court, &c. or to a Police Station. Power to mitigate Penalties, § 61.
65. Providing for Cases where there are more Proprietors than One, § 62.
64. Fees to Justices, § 63.
65. Service of Summons, § 64.
66. Informants or Complainants not disqualified from being Witnesses. Respondents also competent, § 65.
67. Penalty on Witnesses neglecting to attend or refusing to give Evidence, § 66.
68. Justices empowered to award Compensation to Persons for loss of Time in attending to answer unfounded Complaints, § 67.
69. Penalty on false Oaths, § 68.
70. Appeal. Defects of Form cured upon Appeal, § 69.
71. No Appeal allowed unless Notice thereof given, § 70.
72. Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal, § 71.
73. Court of Quarter Sessions, on Appeal, to examine only the Evidence before given, &c., § 72.
74. Court to adjudge Costs in case of Dismissal or Abandonment of Appeal, § 73.
75. In what Manner Goods distrained shall be sold, § 74.
76. Justices may issue Warrants to apprehend in certain Cases, § 75.
77. Persons obstructing the Execution of this Act to be committed until duly discharged, § 76.
78. Distribution of Penalties, § 77.
79. Limitation of Actions, § 78.
80. Security to be given by Officers, &c. employed under this Act, § 79.
81. Interpretation of certain Words in this Act, 6 & 7 W. 4. c. 29., § 80.
82. Short Title, § 81.
83. Forms to be prepared by Commissioners, § 82.
84. Misnomers not to affect the Execution of the Act, § 83.
85. Commencement of Act, § 84.

Electoral Divisions. See Distressed Unions and Electoral Divisions.

Fines and Forfeitures. See Distressed Unions and Electoral Divisions.

Flax. See Scutch Mills for Flax.

Grand Juries. See Public Works.

Grand Jury Cess.

1. To revive certain temporary Provisions relating to the Collection of Grand Jury Cess in Ireland, 16 & 17 Vict. c. 13.
2. Certain Provision of 11 & 12 Vict. c. 26. continued by 12 & 13 Vict. c. 32. and 14 & 15 Vict. c. 65. revived and further continued by this Act, § 1.
3. Recited Act 11 & 12 Vict. c. 32. revived, and continued to the End of the Year 1854, § 2.
4. Provisions of 12 & 13 Vict. c. 36. revived, and further continued to the End of the Year 1854, § 3.

Improvement of Landed Property. See Drainage; Scutch Mills for Flax.

Incumbered Estates.

1. To continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in Ireland, 15 & 16 Vict. c. 67.
2. 12 & 13 Vict. c. 77. recited. Within the Period of Four Years from the passing of recited Act Applications may may be made for a Sale under the said Act, § 1.
3. For continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in Ireland, 16 & 17 Vict. c. 64.
4. 12 & 13 Vict. c. 77. recited. Where an Incumbrance affecting any Land or Lease subject to be sold also affects a Lease not so subject, the Commissioners' Jurisdiction to extend to such Lease, § 1.
5. The 22nd Section of recited Act repealed, and other Provisions made in lieu thereof, § 2.
6. Where a Lease in perpetuity is ordered to be sold, the Commissioners may convert it into a Fee-farm Grant, § 3.
7. Where a Grant amounts to an Assignment of a Lease the Rent reserved to be within Sections 16 and 17 of recited Act, § 4.
8. Where Conveyance is made subject to a Lease, it shall not be necessary in pleading to allege prior Title to Reversion, § 5.
9. Power to consolidate Sale of different undivided Shares, § 6.
10. Clause explanatory of Section 37 of recited Act, § 7.
11. Sale may be had, subject to Dower, § 8.

12. Commissioners may include Arrears of Rent in a Sale, § 9.
13. As to Reference of General Rules, and Construction of Act, § 10.
14. Limitation of Office of Commissioners, &c. and of Applications and Orders and Proceedings, 15 & 16 Vict. c. 67., § 11.
15. Costs of Petitioner for Sale shall not be paid out of Proceeds, otherwise than in same Order as Incumbrance shall be payable, § 12.

Landed Property. See Drainage; Scutch Mills for Flax.

Linen, and Hempen Manufactures.

1. To amend and continue certain Acts relating to Linen, Hempen, and other Manufactures in Irelan, 15 & 16 Vict. c. 13, and 16 & 17 Vict. c. 103.

Magistrates' Salaries.

1. To amend the Acts regulating the Salaries of Resident Magistrates in Ireland, 16 & 17 Vict. c. 60.
2. Lord Lieutenant may grant any Magistrate a Salary not exceeding 500*l.* per Annum, but only Twenty at One Time to have Salaries exceeding 400*l.* Aggregate of Salaries not to exceed the Average of 400*l.*, unless in certain Cases, § 1.
3. A Certificate of Diligence and Fidelity to be given by the Chief Secretary, and not by Inspector General, on Superannuation of Magistrates under 10 & 11 Vict. c. 100., § 2.

Malicious Injuries to Property.

1. To extend the Remedies for the Compensation of malicious Injuries to Property in Ireland. 16 & 17 Vict. c. 38.
2. Damages sustained by means of Offences enumerated in this Act to be recovered by like Proceedings as Damages are recovered under 6 & 7 W. 4. c. 116., and 7 & 8 Vict. c. 106. Compensation for such Offences committed in the City of Dublin may be recovered as under 4 & 5 Vict. c. 10., § 1.
3. In Cases of such Damages already sustained, Notices, &c. of applying for Compensation, if served before passing of Act, to be as valid as if served after passing of Act, § 2.

Poor. See Advances to Districts; Consolidated Annuities; Distressed Unions and Electoral Divisions.

Poor Law Commission.

1. To continue the Poor Law Commission for Ireland, 15 & 16 Vict. c. 37., § 1.

Public Works.

1. For enabling Grand Juries in Ireland to borrow Money from private Sources on the Security of Presentment, and for transferring to Counties certain Works constructed wholly or in part with Public Money, 16 & 17 Vict. c. 136.
2. Money may be raised on the Security of Presentments, repayable by Instalments, with Interest. Grand Jury to appoint Committee to carry Presentment into effect, § 1.
3. Such Presentment to be subject to the Approval of the Commissioners of Public Works, § 2.
4. Committee to treat and agree for Loan, § 3.
5. Treasurer of County to pay Party advancing on the Faith of Presentment, § 4.
6. Where the Powers of the Grand Jury for Presentment are transferred to the Council of a Borough, such Council shall have the same Powers as a Grand Jury under this Act, § 5.
7. Grand Jury may present Expenses incurred in Matters of Business, § 6.
8. Commissioners of Public Works may transfer Harbours, Piers, Quays, &c. to Grand Juries of Counties. Nothing to alter or abridge Powers of Commissioners for recovering Monies advanced by way of Loan and Interest thereon. Tolls and Rates to be fixed by Commissioners of Public Works, with Approbation of the Treasury. Nothing to affect Powers of Commissioners of Public Works to make Byelaws, &c., § 7.
9. Grand Jury may present for Repairs of Harbours, Piers, Quays, &c.; and enter into Contracts for Repairs of such Harbours, &c., § 8.
10. Grand Jury to appoint "Harbour Constable" for enforcing Byelaws and Conservancy of Work. Grand Jury to present for Salary of "Harbour Constable," § 9.
11. Application of Penalties in respect of Piers, Harbours, &c., § 10.
12. Commissioners of Public Works may execute Works of Repair of Harbours, Piers, Quays, &c., in certain Cases, § 11.
13. Mode of Repayment of Money expended on such Repairs, § 12.
14. So much of 10 & 11 Vict. c. 75. as relates to Proceedings previous to First Repairs of Piers, &c. repealed, § 13.
15. Harbours, Piers, Quays, &c. may be repaired by Commissioners of Public Works at any Time previous to same being transferred to the County, § 14.
16. 9 Vict. c. 3. Monies payable by County or District under Award to be presented by Grand Jury, § 15.
17. Monies payable under Awards by Proprietors to be paid to the Paymaster of Civil Services, § 16.
18. Roads and Bridges hitherto maintained by Commissioners of Public Works vested in Grand Jury, § 17.
19. Existing Contracts for Maintenance and Repairs of Roads and Bridges transferred to Grand Jury, § 18.
20. Road from Dublin to Howth (save that Part commonly called the North Strand) vested in and to be maintained by the Trustees of the Road, § 19.
21. Portion of Road from Dublin to Howth called North Strand to be deemed a public Road. Presentment for Repairs and Maintenance thereof to be made, § 20.
22. Interpretation, § 21.

Rateable Property (Valuation of).

1. To amend the Laws relating to the Valuation of rateable Property in Ireland, 15 & 16 Vict. c. 63.
2. 9 & 10 Vict. c. 110. recited. Where the Tenement Valuation under recited Act has been completed, the same shall be in force and be used for all public and local Assessments, but subject to Revision under this Act, § 1.
3. Where Tenement Valuation under the recited Act is partially but not wholly completed, such Valuation to be completed under that Act, and to be used for all public and local Assessments; such Tenement Valuations shall be used, &c. for County Purposes, § 2.
4. Save as to the Completion of unfinished Valuations, the recited Act of 9 & 10 Vict. c. 110. repealed; but Valuations made under that Act, or under 6 & 7 W. 4. c. 84., shall remain in force until altered under this Act, § 3.

5. In any County wherein a Tenement Valuation has been completed, Commissioner may alter the Valuation, so far as may be necessary to bring the whole to a uniform Scale, based on the Schedule of Prices contained in the Act, § 4.
6. Persons acting under recited Acts to continue in discharge of their Duties till otherwise directed, § 5.
7. Lord Lieutenant may appoint a Commissioner to value the several Counties, § 6.
8. Commissioner of Valuation shall appoint Valuators, Surveyors, Writing Clerks, &c., § 7.
9. Lord Lieutenant may give Orders as to Conduct of Commissioner and Valuators, § 8.
10. Counties not hitherto valued to be valued, and the Valuation of those which have been previously valued to be revised under this Act, § 9.
11. Commissioner and Valuators may enter any Land, Houses, Gardens, &c. in execution of this Act, § 10.
12. Tenements to be valued separately upon an Estimate of the net annual Value with reference to the Prices of Agricultural Produce, as herein contained; such Valuation in regard to Houses, &c. to be made upon an Estimate of the net annual Value, § 11.
13. What Hereditaments are rateable, § 12.
14. All Flour Mills, &c. with their effective Water Power, to be valued, § 13.
15. All Flour Mills, &c. with their effective Water Power, to be valued. Valuation not to be increased on account of Drainage or Reclamation as herein, § 14.
16. Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for Charitable Purposes, which shall be exempted from Assessment. Half of the Rent derived by Owner, &c. to be entered in Valuation Lists, § 15.
17. No Houses to be exempted from Applotment unless altogether of a public Nature, or used exclusively for Charitable Purposes, § 16.
18. Lists of Valuation, &c. when complete, to be sent to the Treasurer of Counties, Clerks of Boards of Guardians, and Town Councils, where interested, § 17.
19. Clerk of the Board of Guardians shall post Notices on Church and Chapel Doors, &c. within Three Days after receiving the same. Valuation Lists may be inspected at all reasonable Times. Where no Clerk to Board of Guardians, Poor Law Commissioners may appoint a Person to act, § 18.
20. Any Person appealing against Valuation shall send a Notice of such Appeal to the Clerk of the Board of Guardians, who shall forward such Notice to Commissioner of Valuation, § 19.
21. Commissioner of Valuation may inquire into such Appeals, and alter or amend original Valuation; and also may alter the Valuation of any Tenement, though not appealed against, § 20.
22. Commissioner of Valuation shall prepare a Statement of all Cases in which he shall have altered or refused to alter the original Valuation. Clerk of Union shall make the same public by Notices, § 21.
23. Appeal to Quarter Sessions from the Valuation. Notice and Proceedings. If Appeal affects the Valuation of other Tenements, Notice to be given to Persons interested. Persons appealing shall enter into Recognizances, § 22.
24. Decision of Court of Quarter Sessions to be final. Proviso as to Costs awarded against Commissioner, § 23.
25. Guardians to pay necessary Expenses of Clerk, &c. incurred, § 24.
26. Commissioner of Valuation shall cause a final List to be printed, and send Copies to Clerks of Boards of Guardians, Town Councils, and Treasurers of Counties, where interested, § 25.
27. The County Rates to be levied according to such final Lists of Valuation, § 26.
28. Rates made after Thirty Days from the Time Guardians receive the Valuation, and by Town Council, shall be made according to such final Lists of Valuation. Proviso, § 27.
29. So much of Acts 1 & 2 Vict. c. 56. &c. as authorizes Justices, &c. to quash Rate, not to apply to any Rate made in conformity with this Act, § 28.
30. Revision of Valuation to take place every Year as to certain Property altered or variable in its Nature. Penalty on Collector for not returning List for Revision, § 29.
31. Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit a List to the Guardians of the Union and to the Treasurer of the County, § 30.
32. Persons may appeal against such Revision, in manner herein-before provided, § 31.
33. Rates made after Thirty Days from the Time Guardians receive the Valuation, and by Town Council, shall be made according to the Valuation, § 32.
34. After the Receipt of Valuation List by the County Treasurer, Rates to be levied accordingly, § 33.
35. A new Valuation may be made of every County Fourteen Years after former Valuation, made either under this Act or 9 & 10 Vict. c. 110., and so from Time to Time, § 34.
36. For Revisions, latest Publication of Ordnance Survey to be used, § 35.
37. Lord Lieutenant may order a Salary not exceeding 3*l.* 3*s.* per Day to be paid to Commissioner of Valuation, § 36.
38. A Salary not exceeding 20*s.* per Day to any Sub-Commissioner while employed, with an Allowance for Expenses, § 37.
39. Every Valuator, Surveyor, &c. to be paid a Sum to be agreed on by the Commissioner, not exceeding 20*s.* per Day, and such other Allowances as Commissioner shall think fit, § 38.
40. Treasury may advance Money out of Consolidated Fund for paying the Salaries, &c. of Commissioner of Valuation, &c. Advances to be made to such Persons and under such Rules as Lord Lieutenant shall direct. Amount of such Expenses to be repaid by Grand Jury Presentment § 39.
41. Commissioner of Valuation to transmit Statements of Progress of Valuation and Expenses, § 40.
42. Penalty on Persons neglecting their Duty in the Execution of this Act, or obstructing others in prosecution of theirs, § 41.
43. Penalties may be recovered before Justices of the Peace, § 42.
44. Proceedings not to be quashed for Want of Form, § 43.
45. Limitation of Actions, &c.; Notice; Tender of Amends; Venue; General Issue; General Avowry in Replevin, § 44.
46. Construction of Terms, § 45.
47. Till Completion of Valuation, Grand Jury may direct County Assessments to be made under Poor Law Valuation, § 46.
48. In the County of Dublin all County, Baronial, or Parochial Charges imposed by Grand Jury Presentments to be provided for by a Poundage Rate, § 47.

49. Nothing to repeal certain Provisions of 10 & 11 Vict. c. 34., § 48.
50. To amend an Act relating to the Valuation of rateable Property in Ireland, 16 & 17 Vict. c. 7.
51. Part of Section 29 of 15 & 16 Vict. c. 63. repealed, and other Provisions made in lieu thereof. Clerks of Unions to make out Lists of Tenements proposed for Revision in Lists received from Collectors, &c., § 1.

Savings Banks.

1. To continue an Act of the Twelfth Year of Her present Majesty (11 & 12 Vict. c. 133.), for amending the Laws relating to Savings Banks in Ireland, 15 & 16 Vict. c. 60.

Scutch Mills for Flax.

1. To extend the Act to facilitate the Improvement of Landed Property in Ireland, and the Acts amending the same, to the Erection of Scutch Mills for Flax in Ireland, 15 & 16 Vict. c. 34.
2. 10 & 11 Vict. c. 32.; 12 & 13 Vict. c. 23.; 13 & 14 Vict. c. 31., recited. Loans under recited Acts may be made for the Erection of Scutch Mills in Ireland, § 1.

Spirits. See General Index, Tit. Spirits.

Stamp Duties.

1. To continue the Stamp Duties granted by an Act of the Fifth and Sixth Years of Her present Majesty, to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same, 15 & 16 Vict. c. 21.

See General Index, Tit. Stamp Duties.

Taxing Officer at Common Law.

1. To make better Provision for the efficient Discharge of the Duties of the Taxing Officer in and for the Common Law Business in Ireland, 16 & 17 Vict. c. 55.
2. Repeal of so much of 7 & 8 Vict. c. 107, as relates to Taxing Officer in Common Law Business, § 1.
3. Appointment of Two Taxing Officers, § 2.
4. Duties of Taxing Officers, § 3.
5. Taxing Officers to have the same Powers and be subject to the same Regulations as Taxing Officers created under recited Acts, § 4.
6. Appointment of Clerk, § 5.
7. Salaries, § 6.
8. Superannuations, § 7.

Turnpike Roads.

1. To continue certain Acts for regulating Turnpike Roads in Ireland, 15 & 16 Vict. c. 22., and 16 & 17 Vict. c. 76.

Valuation of Rateable Property. See Rateable Property (Valuation of).

Isle of Man. See Customs.

Judges' Clerks. See Nisi Prius Officers.

K.

Kennington Common.

1. To empower the Commissioners of Her Majesty's Works and Public Buildings to inclose and lay out Kennington Common in the County of Surrey as Pleasure Grounds for the Recreation of the Public, 15 & 16 Vict. c. 29.
2. Commissioners of Works empowered to Inclose the Lands for Public Pleasure Grounds, § 1.
3. Commissioners incorporated for the Purposes of the Act, § 2.
4. Map to be authenticated, and deposited in the Office of Works, § 3.
5. Kennington Common and Lands vested in the Commissioners, § 4.
6. Commissioners, in completing Inclosure and purchasing Toll House, to have like Powers as given to Commissioners of Woods by 9 & 10 Vict. c. 39., § 5.
7. Commissioners to lay out, plant, drain, and improve the Inclosure for the Recreation of the Public, and may accept Subscriptions for that Purpose, § 6.
8. Commissioners empowered to stop up a Portion of the Brixton Road, and to alter the Camberwell New Road, § 7.
9. Commissioners may purchase and pull down the Toll House and Gate, and erect another, § 8.
10. Power to stop up certain Roads, &c. now crossing the Site of the intended Inclosure, § 9.
11. Road not to be stopped up until the intended Diversion has been completed, § 10.
12. If Inclosure is not maintained as Pleasure Ground for the Recreation of the Public, it is to revert to the Duke of Cornwall, § 11.

Land. See Inclosure.

Land Revenues. See Crown Lands and Revenues; Metropolitan Improvements; Woods and Forests.

Land Tax Commissioners.

1. To appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes, 16 & 17 Vict. c. 111.

Land Tax Redemption.

1. To reduce the Terms on which the Land Tax in Great Britain may be redeemed or purchased, 16 & 17 Vict. c. 74.
2. Consideration for the Redemption of Land Tax to be less by 17*l.* 10*s.* per Cent. than the Consideration fixed by 42 G. 3. c. 116. ss. 22. and 23., § 1.
3. To amend the Laws relating to the Redemption and Purchase of the Land Tax in Great Britain, 16 & 17 Vict. c. 117.
4. Redemption of Land Tax restricted to Persons having an Interest in the Property, § 1.
5. Land Tax redeemed to merge in the Estate, § 2.

See *Assessed Taxes.*

Law of Evidence. See Evidence.

Legacy Duty. See Succession Duty.

Letters Patent. See Patent Law Amendment; Protection of Inventions; Stamps on Letters Patent.

Liberated Africans.

1. To remove Doubts as to the Rights of the liberated Africans in Sierra Leone, 16 & 17 Vict. c. 86.
2. Liberated Africans in Sierra Leone to be deemed for all Purposes in Africa natural-born Subjects. Local Legislature may make Laws in relation to the Property in Land in the Colony, § 1.

3. Liberated Africans to be British Subjects for the Purposes of Treaties with Native Chiefs, § 2.
4. Governor may appoint Officers to demand or take charge of British Subjects under these Treaties, § 3.
5. Who to be deemed liberated Africans, § 4.
6. Provisions of Acts for Abolition, &c. of the Slave Trade not to be affected, § 5.

Libraries. See Public Libraries.

Licences. See Horses Let to Hire; Hackney and Stage Carriages.

Loan Societies.

To continue an Act (3 & 4 Vict. c. 110.) to amend the Laws relating to Loan Societies, 15 & 16 Vict. c. 15., and 16 & 17 Vict. c. 109.

Loans raised by certain Colonies.

1. To amend an Act for guaranteeing the Interest on such Loans, not exceeding Five hundred thousand Pounds, as may be raised by the British Colonies on the Continent of South America, in the West Indies, and the Mauritius, for certain Purposes, 16 & 17 Vict. c. 4.
2. Guaranteed Loans may be charged with Expense of conveying back to India, &c. free Labourers introduced therefrom, § 1.

Local Acts.

Bridges, Canals, Docks, Harbours, Piers, &c.

1. *Medina.*—Navigation of, 15 & 16 *Vict.* c. xxi.
2. *Droitwich.*—Canal, 15 & 16 *Vict.* c. xxii.
3. *Forth and Clyde.*—Navigation of, 15 & 16 *Vict.* c. xlv.
4. *Dun River.*—Bridge over, 15 & 16 *Vict.* c. xlix.
5. *Haw Passage Bridge.* — Amending Acts relating to, 15 & 16 *Vict.* c. lix.
6. *Kelvin River.*—Bridge over, 15 & 16 *Vict.* c. lxii.
7. *Bann River.*—Navigation of, 15 & 16 *Vict.* c. lxxx.
8. *Foyle River.*—Bridge over, 15 & 16 *Vict.* c. cvi.
9. *Tyne River.*—Mooring Vessels, &c., 15 & 16 *Vict.* c. cx.
10. *Ipswich.*—Dock, 15 & 16 *Vict.* c. cxvi.
11. *Belfast.*—Port and Harbour, 15 & 16 *Vict.* c. cxxi.
12. *Nene River.*—Improving Navigation, 15 & 16 *Vict.* c. cxxviii.
13. *Humber River.*—Conservancy of, 15 & 16 *Vict.* c. cxxx.
14. *Wexford.*—Harbour, 15 & 16 *Vict.* c. cli.
15. *Slaney.*—River, 15 & 16 *Vict.* c. cliii.
16. *Tees.*—River, 15 & 16 *Vict.* c. clxii.
17. *Great Yarmouth.*—Pier, 16 & 17 *Vict.* c. xv.
18. *Avon.*—Bridge over, 16 & 17 *Vict.* c. xvi.
19. *Teignmouth.*—Harbour, 16 & 17 *Vict.* c. xxxvi.
20. *Runcorn and Weston.*—Canal, 16 & 17 *Vict.* c. xxxvii.
21. *Severn.*—River, 16 & 17 *Vict.* c. xlvii.
22. *Sunderland.*—Dock, 16 & 17 *Vict.* c. lxxvi.
23. *Rochester.*—Bridge, 16 & 17 *Vict.* c. xcv.
24. *London.*—Docks, 16 & 17 *Vict.* c. cvi.
25. *St. Ives, Cornwall.*—Harbour, 16 & 17 *Vict.* c. cxxxi.
26. *Ross River.*—Bridge and Ferry, 16 & 17 *Vict.* c. clviii.
27. *Birkenhead.*—Completing Docks, 16 & 17 *Vict.* c. clxv.
28. *Milford Haven.*—Docks, &c., 16 & 17 *Vict.* c. clxxiii.
29. *Westport.*—Harbour, 16 & 17 *Vict.* c. clxxxv.
30. *Castlemaine.*—Harbour, 16 & 17 *Vict.* c. cxci.
31. *Harwich.*—Docks, 16 & 17 *Vict.* c. ccvi.
32. *Galway Bay.*—Harbour, 16 & 17 *Vict.* c. ccvii.
33. *Llandudno.*—Harbour, 16 & 17 *Vict.* c. ccxiii.

Companies.

1. *Mansfield Gaslight.*—Repealing Act, 15 & 16 *Vict.* c. i.
2. *Solid Sewage Manure.*—Incorporating, 15 & 16 *Vict.* c. ii.
3. *Wolverhampton Gas.*—Reconstituting Company, 15 & 16 *Vict.* c. iv.
4. *East London Waterworks.*—Raising further Sum, 15 & 16 *Vict.* c. vii.
5. *Portsea Gaslight.*—Raising further Sum, 15 & 16 *Vict.* c. xiii.
6. *Dudley Waterworks.*—Raising further Sum, 15 & 16 *Vict.* c. xxvi.
7. *Union Arcade (Glasgow).*—Dissolving Company, 15 & 16 *Vict.* c. xxxiv.
8. *Deptford Gaslight and Coke.*—Incorporating, 15 & 16 *Vict.* c. xlii.
9. *Aberdeen Assurance.* — Incorporating, 15 & 16 *Vict.* c. xlviii.
10. *British Empire Assurance.*—Regulating, 15 & 16 *Vict.* c. liii.
11. *Accidental Death and Railway Assurance.*—Amalgamating, 15 & 16 *Vict.* c. lvi.
12. *London Gaslight.*—Granting further Powers, 15 & 16 *Vict.* c. lxxxii.
13. *Railway Passengers Assurance.*—Conferring additional Powers, 15 & 16 *Vict.* c. c.
14. *Presbyterian Widows Fund Association.*—Incorporating, 15 & 16 *Vict.* c. cxii.
15. *North British Flax.*—Incorporating, 15 & 16 *Vict.* c. cxxiv.
16. *Claussen's Flax.*—Incorporating, 15 & 16 *Vict.* c. cxli.
17. *London Necropolis.*—Incorporating, &c., 15 & 16 *Vict.* c. cxlix.
18. *British Gaslight.*—Transferring Undertaking to the Commercial Gas Company, 15 & 16 *Vict.* c. clv.
19. *Grand Junction Waterworks.* — Further Supply of Water, 15 & 16 *Vict.* c. clvii.
20. *Southwark and Vauxhall Water Company.*—Enabling to make additional Works, 15 & 16 *Vict.* c. clviii.
21. *West Middlesex Waterworks.* —Further Supply of Water, 15 & 16 *Vict.* c. clix.
22. *New River.*—Further Supply of Water, 15 & 16 *Vict.* c. clx.
23. *East London Waterworks.*—Additional Works, 15 & 16 *Vict.* c. clxiv.
24. *London Fire Assurance.*—Consolidating with Two other Companies, 16 & 17 *Vict.* c. i.
25. *Sunderland Corporation Gas.*—Raising further Money, 16 & 17 *Vict.* c. iii.
26. *Bristol Waterworks.*—Raising further Money, 16 & 17 *Vict.* c. vii.
27. *Ormskirk Gaslight.*—Incorporating, 16 & 17 *Vict.* c. viii.
28. *Devonport Gas and Coke.*—Increasing Capital, 16 & 17 *Vict.* c. xii.
29. *Preston Gas.*—Repealing Act, &c., 16 & 17 *Vict.* c. xiii.
30. *Crystal Palace.*—Diverting Roads, &c., 16 & 17 *Vict.* c. xx.
31. *Sheffield Waterworks.*—Extending Works, 16 & 17 *Vict.* c. xxii.
32. *Cardiff Waterworks.*—Repealing Act, &c., 16 & 17 *Vict.* c. xxiv.
33. *Norwich Waterworks.* — Granting further Powers, 16 & 17 *Vict.* c. xxxviii.
34. *Shipley Gaslight.*—Raising further Sum, 16 & 17 *Vict.* c. xliii.
35. *Blackburn Gaslight.*—Extending Limits, &c., 16 & 17 *Vict.* c. xliv.

36. *Leeds Gaslight.*—Consolidating Acts, 16 & 17 *Vict.* c. xlv.
37. *Edinburgh Water.*—Raising further Sum, 16 & 17 *Vict.* c. xlix.
38. *Dundee Water.*—Additional Works, 16 & 17 *Vict.* c. l.
39. *Wakefield Market.*—Raising further Sum, 16 & 17 *Vict.* c. ci.
40. *Australian Agricultural.*—Amending Act, 16 & 17 *Vict.* c. lviii.
41. *Bristol Gas* and *Bristol and Clifton Gaslight.*—Uniting, 16 & 17 *Vict.* c. lxxxiv.
42. *Barnsley Waterworks.*—Maintaining Works, &c., 16 & 17 *Vict.* c. cvii.
43. *Copper Miners.*—Amending Act, 16 & 17 *Vict.* c. cxx.
44. *Electric Telegraph (Ireland).*—Incorporating, 16 & 17 *Vict.* c. cxxiii.
45. *Lands Improvement.*—Incorporating, 16 & 17 *Vict.* c. cliv.
46. *British Electric Telegraph.*—Repealing Act, &c., 16 & 17 *Vict.* c. clix.
47. *East London Waterworks.*—Supply of Water, 16 & 17 *Vict.* c. clxvi.
48. *Ribble Navigation.*—Repealing Acts, &c., 16 & 17 *Vict.* c. clxx.
49. *Imperial Continental Gas.*—Consolidating Acts, 16 & 17 *Vict.* c. cxc.
50. *Electric Telegraph.*—Granting further Powers, 16 & 17 *Vict.* c. cciii.
51. *Westminster Association for improving the Dwellings of the Working Classes.*—Incorporating, 16 & 17 *Vict.* c. ccxv.
52. *South Sea Company.*—Entering into Arrangements with Proprietors, 16 & 17 *Vict.* c. ccxix.
53. *Life Association of Scotland.*—Incorporating, 15 & 16 *Vict.* c. ccxxiv.

Draining and Inclosing Lands.

1. *Yaxley.*—Amending Act, 15 & 16 *Vict.* c. v.
2. *Thetford, Isle of Ely.*—Amending Act, 15 & 16 *Vict.* c. xxix.
3. *Essex, Lands in.*—Reclaiming from the Sea, 15 & 16 *Vict.* c. lxvi.
4. *Tramore.*—Embanking Estuary, 15 & 16 *Vict.* c. cxi.
5. *South Level of Bedford Level.*—Consolidating Acts, 16 & 17 *Vict.* c. lxi.
6. *Loughs Swilly and Foyle.*—Amending Acts, 16 & 17 *Vict.* c. lxv.
7. *Witham.*—Amending Act, 16 & 17 *Vict.* c. ciii.

Highways. *See* Turnpike and other Roads.

Inclosing Lands. *See* Drainage and Inclosing Lands.

Railways.

1. *Bristol and Exeter, Yeovil Branch.*—15 & 16 *Vict.* c. ix.
2. *Stockton and Darlington.*—15 & 16 *Vict.* c. xix.
3. *Great Southern and Western (Ireland) Extension.*—15 & 16 *Vict.* c. xxiv.
4. *Norfolk.*—15 & 16 *Vict.* c. xxv.
5. *Eastern Counties.*—15 & 16 *Vict.* c. xxxiii.
9. *Cork and Bandon.*—15 & 16 *Vict.* c. xxxv.
7. *York, Newcastle, and Berwick.*—15 & 16 *Vict.* c. xxxvi.
8. *Malton and Driffield Junction.*—15 & 16 *Vict.* c. xxxvii.
9. *Dundalk and Enniskillen.*—15 & 16 *Vict.* c. xli.
10. *Londonderry and Coleraine.*—15 & 16 *Vict.* c. xliii.
11. *Londonderry and Enniskillen.*—15 & 16 *Vict.* c. xliv.
12. *Eastern Counties* and *Newmarket.*—15 & 16 *Vict.* c. li.
13. *East and West Yorkshire* and *York and North Midland.*—15 & 16 *Vict.* c. lvii.
14. *Deeside.*—15 & 16 *Vict.* c. lxi.
15. *Somerset Central.*—15 & 16 *Vict.* c. lxiii.
16. *Newmarket.*—15 & 16 *Vict.* c. lxv.
17. *Middlesbrough and Guisbrough.*—15 & 16 *Vict.* c. lxxiii.
18. *Glasgow, Kilmarnock, and Ardrossan.*—15 & 16 *Vict.* c. lxxviii.
19. *Manchester, Sheffield, and Lincolnshire.*—15 & 16 *Vict.* c. lxxxiii.
20. *Eastern Counties* and *London and Blackwall.*—15 & 16 *Vict.* c. lxxxiv.
21. *Thornton and Leven.*—15 & 16 *Vict.* c. xcv.
22. *Lancashire and Yorkshire* and *York and North Midland.*—15 & 16 *Vict.* c. xcvi.
23. *Manchester, Buxton, Matlock, and Midlands Junction.*—15 & 16 *Vict.* c. xcviii.
24. *Reading, Guildford, and Reigate.*—15 & 16 *Vict.* c. ciii.
25. *London and North-western.*—15 & 16 *Vict.* c. cv.
26. *Eastern Counties* and *East Anglian.*—15 & 16 *Vict.* c. cviii.
27. *Edinburgh and Glasgow.*—15 & 16 *Vict.* c. cix.
28. *York, Newcastle, and Berwick.*—15 & 16 *Vict.* c. cxiv.
29. *South Wales.*—15 & 16 *Vict.* c. cxvii.
30. *Leeds, Bradford, and Halifax Junction.*—15 & 16 *Vict.* c. cxviii.
31. *Blyth and Tyne.*—15 & 16 *Vict.* c. cxxii.
32. *Frome, Yeovil, and Weymouth.*—15 & 16 *Vict.* c. cxxv.
33. *Monmouthshire Railway and Canal Company.*—15 & 16 *Vict.* c. cxxvi.
34. *York and North Midland.*—15 & 16 *Vict.* c. cxxvii.
35. *Lancashire and Yorkshire.*—15 & 16 *Vict.* c. cxxxii.
36. *Great Western.*—15 & 16 *Vict.* c. cxxiii.
37. *North-western.*—15 & 16 *Vict.* c. cxxxv.
38. *Midland Great Western (Ireland).*—15 & 16 *Vict.* c. cxxxvii.
39. *Wilts, Somerset, and Weymouth.*—15 & 16 *Vict.* c. cxl.
40. *Stockton and Hartlepool.*—15 & 16 *Vict.* c. cxlii.
41. *Manchester, Sheffield, and Lincolnshire.*—15 & 16 *Vict.* c. cxliv.
42. *Oxford, Worcester, and Wolverhampton.*—15 & 16 *Vict.* c. cxlv.
43. *Shrewsbury and Chester.*—15 & 16 *Vict.* c. cxlvi.
44. *Wycombe.*—15 & 16 *Vict.* c. cxlvii.
45. *Eastern Union.*—15 & 16 *Vict.* c. cxlviii.
46. *South Yorkshire.*—15 & 16 *Vict.* c. cliii.
47. *Shrewsbury and Birmingham.*—15 & 16 *Vict.* c. clxv.
48. *Aberllefenny Tramroad.*—15 & 16 *Vict.* c. clxvi.
49. *Birkenhead, Lancashire, and Cheshire Junction.*—15 & 16 *Vict.* c. clxvii.
50. *Great Western, Shrewsbury, and Hereford,* and *Hereford, Ross, and Gloucester.*—15 & 16 *Vict.* c. clxviii.
51. *Redruth and Chasewater.*—16 & 17 *Vict.* c. vi.
52. *Midland.*—16 & 17 *Vict.* c. xxxiii.
53. *Scottish Central.*—16 & 17 *Vict.* c. xxxiv.
54. *Chichester and Bognor.*—16 & 17 *Vict.* c. xli.
55. *Madras.*—16 & 17 *Vict.* c. xlvi.
56. *Manchester, Sheffield, and Lincolnshire.*—16 & 17 *Vict.* c. lii.
57. *Lough Swilly and River Foyle.*—16 & 17 *Vict.* c. liv.
58. *Portadown and Dungannon.*—16 & 17 *Vict.* c. lvii.
59. *Great Northern.*—16 & 17 *Vict.* c. lx.
60. *Darenth Valley.*—16 & 17 *Vict.* c. lxiii.
61. *Randalstown and Cookstown.*—16 & 17 *Vict.* c. lxviii.
62. *North and South Western Junction.*—16 & 17 *Vict.* c. lxix.

63. *Thames Haven Dock and Railway.*—16 & 17 *Vict. c.* lxx.
64. *Hawick and Peebles.*—16 & 17 *Vict. c.* lxxviii.
65. *Londonderry and Coleraine.*—16 & 17 *Vict. c.* lxxix.
66. *Ballymena and Portrush.*—16 & 17 *Vict. c.* lxxx.
67. *North British.*—16 & 17 *Vict. c.* lxxxi.
68. *Scottish Midland Junction.*—16 & 17 *Vict. c.* lxxxii.
69. *Staines* to *Wokingham.*—16 & 17 *Vict. c.* lxxxv.
70. *Wimbledon and Croydon.*—16 & 17 *Vict. c.* lxxxvi.
71. *Eastern Counties.*—16 & 17 *Vict. c.* lxxxvii.
72. *East Grinstead.*—16 & 17 *Vict. c.* lxxxviii.
73. *Monkland.*—16 & 17 *Vict. c.* xc.
74. *Hull and Withernsea.*—16 & 17 *Vict. c* xciii.
75. *Glasgow and South-western.*—16 & 17 *Vict. c.* xciv.
76. *Limerick, Ennis, and Killaloe Junction.*—16 & 17 *Vict. c.* xcvi.
77. *East and West India Docks and Birmingham Junction.*—16 & 17 *Vict. c.* xcvii
78. *Portsmouth.*—16 & 17 *Vict c.* xcix.
79. *London, Brighton, and South Coast.*—16 & 17 *Vict. c.* c.
80. *Aberdeen.*—16 & 17 *Vict. c.* ci.
81. *Midland.*—16 & 17 *Vict. c.* cviii.
82. *York and North Midland.*—16 & 17 *Vict. c.* cix.
83. *London and North-western.*—16 & 17 *Vict. c.* cx.
84. *Leeds, Bradford, and Halifax Junction.*—16 & 17 *Vict. c.* cxi.
85. *Roscrea and Parsonstown Junction.*—16 & 17 *Vict. c.* cxiii.
86. *Limerick, Ennis, and Killaloe.*—16 & 17 *Vict. c.* cxiv.
87. *South-eastern.*—16 & 17 *Vict. c.* cxvi.
88. *Eastern Counties.*—16 & 17 *Vict c.* cxvii.
89. *Carlisle* to *Port Carlisle.*—16 & 17 *Vict. c.* cxix.
90. *South-eastern.*—16 & 17 *Vict. c.* cxxi.
91. *Warrington and Altrincham Junction.*—16 & 17 *Vict. c.* cxxii. & *c.* ccxviii.
92. *Spalding* to *Sutton Bridge and Wisbeach.*—16 & 17 *Vict. c.* cxxiv.
93. *Forth and Clyde Junction.*—16 & 17 *Vict. c.* cxxv.
94. *Strood* to *Maidstone.*—16 & 17 *Vict.* cxxx.
95. *Strood* to *Canterbury.*—16 & 17 *Vict. c.* cxxxii.
96. *St. Helen's Canal and Railway.*—16 & 17 *Vict. c.* cxxxiv.
97. *Leeds Northern.*—16 & 17 *Vict. c.* cxxxvi.
98. *Bedale and Leyburn.*—16 & 17 *Vict. c.* cxxxvii.
99. *Bideford Extension.*—16 & 17 *Vict. c.* cxl.
100. *Great Southern and Western* (*Ireland*).—16 & 17 *Vict. c.* cxlii.
101. *Llanidloes and Newtown.*—16 & 17 *Vict. c.* cxliii.
102. *Waveney Valley.*—16 & 17 *Vict. c.* cxliv.
103. *Manchester, Sheffield, and Lincolnshire* (*Barnsley Branch*).—16 & 17 *Vict. c.* cxlv.
104. *Llynvi Valley.*—16 & 17 *Vict. c.* cxlvi.
105. *Smithstown and Dalmellington.*—16 & 17 *Vict. c.* cxlviii.
106. *Caledonian.*—16 & 17 *Vict. c.* cxlix.
107. *Furness.*—16 & 17 *Vict. c.* cl.
108. *Edinburgh and Glasgow.*—16 & 17 *Vict. c.* cli.
109. *Edinburgh, Perth, and Dundee.*—16 & 17 *Vict.* clii.
110. *Great Western.*—16 & 17 *Vict. c.* cliii.
111. *St. Ives, Cornwall,* to *St. Erth.*—16 & 17 *Vict. c.* clv.
112. *Canterbury and Whitstable.*—16 & 17 *Vict. c.* clvi.
113. *London and North-western.*—16 & 17 *Vict. c.* clvii. & clx. & clxi.
114. *East Lancashire.*—16 & 17 *Vict. c.* clxiii.
115. *Basingstoke and Salisbury.*—16 & 17 *Vict. c.* clxiv.
116. *Limerick* to *Foynes.*—16 & 17 *Vict. c.* clxviii.
117. *Llanelly Railway and Dock.*—16 & 17 *Vict. c.* clxix.
118. *Whitehaven and Furness.*—16 & 17 *Vict. c.* clxxi.
119. *Blythe and Tyne.*—16 & 17 *Vict. c.* clxxii.
120. *Enniskillen* to *Sligo.*—16 & 17 *Vict. c.* clxxiv.
121. *Birmingham and Oxford Junction* and *Great Western.*—16 & 17 *Vict. c.* clxxv.
122. *Birkenhead Dock Railway.*—16 & 17 *Vict. c.* clxxvii.
123. *Newport, Abergavenny, and Hereford.*—16 & 17 *Vict. c.* clxxviii. & clxxix.
124. *Crystal Palace.*—16 & 17 *Vict. c.* clxxx.
125. *Newry and Enniskillen.*—16 & 17 *Vict. c.* clxxxiii.
126. *Worcester* to *Hereford.*—16 & 17 *Vict. c.* clxxxiv.
127. *Battle Bridge.*—16 & 17 *Vict. c.* clxxxvi.
128. *West Cornwall.*—16 & 17 *Vict. c.* clxxxvii.
129. *Loaninghead* to *Crieff.*—16 & 17 *Vict. c.* clxxxviii.
130. *Tralee* to *Killarney.*—16 & 17 *Vict. c.* clxxxix.
131. *Chard.*—16 & 17 *Vict. c.* cxcii.
132. *East Anglian.*—16 & 17 *Vict. c.* cxciii.
133. *Monmouthshire Railway and Canal.*—16 & 17 *Vict. c.* cxcv.
134. *Severn and Wye Railway and Canal.*—16 & 17 *Vict. c.* cxcvi.
135. *South Wales Mineral.*—16 & 17 *Vict. c.* cxcvii.
136. *Stamford Baron* to *Essendine.*—16 & 17 *Vict. c.* cxcix.
137. *Cork and Bandon.*—16 & 17 *Vict. c.* ccii.
138. *South Wales.*—16 & 17 *Vict. c.* cciv.
139. *London and North-western.*—16 & 17 *Vict. c.* ccv.
140. *Banbridge* to *Scarvagh.*—16 & 17 *Vict. c.* ccviii.
141. *South Wales.*—16 & 17 *Vict. c.* ccix. & *c.* ccx.
142. *Crosby and Southport* and *Lancashire and Yorkshire* and *East Lancashire.*—16 & 17 *Vict.* ccxi.
143. *Stratford-on-Avon and Kingswinford.*—16 & 17 *Vict. c.* ccxii.
144. *Wellington* to *Coalbrookdale.*—16 & 17 *Vict. c.* ccxiv.
145. *Crewe* to *Shrewsbury.*—16 & 17 *Vict. c.* ccxvi.
146. *Llanvihangel Pontymoyle* to *Coleford.*—16 & 17 *Vict. c.* ccxvii.
147. *Eastern Union.*—16 & 17 *Vict. c.* ccxxi.
148. *Hampstead Junction.*—16 & 17 *Vict. c.* ccxxii.
149. *Boston* to *Barkstone.*—16 & 17 *Vict. c.* ccxxiii.
150. *East Indian.*—16 & 17 *Vict. c.* ccxxvi.
151. *Severn Valley.*—16 & 17 *Vict. c.* ccxxvii.

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1. *Liverpool.*—Library, &c., 15 & 16 *Vict. c.* iii.
2. *Scarborough.*—Market, 15 & 16 *Vict. c.* vi.
3. *Barnsley.*—Gas, 15 & 16 *Vict. c.* viii.
4. *Macclesfield.*—15 & 16 *Vict. c.* x.
5. *Limerick*—Cattle Fairs and Markets, 15 & 16 *Vict. c.* xi. & *c.* civ.
6. *Derby.*—Lighting, 15 & 16 *Vict. c.* xiv.
7. *Stockton.*—15 & 16 *Vict. c.* xviii.
8. *Barnstaple.*—Market, 15 & 16 *Vict. c.* xx.
9. *Ilkley.*—Water, 15 & 16 *Vict. c.* xxiii.
10. *Sunderland and South Shields.*—Water, 15 & 16 *Vict. c.* xxvii.
11. *Aberdare.*—Market, 15 & 16 *Vict. c.* xxviii.
12. *Rhyl.*—15 & 16 *Vict. c.* xxxii.
13. *Glamford Briggs.*—15 & 16 *Vict. c.* xlvi.
14. *Liverpool.*—Waterworks, 15 & 16 *Vict. c.* xlvii.
15. *Cheltenham.*—15 & 16 *Vict. c.* l.
16. *Dumfries and Maxwelltown.*—15 & 16 *Vict. c.* lviii.
17. *Athlone.*—Markets, 15 & 16 *Vict. c.* lxiv.
18. *Lancaster.*—Water, 15 & 16 *Vict. c.* lxvii.
19. *Runcorn and Halton.*—15 & 16 *Vict. c.* lxviii.
20. *St. Helen's, &c.*—15 & 16 *Vict. c.* lxix.
21. *Ulverston.*—15 & 16 *Vict. c.* lxx.
22. *London.*—Improvements, 15 & 16 *Vict. c.* lxxii.
23. *Merthyr Tydfil.*—15 & 16 *Vict. c.* lxxvi.
24. *Leeds.*—Water, 15 & 16 *Vict. c.* cii.
25. *Londonderry.*—New Street, 15 & 16 *Vict. c.* cvii.

26. *Torquay.* — Market and Cemetery, 15 & 16 *Vict.* c. cxxxviii. & cl.
27. *Cork.*—15 & 16 *Vict.* c. cxliii.
28. *Chelsea.*—Waterworks, 15 & 16 *Vict.* c. clvi.
29. *Swansea.*—Waterworks, 15 & 16 *Vict.* c. clxi.
30. *Dudley.*—Lighting, 16 & 17 *Vict.* c. ii.
31. *Whittle Dean.*—Waterworks, 16 & 17 *Vict.* c. iv.
32. *Bangor.*—Water, 16 & 17 *Vict.* c. v.
33. *Carmarthen.*—Markets, 16 & 17 *Vict.* c. ix.
34. *Cork.*—Corporation, 16 & 17 *Vict.* c. x.
35. *Nottingham.*—Lighting, 16 & 17 *Vict.* c. xi.
36. *Great Yarmouth.*—Water, 16 & 17 *Vict.* c. xvii.
37. *Lowestoft.*—Water, 16 & 17 *Vict.* c. xviii.
38. *Cambridge.*—Water, 16 & 17 *Vict.* c. xxiii.
39. *Brighton, &c.*—Water, &c., 16 & 17 *Vict.* c. xxv.
40. *Wolverhampton.*—16 & 17 *Vict.* c. xxviii.
41. *Blackpool.*—16 & 17 *Vict.* c. xxix.
42. *Great Grimsby.*—16 & 17 *Vict.* c. xxx.
43. *Whalley, Bury, &c.*—16 & 17 *Vict.* c. xxxi.
44. *Salford.*—Extension, 16 & 17 *Vict.* c. xxxii.
45. *Reading.*—Markets, 16 & 17 *Vict.* c. xxxix.
46. *Oldham.*—Gas and Waterworks, 16 & 17 *Vict.* c. xlii.
47. *Preston.*—Water, 16 & 17 *Vict.* c. xlviii.
48. *York.*—*Foss* Navigation, 16 & 17 *Vict.* c. lvi.
49. *Bacup.*—Water, 16 & 17 *Vict.* c. lix.
50. *Ludlow.*—Market, 16 & 17 *Vict.* c. lxiv.
51. *Wigan.*—Water, 16 & 17 *Vict.* c. lxvii.
52. *Stafford.*—16 & 17 *Vict.* c. lxxii.
53. *Leominster.*—Market, &c., 16 & 17 *Vict.* c. lxxvii.
54. *South Shields.*—16 & 17 *Vict.* c. lxxxiii.
55. *Haslingden, &c.*—Water, 16 & 17 *Vict.* c. lxxxix.
56. *Manchester.*—New Street, 16 & 17 *Vict.* c. xci.
57. *Renfrew.*—Water, 16 & 17 *Vict.* c. xcviii.
58. *Burton-on-Trent.*—16 & 17 *Vict.* c. cxviii.
59. *Walsall, Dudley, &c.*—Water, 16 & 17 *Vict.* c. cxxxiii.
60. *Spalding.*—Paving, &c., 16 & 17 *Vict.* c. cxxxix.
61. *Whitechapel.*—Paving, &c., 16 & 17 *Vict.* c. cxli.
62. *Halifax.*—16 & 17 *Vict.* c. clxvii.
63. *Westminster.*—Improvement, 16 & 17 *Vict.* c. clxxvi.
64. *Chorley.*—16 & 17 *Vict.* c. clxxxi.
65. *Newcastle-on-Tyne.*—16 & 17 *Vict.* c. clxxxii.
66. *Limerick.*—16 & 17 *Vict.* c. cxciv.
67. *Galway.*—16 & 17 *Vict.* c. cc.
68. *Richmond Pastures, Yorkshire.*—16 & 17 *Vict.* c. cci.
69. *Rochdale.*—16 & 17 *Vict.* c. ccxx.

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1. From *Skipton* to *Craco.*—15 & 16 *Vict.* c. xvi.
2. *Lockwood* to *Meltham.*—15 & 16 *Vict.* c. xvii.
3. The *London* and *Southampton*, through *Bishop's Waltham.*—15 & 16 *Vict.* c. xxxviii.
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5. *Spittle Hill Bridge* to *Littleborough Ferry.*—15 & 16 *Vict.* c. xl.
6. *Porthdinllaen* to *Llanbedrog.*—15 & 16 *Vict.* c. lii.
7. *Romsey* to *Stockbridge, &c.*—15 & 16 *Vict.* c. liv.
8. *Southam* to *Kineton.*—15 & 16 *Vict.* c. lv.
9. *Bedford* to *Kimbolton.*—15 & 16 *Vict.* c. lx.
10. *Abbey Tintern* and *Bigswear.*—15 & 16 *Vict.* c. lxxi.
11. *Sharples* to *Hoghton.*—15 & 16 *Vict.* c. lxxiv.
12. *North Shields* to *Morpeth Castle.*—lxxv.
13. *Shillingford* to *Reading.*—15 & 16 *Vict.* c. lxxix.
14. *Beach Down* to *Heathfield.*—15 & 16 *Vict.* c. lxxxi.
15. *Stockport* to *Marple Bridge.*—15 & 16 *Vict.* c. lxxxv.
16. *Pedmore and Holly Hall.*—15 & 16 *Vict.* c. lxxxvi.
17. *Stroud* to *Bisley.*—15 & 16 *Vict.* c. lxxxvii.
18. *Macclesfield* and *Buxton.*—15 & 16 *Vict.* c. lxxxviii.
19. *Kirkby Stephen* to *Hawes.*—15 & 16 *Vict.* c. lxxxix.
20. *Marsden* to *Gisburne.*—15 & 16 *Vict.* c. xc.
21. *Bury* to *Bolton.*—15 & 16 *Vict.* c. xci.
22. *Bramley* to *Ridgewick.*—15 & 16 *Vict.* c. xcii.
23. *Wakefield and Denby Dale.*—15 & 16 *Vict.* c. xciii.
24. *Rotherham and Pleasley.*—15 & 16 *Vict.* c. xciv.
25. *Beaconsfield* to the *Colne.*—15 & 16 *Vict.* c. xcvii.
26. *Kettering* to *Northampton.*—15 & 16 *Vict.* c. xcix.
27. *Holehouse* to the *Stayley Road.*—15 & 16 *Vict.* c. ci.
28. Trustees of the *Yeovil* and *Ilchester* Trusts.—15 & 16 *Vict.* c. cxiii.
29. *Blackburn* to *Preston.*—15 & 16 *Vict.* c. cxix.
30. *Preston* to *Garstang.*—15 & 16 *Vict.* c. cxx.
31. *Kingston* to *Sheetbridge.*—15 & 16 *Vict.* c. cxxiii.
32. *Liskeard.*—15 & 16 *Vict.* c. cxxix.
33. *Wedmore.*—15 & 16 *Vict.* c. cxxxi.
34. *Cambridge* to *Ely.*—15 & 16 *Vict.* c. cxxxiv.
35. *Asthall and Buckland.*—15 & 16 *Vict.* c. cxxxix.
36. *Exeter and Countess Wear.*—15 & 16 *Vict.* c. cliv.
37. *Waverley Bridge* to *High Street, Edinburgh.*—16 & 17 *Vict.* c. xxxv.
38. *Branch End, Northumberland,* to *Cows Hi , Durham.*—16 & 17 *Vict.* c. liii.
39. *Pick's Hill* to *Meare.*—16 & 17 *Vict.* c. lv.
40. *Gravesend* to *Wrotham.*—16 & 17 *Vict.* c. l ii
41. *Black Dog* Road Trust.—16 & 17 *Vict.* c. lxxi.
42. *Leeds and Whitehall.*—16 & 17 *Vict.* c. lxxiv.
43. *Wimpole* to *Wrestlingworth* and *Potton.*—16 & 17 *Vict.* c. xcii.
44. *Hunt's Bank, Manchester,* to *Pilkington.*—16 & 17 *Vict.* c. cii.
45. *Burford* to *Leachlade.*—16 & 17 *Vict.* c. civ.
46. *Shipley* to *Bramley.*—16 & 17 *Vict.* c. cv.
47. The *Alston* Roads.—16 & 17 *Vict.* c. cxii.
48. *Wildmore* and *East* and *West Fens* Highways.—16 & 17 *Vict.* c. cxv.
49. *Upton St. Leonards* to *Brimpsfield* and *Birdlip.*—16 & 17 *Vict.* c. cxxvi.
50. *Wakefield* and *Sheffield* Diversion.—16 & 17 *Vict.* c. cxxviii.
51. *Salford* Roads.—16 & 17 *Vict.* c. cxxxv.
52. *Nantwich and Woore* Road.—16 & 17 *Vict.* c. cxlvii.
53. *West Harptry* to *Marksbury.*—16 & 17 *Vict.* c. clxii.

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1. *Cheshire.*—Appointment of Special High Constables, 15 & 16 *Vict.* c. xxxi.
2. *London.*—Recovery of Small Debts, 15 & 16 *Vict.* c. lxxvii.
3. *Hull.*—Reducing Dues on Shipping, &c., 15 & 16 *Vict.* c. cxxxvi.
4. *Wirksworth.*—Defining, &c. Mineral Customs, 15 & 16 *Vict.* c. clxiii.
5. *Norfolk Estuary.*—Amending Act, 16 & 17 *Vict.* c. xiv.
6. *Liverpool Court of Record.*—Amending Acts, 16 & 17 *Vict.* c. xxi.
7. *Wakefield.*—Corn Mills, 16 & 17 *Vict.* c. xxvii.
8. *Limerick Corporation.*—Amending Act, 16 & 17 *Vict.* c. lxxiii.
9. *Adel Beck.*—Reservoirs on, 16 & 17 *Vict.* c. lxxv.
10. *Dewsbury.*—Enabling Board of Health to construct Reservoirs, 16 & 17 *Vict.* c. cxxvii.
11. *Holme Reservoirs.*—Adjustment of Debts of Commissioners.—16 & 17 *Vict.* c. cxxxviii.
12. *Staffordshire Potteries Waterworks.* — Consolidating Acts.—16 & 17 *Vict.* c. cxcviii.
13. *St. Margaret and St. John, Westminster.*—Appointment and Regulation of Vestries.—16 & 17 *Vict.* c. ccxxv.

Lodging Houses. See Common Lodging Houses.

London. See Hackney and Stage Carriages; Metropolitan Burials; Metropolitan Improvements; Metropolitan Sewers; Metropolitan Water Supply.

Lord Chancellor. See Masters in Chancery.

Lunatics.

1. An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by Inquisition, and their Estates, 16 & 17 Vict. c. 70.
2. Acts and Parts of Acts named in First Schedule repealed, but Validity of Proceedings, &c. not to be affected. Mode of proceeding in existing Cases, § 1.
3. Interpretation of Terms, § 2.
4. Schedules Parts of Act, § 3.
5. Extent of Act, § 4.
6. Commencement and Short Title of Act, § 5.
7. Power to Lord Chancellor to appoint Two Masters in Lunacy, who, before acting, shall take Oath in the Second Schedule, § 6.
8. Masters to have Powers of Commissioners, § 7.
9. All References connected with Lunatics to be made to Masters, § 8.
10. Masters to perform Duties under Regulations of the Lord Chancellor, § 9.
11. Registrar to perform Duties under Regulations of Lord Chancellor, § 10.
12. Duty of Clerks of the Custodies to be performed by Master and Registrar, § 11.
13. As to the Masters' Salaries and retiring Annuities, § 12.
14. Power to Lord Chancellor to remove and grant Annuities to future Masters, if afflicted with Infirmity, § 13.
15. Salary of Registrar, § 14.
16. Number and Salaries of the Clerks of the Masters and the Registrar, § 15.
17. Power to Lord Chancellor to appoint Visitors, § 16.
18. Masters to be ex-officio Visitors, § 17.
19. Visitors not to be interested in Houses for Reception of Insane Persons, § 18.
20. Salaries of Visitors, § 19.
21. The Visitors and Masters to form a Board, § 20.
22. Medical or Legal Visitor may appoint a Substitute during his Illness, &c., § 21.
23. Lord Chancellor to appoint a Secretary to Visitors, § 22.
24. The Salary of the Secretary and his Clerk, § 23.
25. Masters, Visitors, &c. to be allowed travelling and other Expenses, § 24.
26. Salaries, &c. to be paid quarterly, out of Suitors' Fee Fund, § 25.
27. Per-centage on clear Incomes to be paid according to the Scale herein specified, § 26.
28. Masters to certify Amount, &c. which shall be paid out of the Income of the Lunatic, § 27.
29. Per-centage to be paid, notwithstanding Death, &c. before Payment, § 28.
30. Present Fees abolished, and new Fees substituted, § 29.
31. Power to Lord Chancellor to alter Per-centage and Fees, § 30.
32. Per-centage and Fees to be collected by Stamps, and Provisions of 15 & 16 Vict. c. 87. respecting Stamps, &c. extended to this Act, § 31.
33. Power to exempt small Properties, § 32.
34. Provisions respecting Per-centage and Fees to apply to Cases under 8 & 9 Vict. c. 100., and to certain Cases where Lunatic is out of Jurisdiction. Recital of 3 & 4 W. 4. c. 36. imposing a Per-centage for Visitors of Lunatics, § 33.
35. Sums due for the Per-centage to be paid, § 34.
36. Salaries, &c. charged on this Per-centage to be payable thereout for a limited Time, § 35.
37. Account to be closed, and Balance carried to the Suitors' Fee Fund, § 36.
38. Account to be audited, § 37.
39. Commissions may be directed to fewer than Three Persons, and shall be directed to Masters, § 38.
40. General Commission may be issued, directed to Masters, § 39.
41. Alleged Lunatic, within Jurisdiction, to have Notice, and may demand an Inquiry before a Jury, § 40.
42. Where alleged Lunatic demands a Jury, Lord Chancellor may examine him as to Competency, and order a Jury, § 41.
43. Cases where a Jury may be dispensed with, § 42.
44. Jury to be had, if Masters certify that it is expedient, § 43.
45. Certificate of Masters without a Jury to be deemed an Inquisition, § 44.
46. Jury to be had, if Lunatic out of the Jurisdiction, § 45.
47. Lord Chancellor may regulate the Number of Jury, § 46.
48. Inquiry not to be carried back, except under Special Order, § 47.
49. Commissioner, with Jury, to have Powers of Judge of Court of Record, § 48.
50. The foregoing Provisions prospective only, § 49.
51. Nothing to preclude the Lord Chancellor from issuing a Special Commission, § 50.
52. Reference in other Acts to Commission shall apply to General Commission hereby authorized to be issued, § 51.
53. Inquisition and Supersedeas may be transmitted from and to Ireland and England, and be acted upon there respectively, § 52.
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75. On Application not being made to Masters, Costs may be ordered to be paid, § 74.
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81. Lord Chancellor may dispense with Attendance of next of Kin, § 80.
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110. Fine upon Admittance may be imposed and demanded, § 109.
111. If not paid, &c., Lord may enter, and receive Profits of the Copyhold till he is satisfied, &c. Lord to account yearly, and to deliver up Possession, on Satisfaction, § 110.
112. Committee paying Fine may reimburse himself out of Rents, § 111.
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114. Committee may surrender Lease, and accept Renewal, § 113.
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118. Modes in which future Maintenance may be charged, when Interest not in possession, § 117.
119. Expenses of Improvements may be charged on Estate, § 118.
120. Surplus of Monies to be of the same Nature as the Estate, § 119.
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122. Where Lunacy temporary, Lord Chancellor may apply Cash arising from Income for temporary Maintenance, without Grant, &c., § 121.
123. Committee may convey Land in performance of Contracts, § 122.
124. Lord Chancellor may dissolve Partnership, and Committee may convey Partnership Property, § 123.
125. Committee may make Sale, Partition, or Exchange, § 124.
126. Committee may sell Land for Building Purposes, § 125.
127. Committee may assign Business Premises, § 126.
128. Committee may dispose of undesirable Lease, § 127.
129. Committee may make Agreements under 1 G. 1. c. 10., § 128.
130. Committee may make Building and other Leases, subject to such Covenants as Lord Chancellor shall order, § 129.
131. Committee may make Leases of Mines already opened, § 130.
132. Committee may, where necessary for Maintenance of Lunatic, or expedient, make Leases of Mines unopened, § 131.
133. Produce of newly-opened Mines, where necessary for Lunatic's Maintenance, to be so applied; otherwise to be carried to separate Account, and be considered Real Estate, § 132.
134. Committee may execute leasing Powers of Lunatic having limited Estate, § 133.
135. Committee may accept Surrender, and make a new Lease, § 134.

136. Fines how to be paid. On Death of Lunatic, Quality of Money arising by Fines, § 135.
137. Committee may exercise Power vested in Lunatic for his own Benefit, or give Consent, § 136.
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139. Appointment of new Trustees under Power to have Effect of Appointments by Court of Chancery, and like Orders may be made as under Trustee Act, 1850, § 138.
140. Deeds, &c. executed under this Act to be as valid as if Lunatic had been of sound Mind, § 139.
141. Stock belonging to Lunatic may be ordered to be transferred, § 140.
142. Stock in Name of Lunatic residing out of England and Wales may be ordered to be transferred, § 141.
143. Who shall be appointed to make Transfer, § 142.
144. Transfers, &c. to be binding, § 143.
145. Indemnity to Bank of England, &c., § 144.
146. Costs may be paid out of Estate, § 145.
147. Act not to subject Lunatic's Property to Debts, § 146.
148. Powers to extend to Colonies, &c., § 147.
149. Petitions for Traverse to be presented within a limited Time, § 148.
150. Persons not petitioning, or not proceeding to Trial within limited Time, barred, § 149.
151. Lord Chancellor may direct new Trials. No Person shall traverse oftener than once, § 150.
152. Lord Chancellor may, notwithstanding Traverse, make Orders for Management of Person and Estate, § 151.
153. Inquisition may be superseded upon Terms, § 152.
154. Power to Lord Chancellor to make General Orders, § 153.
155. To amend an Act passed in the Ninth Year of Her Majesty, "for the Regulation of the Care and Treatment of Lunatics," 16 & 17 Vict. c. 96.
156. 8 & 9 Vict. c. 100. recited. Section 25. of recited Act repealed, and Provision as to what may be included in One Licence, § 1.
157. The Person or One of the Persons receiving a Licence to reside on the Premises, § 2.
158. Sections 45, 46, 47, 48, and 49. of 8 & 9 Vict. c. 100. repealed, § 3.
159. No Person not a Pauper to be received into an Hospital or licensed House without a certain Order and Certificates, § 4.
160. Proviso that in certain Cases any Person may be received on a Certificate signed by One Medical Practioner only, § 5.
161. Any Person discharged may, with Assent of Visitors or Commissioners, be retained in licensed House, and a Relative or Friend may, with like Assent, be received therein, § 6.
162. Paupers not to be received without a certain Order and Certificates, § 7.
163. The like Order and Certificates for Reception of a single Patient as for a private Patient into a licensed House, § 8.
164. Penalty on Officers, &c. ill-treating Lunatics, § 9.
165. Medical Certificate to specify Facts upon which Opinion of Insanity has been formed, § 10.
166. Orders and Medical Certificates may be amended, § 11.
167. Who not to sign Certificates, § 12.
168. Giving false Certificates, &c., and a Person not being a Medical Man giving Certificates as such, guilty of a Misdemeanor, § 13.
169. Commissioners may permit Medical Visitation of any single Patient less frequently than once a Fortnight; but if Patient be in the Care of a Medical Man he is to make an Entry once a Fortnight as to Health, § 14.
170. Visitors of licensed Houses may visit single Patients on Request of Commissioners, § 15.
171. Annual Report to be made to the Commissioners by every Medical Man visiting or having Charge of a single Patient, § 16.
172. Provisions concerning Discharge of Patients from licensed Houses by Relatives extended to single Patients, § 17.
173. Lord Chancellor, upon Report of Commissioners, may order Discharge, &c. of any single Patient, § 18.
174. On Recovery of a Patient, Notice to be given to Friends, and in the Case of a Pauper to Guardians, &c., and in default of Discharge or Removal, to Commissioners and Visitors. Provision in case of Death of Patient in any Hospital or licensed House, § 19.
175. Provision authorizing Transfer of private and single Patients, § 20.
176. Notice of Discharge of single Patients to be sent to the Commissioners, § 21.
177. Provisions as to Change of Residence of Persons having Charge of single Patients, and temporary Removal of such Patients for Benefit of Health, § 22.
178. On Representation of Commissioners, Lord Chancellor may require Statement of Property of Lunatic, § 23.
179. Form of Notice of Admission, § 24.
180. Form of Medical Visitation Book, § 25.
181. Notice of Dismissal for Misconduct of Attendants, to be sent to Commissioners, § 26.
182. Powers vested in private Committee to be vested in the Commissioners, § 27.
183. Repeal of Section 111. of recited Act, and Provision as to Visitation of Workhouses, § 28.
184. Commissioners may in any special Case employ Persons to make the necessary Inquiries, and report to them thereon, § 29.
185. Regulations for Hospitals to be submitted to Secretary of State, § 30.
186. Commissioners may make Regulations for the Government of licensed Houses, § 31.
187. Time at which Reports to Lord Chancellor as to State of Asylums, &c. are to be made, § 32.
188. Provision for paying Persons to inspect Places where Lunatics are confined, extended to Persons visiting under s. 112. of 8 & 9 Vict. c. 100., § 33.
189. Obstructing Execution of Orders of Lord Chancellor or Secretary of State, made under ss. 112 or 113 of recited Act, or of Commissioners under this Act, § 34.
190. Sect. 116. of recited Act repealed, and Bethlehem Hospital to be subject to this Act, § 35.
191. Interpretation of Terms, § 36.
192. Recited Act and this Act to be construed as One Act, &c., § 37.
193. Act not to affect Provisions relating to Criminal Lunatics, 39 & 40 G. 3. c. 94., 1 & 2 Vict. c. 14., and 3 & 4 Vict. c. 54., save as herein provided, § 38.
194. Secretary to the Commissioners, if on Appointment a Barrister of Five Years' standing, eligible to be a Commissioner, § 39.
195. Commencement of Act, § 40.
196. To consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the Maintenance and Care of Pauper Lunatics in England, 16 & 17 Vict. c. 97.

197. 8 & 9 Vict. c. 126., 9 & 10 Vict. c. 84., and 10 & 11 Vict. c. 43., repealed, but not to affect Appointments, &c., § 1.
198. Justices of County and Borough not having a Lunatic Asylum to provide one, and before a certain Time to give Notice of Intention to appoint a Committee for that purpose, § 2.
199. Justices to appoint a Committee to superintend the providing of an Asylum, or to treat for uniting with some County, &c., or to effect one or other of such Purposes, § 3.
200. Subscribers to any Hospital empowered to appoint a Committee to treat for uniting with any County or Borough, &c., § 4.
201. Committees of Visitors of existing Asylums may enter into Agreements to unite, § 5.
202. Saving where a Committee is already appointed, or Proceedings for the Appointment of a Committee have been commenced, § 6.
203. Justices of Boroughs may contract with Committees of Visitors, &c. for Reception of the Pauper Lunatics of the Borough, § 7.
204. Boroughs now contributing to a County Asylum deemed to have an Asylum, but upon Notice may separate from the County, § 8.
205. Every Borough not having Six Justices, besides the Recorder, to be annexed to the County or One of the Counties in which it is situate, for the Purposes of this Act. Recorder to appoint Two Justices to be Members of Committee of Visitors, § 9.
206. Boroughs neglecting to provide an Asylum or to contract for Care of their Pauper Lunatics may be annexed by Secretary of State to the County. Justices of Borough so annexed shall appoint Two Justices to be Members of Committee of Visitors, § 10.
207. Powers of Committees may be enlarged, § 11.
208. New Committees to be appointed in lieu of Committees which have ceased or shall hereafter cease to exist, &c., § 12.
209. Notice for Appointment of a Committee given at a Time subsequent to that required by this Act, and such Appointment to be valid, § 13.
210. Committees uniting to enter into Agreement in the Form in Schedule (A.), § 14.
211. Additional Stipulations or Conditions may be inserted in agreement, but not so as to subject Acts of Visitors to Control of General or Quarter Sessions, § 15.
212. With consent of Visitors, Stipulations or Conditions may be repealed, § 16.
213. Proportions of Expenses and of Visitors may be varied on any further Union being effected, § 17.
214. As to Payment and Application of Money paid towards prior Expenses, or becoming repayable under Agreement for further Union, § 18.
215. Committee of Justices to report Agreement to Quarter Sessions, and the Original to be delivered to Clerk of the Peace of the County or Borough in which the Asylum is situate, and a Copy to Clerk of the Peace of each other County and Borough, § 19.
216. After Agreement for uniting is reported, Visitors to be elected for carrying same into effect, § 20.
217. Committee superintending Erection of Asylums to be the Committee of Visitors, § 21.
218. Visitors to be elected annually for Asylums, § 22.
219. A separate Committee of Visitors to be appointed for every Asylum. Proviso, § 23.
220. Meetings of Visitors. Every Committee to elect a Chairman. Number of Members to constitute a Meeting. uestions how to be decided, § 24.
221. Clerk, on Requisition of Chairman or Two Visitors or of Superintendent, to call Meetings of Visitors. Chairman may convene Meetings, § 25.
222. Visitors to appoint a Clerk, § 26.
223. Committee of Visitors to continue until First Meeting of new Committee, and in default of Election of new Committee to continue as if re-elected, § 27.
224. Provision for supplying Vacancies in Committees. Continuing Members may Act, § 28.
225. Secretary of State may require any County or Borough not having an Asylum to provide one, § 29.
226. Where accommodation of existing Asylum is inadequate, additional Asylum to be provided, or existing Asylum enlarged, § 30.
227. When an Asylum or additional Asylum or Accommodation is required, the Visitors to procure and determine on Plans and Estimates, and to contract for the Purchase of Land and Buildings, and for erecting, &c. the necessary Buildings. Contractors to give Security. Contracts and Orders to be entered in a Book, to be deposited, and to be open to Inspection. Visitors to report, § 31.
228. Power to Visitors to purchase in consideration of a Rent reserved, § 32.
229. Power for Visitors to take a Lease for Rent, § 33.
230. Asylum may be erected beyond the Limits of any County or Borough, and Justices of such County or Borough may, notwithstanding, act therein, § 34.
231. Assessment to local Rates not to be increased after Purchases for the Purposes of this or any former Act, § 35.
232. Certain Provisions of 8 & 9 Vict. c. 18. incorporated, and extended to authorize Exchanges, § 36
233. Provision for the appointment of new Trustees of Land purchased or acquired for Asylum, § 37.
234. Visitors to order all ordinary Repairs of Asylum, provided they do not exceed 400*l.* per Annum. As to payment of Expenses of repairs, &c. No Order for Payment of Money exceeding 100*l.* to be made unless Notice has been given of the Meeting at which the same shall be ordered, § 38.
235. Power of Visitors, with Consent of Secretary of State, to dissolve Unions, § 39.
236. Power of Visitors, with consent of Secretary of State, to sell or exchange Lands and Buildings. Application of Purchase Monies, § 40.
237. Visitors may, with Consent of Secretary of State, get released from Contracts, § 41.
238. Visitors empowered to contract for the Reception of Pauper Lunatics into Asylums of other Counties or Hospitals or licensed Houses. Period of such Contract limited. As to Money payable under Contract for Reception of Lunatics into any Asylum, § 42.
239. When any Asylum can accommodate more than the Lunatics of the County or Borough, Visitors may order the Admission of other Lunatics, § 43
240. No Visitor to have any Interest in any Contract or Agreement, § 44.
241. Plans, &c. to be submitted to Commissioners in Lunacy, and approved by Secretary of State, § 45.
242. Provisions for raising Monies required for the Purposes of this Act by County and Borough Rates, § 46.
243. Power for Justices of Counties and Councils of Boroughs to raise Money by Mortgage of the Rates, § 47.
244. Power to Public Works Loan Commissioners to lend Money for Purposes of this Act, § 48.
245. Provision for the Payment of the Interest on the Mortgages, and of a Portion of the Principal in each Year, § 49.

246. Provision to be made for paying Money borrowed within a limited Time not exceeding Thirty Years, § 50.
247. Persons lending Money on Mortgage of Rates, &c. not bound to give Proof that Notices have been given, &c. § 51.
248. Power to raise Money to pay off Sums already borrowed, § 52.
249. Visitors to submit General Rules to the Secretary of State, and, subject to such General Rules, to make Regulations and determine Diet of Lunatics, § 53.
250. Visitors to fix weekly Rate to be paid for Maintenance of each Lunatic, not to exceed 14*s.* per Week. If the Rate be found insufficient, Justices in Quarter Sessions may increase it, § 54.
251. Visitors to appoint a Chaplain. Patients allowed the Visits of any Minister of their own Persuasion. Visitors to appoint Medical Officer, Clerk, and Treasurer, and such other Officers and Servants as they think fit, § 55.
252. Clerk of Asylum to transmit to Commissioners in Lunacy Information of Dismissal of Attendants, § 56.
253. Visitors may grant Superannuations to the Superintendent, &c., not exceeding Two Thirds of their Salaries, § 57.
254. Clerk of the Asylum to keep Account of Monies paid and received, and send Abstract thereof annually to the Secretary of State and Commissioners in Lunacy, § 58.
255. Treasurer to keep Accounts, § 59.
256. Visitors to audit Accounts, § 60.
257. Two Visitors, at least, to visit once in every Two Months every Asylum, § 61.
258. Annual Reports to be made by Committees of Visitors to Justices at Quarter Sessions, &c., and Copies sent to Commissioners in Lunacy, § 62.
259. List of Pauper Patients in Asylums to be made half-yearly, and laid before Visitors, and Copies transmitted to Clerk of the Peace and Commissioners in Lunacy. Lists of private Patients to be sent half-yearly to the Commissioners, § 63.
260. Clerks of Board of Guardians, and Overseers where no Guardians, to make annual Returns of Pauper Lunatics, § 64.
261. Power for Medical Persons, Guardians, and Overseers of Unions and Parishes, to visit Pauper Patients of such Unions and Parishes confined in any Asylum, § 65.
262. Every Pauper Lunatic not in an Asylum, registered Hospital, or licensed House, to be visited once a Quarter by the Medical Officer of the Parish or Union, and Lists of such Lunatics to be sent to the Commissioners in Lunacy, § 66.
263. Provision for sending Pauper Lunatics to Asylums, § 67.
264. Provision as to Lunatics wandering at large, not being properly taken care of, or being cruelly treated, &c., § 68.
265. Power to Justices to order Payment of a Fee to any Physician, &c. called in to examine any Person, § 69.
266. Penalties on Medical Officers, Overseers, &c. omitting to give Notice as aforesaid, § 70.
267. Penalty on Relieving Officers, Overseers, and Constables delaying to execute Orders, § 71.
268. Orders of Justices, &c. may extend to authorize Reception into Hospitals or licensed Houses, but Lunatics to be always sent to Asylum, if circumstances permit, § 72.
269. No Pauper to be received into any Asylum without a certain Order and Certificate, § 73.
270. No Person to be received into an Asylum, except under the Provisions of this Act, without an Order and Two Medical Certificates, § 74.
271. Medical Certificate to specify Facts upon which Opinion of Insanity has been formed, § 75.
272. Who not to sign Certificate for Reception of a Patient, § 76.
273. Power to Two Visitors of any Asylum, being Justices, to order Removal of Pauper Lunatics to or from such Asylum, § 77.
274. Pauper Lunatics not to be received into any other than the County or Borough Asylum without Endorsement of Order by a Visitor, and Orders not compulsory on Hospitals or licensed Houses, § 78.
275. Discharge of Lunatics from Asylums, § 79.
276. Overseers and Relieving Officers to remove Lunatics upon Notice of Discharge, and to be liable to a Penalty for Refusal or wilful Neglect, § 80.
277. Visitors may discharge a Lunatic on the Undertaking of a Relative or Friend that he shall no longer be chargeable, and shall be taken care of, § 81.
278. Commissioners in Lunacy may order Removal of Lunatics, § 82.
279. The Person who signed the Order for the Reception of a private Patient may order his Discharge or Removal, § 83.
280. Provision where the Person who signed the Order for Reception is dead or incapable of acting, § 84.
281. Patient not to be discharged where certified to be dangerous without Visitors' Consent. Not to prevent Transfer under Control of an Attendant, § 85.
282. Provision authorizing Transfer of private and single Patients, § 86.
283. Orders and Medical Certificates may be amended, § 87.
284. Persons received into Asylums, &c. may be detained till Removal or Discharge, and in case of Escape may be re-taken within Fourteen Days, § 88.
285. Every Clerk receiving a Lunatic into an Asylum to make an Entry thereof, and to transmit a Copy of the Order and Certificate of Medical Officer of the Asylum to Commissioners in Lunacy, § 89.
286. Weekly Journal and Case Book to be kept in every Asylum, § 90.
287. Copies of Entries made by Commissioners visiting Asylums to be sent to the Office of Commissioners, § 91.
288. In case of Death of a Lunatic, the Cause of Death to be stated, and sent to the Registrar of Deaths, the Commissioners in Lunacy, and Relieving Officer or Overseers, § 92.
289. Entries to be made of Deaths, Discharges, and Removals, and Notice given to the Commissioners in case of the Discharge, Removal, Escape, and Re-capture of every Lunatic, § 93.
290. How Justices are to proceed where it appears to them that the Lunatic has Property applicable to his Maintenance, § 94.
291. Every Pauper Lunatic to be chargeable to the Parish from which he is sent till otherwise adjudged, § 95.
292. Justices to make an Order upon the Officers of Unions and Parishes for Maintenance of Lunatics, § 96.
293. Two Justices may inquire into and adjudge the Settlement of a Lunatic, and order Payment of Maintenance, &c. accordingly, § 97.
294. If Settlement cannot be ascertained, a Pauper Lunatic may be made chargeable to the County, § 98.

295. Provision for the Reimbursement to a County of Monies paid on account of a Lunatic afterwards adjudged to belong to any Parish, § 99.
296. Justices to make Order out of their respective Jurisdiction, § 100.
297. Order for Payment of charges of Maintenance in Asylums, &c. to extend to any Asylum, &c. to which the Lunatic may be removed, § 101.
298. The Costs of Pauper Lunatics who are irremovable to be borne by the Parish wherein they were exempt from Removal, or by the Common Fund in Unions. Section 5. of 12 & 13 Vict. c. 103. repealed, § 102.
299. Guardians and Overseers may pay Charges without Orders of Justices, § 103.
300. Lunatic's Property to be available for his Maintenance, § 104.
301. Liability of Relations of Pauper not to be affected, § 105.
302. Persons aggrieved by Refusal of an Order may appeal to the Sessions, § 106.
303. Party obtaining Order of Adjudication to send Copy thereof and Statement of Grounds to the Parish or County affected, § 107.
304. Appeal against Order of Adjudication, § 108.
305. Copy of Depositions to be furnished on Application, § 109.
306. No appeal if Notice not given within a certain Time after Notice of Order, § 110.
307. Grounds of Appeal to be stated, § 111.
308. As to the Sufficiency of statement of Grounds of Adjudication or Appeal. Power to amend Statement, § 112.
309. Power for Court to amend Order on account of Omission or Mistake. Proviso, § 113.
310. Party making frivolous or vexatious Statement of Grounds liable to pay Costs, § 114.
311. Party losing, to pay such Costs as Court may direct, § 115.
312. Decisions of Courts upon hearing Appeals to be final, § 116.
313. Abandonment of Orders, § 117.
314. Provisions of this Act as to Expenses to extend to Pauper Lunatics sent to Asylums under any other Act, &c., § 118.
315. In cases of Inquiries and Appeals Guardians and Officers interested to have Access to the Lunatic, § 119.
316. Expenses of the Burial, Removal, or Discharge of a Pauper, § 120.
317. Money ordered to be paid by any Clerk, Overseer, Relieving Officer, or Treasurer to be levied (in case of neglect to Pay) by Distress or Action, § 121.
318. Medical Men signing false Certificates, and Persons not being Medical Men giving Certificates as such, guilty of Misdemeanor, § 122.
319. Penalty on Officers or Servants ill-treating Lunatics, § 123.
320. Penalty on Officers, &c. allowing Lunatics to escape or be at large without Permission, § 124.
321. Visitors may sue and be sued in the Name of their Clerk, whose Removal shall not abate Action, § 125.
322. Secretary of Commissioners in Lunacy and Clerks to Visitors may prosecute for Offences, § 126.
323. Penalties to be recovered in manner provided by 11 & 12 Vict. c. 43. Application of Penalties, § 127.
324. Power of Appeal to the Quarter Sessions, § 128.
325. Council of every Borough to exercise the same Duties, &c. of erecting Asylums as are conferred upon Justices, &c., § 129.
326. Committee appointed by Council to have same Powers as Committee of Visitors, § 130.
327. Every City, Town, Liberty, &c., not being a Borough within the Meaning of this Act, to be annexed to and rated as part of the County within which the same is situate, § 131.
328. Interpretration of Terms: 48 G. 3. c. 96., 9 G. 4. c. 40., § 132.
329. Nothing to affect Provisions of 39 & 40 G. 3. c. 94., 1 & 2 Vict. c. 14., or 3 & 4 Vict. c. 54., as to Criminal Lunatics, § 133.
330. Commencement of Act, § 134.
331. Extent of Act, § 135.
332. Short Title, § 136.

See next Head.

Lunatic's Property.

1. For the Amendment of the Law respecting the Property of Lunatics,* 15 & 16 Vict. c. 48.
2. 11 G. 4., and 1 W. 4. c. 65. s. 28. recited. Powers and Provisions of the recited Act extended to other Cases and Purposes, § 1.
3. Modes in which future Maintenance may be charged, § 2.
4. By whom Jurisdiction to be exercised. The foregoing Provisions to be incorporated with the recited Act, § 3.
5. Power to receive Dividends of Stock in Lunatic's Name, § 4.
6. Indemnity to Bank of England, &c., § 5.
7. Receiver may, under Order, make Repairs, Leases, &c., § 6.
8. Interpretation of Words, § 7.

* Sects. 1, 2, and 3 of this Act are repealed by 16 & 17 Vict. c. 70.

Manorial Rights. See Copyholds (Enfranchisement of).

Marines.

For the Regulation of Her Majesty's Royal Marine Forces while on Shore, 15 & 16 Vict. c. 8., and 16 & 17 Vict. c. 11.

Marriages. See Registration of Births, Deaths, and Marriages.

Marriages in Hulme, Lancashire.

1. To render valid certain Marriages in the Church of the Holy Trinity, in the Township of Hulme, and Parish of Manchester, in the County of Lancaster, 16 & 17 Vict. c. 122.
2. Marriages solemnized in Holy Trinity Church, Hulme, declared valid, § 1.
3. Ministers having solemnized Marriages indemnified, § 2.
4. Registers to be Evidence, § 3.

Masters in Chancery.

1. To abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court, 15 & 16 Vict. c. 80
2. Office of Masters in Ordinary in Chancery abolished, § 1.
3. Vacancies in Office of Masters not to be filled up, § 2.
4. Two of the Masters in Ordinary released from their Duties on First Day of Michaelmas Term, 1852, &c. Proviso as to certain Matters depending before the said Masters, § 3.

5. Option to Masters to retire according to Seniority, &c. Power to Lord Chancellor to release remaining Masters, § 4.
6. Masters' Salaries and Compensation Allowance continued by way of Retiring Pensions, &c., § 5.
7. Retiring Pensions, &c. to be paid in the same Manner as present Salaries, § 6.
8. Power to Masters to summon Parties, &c., and to settle and wind up Proceedings before them, § 7.
9. Power to Court, upon Master's Report of Certificate, to make Order for Prosecution or final Disposal of any Suit, &c., and for Payment of Costs, &c., § 8.
10. On Neglect of Parties to bring Master's Report before the Court, Solicitor to Suitors' Fee Fund to do so, and his Costs provided for, § 9.
11. No fresh References to Masters, except in Cases already before them, and in Matters under Winding-up Acts 1848 and 1849. Until all the Masters are released from their Duties, those remaining shall prosecute all the Business depending. Power now vested in Masters reserved to them for such Purposes, § 10.
12. Power to Master of the Rolls and Vice-Chancellors to sit at Chambers for the Despatch of Business, &c., § 11.
13. Power to Lord Chancellor to provide Chambers for the Masters of the Rolls and Vice-Chancellors, § 12.
14. Judges to have same Power and Jurisdiction as in open Court, § 13.
15. Orders made in Chambers to be ordinarily drawn up by Judges' Clerks, but Judges may direct them to be drawn up by Registrars of the Court, and may require their attendance at Chambers for the Purpose, § 14.
16. Orders made at Chambers to have same Force as Orders of Court, &c., § 15.
17. Power to Judges to appoint Two Chief Clerks to each Court to assist in the Business of the Court, § 16.
18. Chief Clerk to Judges to have been Chief Clerks to Masters in Ordinary, or Solicitors or Attorneys of Ten Years' Practice. Certain Chief Clerks to be Chief Clerks of Three of the Equity Judges, § 17.
19. Power to Judges to appoint Junior Clerks, § 18.
20. Power to Lord Chancellor to remove any Officer appointed under this Act engaging in other Employment or accepting any Fee or Emolument whatever other than his Salary, § 19.
21. Solicitors, &c. appointed to any Office under this Act to be struck off the Rolls, § 20.
22. Chief Clerks to hold Office during good Behaviour, § 21.
23. And Clerks during Pleasure, § 22.
24. Chief and Junior Clerks to be under Control and Direction of Judges, § 23.
25. Chief and Junior Clerks subject to same Penalties, &c. as imposed, &c. under Act 3 & 4 W. 4. c. 94, as respects Officers of the Court of Chancery, § 24.
26. Power to Lord Chancellor with concurrence of Judges, to remove Chief Clerks, § 25.
27. Business to be disposed of in Chambers by the Judges, § 26.
28. Judges may adjourn from open Court to Chambers, and vice versâ, the consideration of any Matter, § 27.
29. Mode of Proceeding before Judges at Chambers to be Summons, as at Common Law, § 28.
30. Power to the Judges to direct what Matters, &c. shall be heard and investigated by themselves, and what by their Chief Clerks. Right to Suitor to bring any Point before the Judge, § 29.
31. Power to Chief Clerks to issue Advertisements and Summonses, to administer Oaths, &c. as the Judge shall direct, § 30.
32. Parties, &c. not attending, liable to Process of Contempt and to Penalties for false swearing, &c., § 31.
33. Result of Proceedings before Chief Clerk to be embodied in Form of short Certificate, &c., § 32.
34. No Exceptions to lie to Certificate, &c. Parties at liberty to take Opinion of Judge upon any particular Point, § 33.
35. Certificate, &c., signed and adopted by Judge, binding on all Parties unless discharged or varied, § 34.
36. Sections 13, 14, & 15 of 3 & 4 W. 4., c. 94., repealed, § 35.
37. All Powers possessed by Masters to be exercised by Judges, § 36.
38. Power to Judges to exercise the Powers given by Sections 7, 8, and 9 of this Act, and to dispose of any Cause, &c. in open Court, § 37.
39. Power to Lord Chancellor, with Advice, &c. of Judges, to make Rules and Orders for regulating the Mode of Procedure at Chambers, Payment of Fees, &c., § 38.
40. Business in Masters' Offices to be conducted in the same Manner as similar Business is conducted by Judges, &c., § 39.
41. Power to Judges at Chambers to take Opinion of Conveyancing Counsel in certain Matters. Parties may object to such Opinion, which may be disposed of in Chambers or open Court, § 40.
42. Power to Lord Chancellor to nominate not less than Six Conveyancing Counsel of Ten Years' Practice, &c., § 41.
43. Power to obtain the Assistance of Accountants, Merchants, &c., § 42.
44. Taxing Master to regulate Fees to Conveyancing Counsel, &c., subject to Appeal, § 43.
45. Salary of 1,200*l.* to be paid to each Chief Clerk, and 250*l.* to each Junior Clerk, with Power to the Lord Chancellor from Time to Time to increase same to 1,500*l.* and 300*l.* respectively, § 44.
46. Pensions to Chief and Junior Clerks in Cases of permanent Infirmity, § 45.
47. On Retirement of Masters, their Chief Clerks to be entitled to Retiring Pensions of same Amount as Salary, § 46.
48. Compensation to Junior Clerks on Retirement of Masters, § 47.
49. Salaries, &c. to be paid Quarterly out of the Suitors' Fee Fund Account, § 48.
50. Payment of Compensations to be made Quarterly out of Parliamentary Securities, § 49.
51. On Appointment of Masters or Clerks to Office or Employment under the Crown, the Retiring Pension or Compensation under this Act to be regulated by the Salary, &c. of such Office or Employment, § 50.
52. Appropriation of the Masters' Offices in Southampton Buildings, § 51.
53. Power to Her Majesty to appoint a Vice-Chancellor as Successor to Sir G. J. Turner, § 52.
54. Such Vice-Chancellor to have same Power, &c. as Sir G. J. Turner has, § 53.
55. Officers and Attendants to the Vice-Chancellor, § 54.
56. Salaries of Vice-Chancellor and his Officers to be as at present, § 55.
57. Her Majesty may grant Retiring Pension to the Vice-Chancellor so appointed, § 56.
58. Lord Chancellor may appoint Court-keepers, § 57.

59. Rights and Establishments of the present Masters to continue until released in pursuance of this Act, § 58.
60. Nothing to affect the Rights, &c. of Accountant General as a Master in Ordinary, § 59.
61. The retiring Lord Chancellor may deliver written Judgments within Six Weeks after his Resignation, § 60.
62. Construction of Terms, § 61.

Masters Extraordinary in Chancery. See Oaths in Chancery.

Mauritius. See Loans raised by certain Colonies.

Members of Parliament.

1. To repeal certain Disabilities under the First of George the First, Chapter Thirteen, and the Sixth of George the Third, Chapter Fifty-Three, 15 & 16 Vict. c. 43.
2. 1 G. 1. c. 13. and 6 G. 3. c. 53., recited. Repealing Disabilities imposed upon Members of either House of Parliament voting without taking the required Oath, § 1.

Merchant Shipping.

1. To amend various Laws relating to Merchant Shipping, 16 & 17 Vict. c. 131.
2. Interpretation of Terms in this Act, § 1.
3. Short Title, § 2.
4. Commencement of Act, § 3.
5. 6 & 7 Vict. c. lvii. (Local and Personal), 13 & 14 Vict. c. 93., 14 & 15 Vict. c. 96., 14 & 15 Vict. c. 79. recited. The Light Dues payable to the Trinity House, Northern Light Commissioners, and Ballast Board, and the Ballast Rates of the Trinity House, to form the Mercantile Marine Fund, § 4.
6. Account of the said Fund to be kept by Her Majesty's Paymaster General, § 5.
7. Establishments for Lighthouses and Ballastage on the Mercantile Marine Fund to be fixed by Her Majesty in Council, § 6.
8. Estimates and Accounts for other Expenses to be approved by the Board of Trade, § 7.
9. No Expense to be allowed unless sanctioned by Board of Trade, § 8.
10. For the Purpose of erecting and repairing Lighthouses, &c., Treasury may advance Money, § 9.
11. Power to Board of Trade to borrow Money on the Credit of the Fund, § 10.
12. Her Majesty may, by Order in Council, fix Tolls to be taken for new Lighthouses, § 11.
13. Provision for existing Debts and Charges, § 12.
14. Power to commute Pensions and grant Superannuation Allowances, § 13.
15. Application of Ballastage Rates, § 14.
16. Light Dues, &c. to be revised by Her Majesty in Council, § 15.
17. Fees received by the Board of Trade to be applied only in payment for Services, § 16.
18. Trinity House, &c. to account for Receipt and Expenditure to the Board of Trade, § 17.
19. Accounts of Mercantile Marine Fund to be audited by Commissioners of Audit, § 18.
20. Accounts to be laid before Parliament, § 19.
21. Board of Trade may appoint Persons to inspect Lighthouses, § 20.
22. Section 43 of 6 & 7 W. 4. c. 79. repealed, and Trinity House, with Sanction of Board of Trade, to make Suggestions, and give Directions to the other Lighthouse Boards, § 21.
23. Property used for the Purpose of the said Services to be exempt from all Rates and Taxes, § 22.
24. Provisions of 8 & 9 Vict. c. 19. to apply to Land purchased for Lighthouses, § 23.
25. Dues levied on Ships not to be sold or charged without Consent of the Board of Trade, § 24.
26. Sections 18, 117, and 118 of 13 & 14 Vict. c. 93., ss. 29. and 31. of 14 & 15 Vict. c. 96., and ss. 27. 28. 36. 51. and 56. of 14 & 15 Vict. c. 102. repealed, § 25.
27. Penalties under Merchant Seamen's Act to be paid into Exchequer, § 26.
28. Mode of dealing with Wages, &c. of deceased Seamen, § 27.
29. Property belonging to Merchant Seamen's Fund to be paid into Exchequer, § 28.
30. Expenses of Merchant Seamen's Fund to be provided for by annual Vote, § 29.
31. Gross Sum to be paid to Seamen's Hospital Society, in lieu of annual Payments, § 30.
32. So much of 12 & 13 Vict. c. 29. as relates to manning repealed, § 31.
33. Declaration to be made by Transferees of British Ships for the Purpose of proving themselves to be British Subjects, § 32.
34. Ships unduly assuming British Character may be seized and brought in for Adjudication, § 33.
35. If the Simulation is proved, the Ship may be condemned, § 34.
36. So much of 7 & 8 Vict. c. 112, as to Wages, instead of being paid at once, to be given to the Queen's Officer on account of the Seamen, repealed, § 35.
37. If new Seamen are engaged instead of the original Seamen, the Owner may apply for Repayment of the extra Expense he has been put to. Application to be decided on, and certificate for Amount given. Costs not exceeding 5*l.* per Man may be given, § 36.
38. Accountant General to pay Sums so certified, § 37.
39. Seamen imprisoned for Desertion or Breach of Discipline may be sent on board before the Termination of the Sentence, § 38.
40. No claim for Salvage Services to be allowed in receipt of Loss or Risk of Her Majesty's Ships or Property, § 39.
41. Contracts may be made with Natives in India under certain Conditions binding them to go to Australia, and thence to serve in other Ships to the United Kingdom, § 40.
42. Steps to be taken when Salvage Services have been rendered by Her Majesty's Ships abroad, § 41.
43. Consular Officer or Judge to fix Amount for which a Bond is to be given, § 42.
44. And to send Notice thereof to the Master. On Master executing Bond, the Right of Detention to cease, § 43.
45. Provision for additional Security in the Case of Ships owned by Persons resident out of Her Majesty's Dominions, § 44.
46. Documents to be sent to England, § 45.
47. Whom the Bond shall bind, § 46.
48. Court in which it is to be adjudicated on, § 47.
49. Power of High Court of Admiralty to enforce Bonds, § 48.
50. Saving Clause, § 49.
51. Voluntary Agreements may be made which shall have the same Effect as the Bonds above mentioned, § 50.
52. Documents free from Duty, § 51.
53. Punishment for Forgery and false Representations, § 52.
54. Mode of Procedure in Criminal Cases, § 53.

55. All Offences under 7 & 8 Vict. c. 112., 8 & 9 Vict. c. 116., 13 & 14 Vict. c. 93., 14 & 15 Vict. c. 96., 14 & 15 Vict. c. 79., 14 & 15 Vict. c. 103. punishable as misdemeanors, § 54.
56. Summary Proceedings, § 55.
57. Penalties how to be sued for, § 56.
58. Form of Complaint, &c., § 57.
59. Mode of requiring Appearance of Defender and Witnesses, § 58.
60. Backing Arrestments, § 59.
61. Compelling Attendance of Witnesses, § 60.
62. Proceedings to be vivâ voce, § 61.
63. Power to adjourn, § 62.
64. Sentence to be in Writing. Imprisonment to be inflicted in default of Payment. 5 & 6 W. 4. c. 70., § 63.
65. Sentence, Penalties, &c. in default of Defender's Appearance, § 64.
66. Warrant to apprehend in default of Appearance, § 65.
67. Backing Sentences or Decrees, § 66.
68. Orders not to be quashed for Want of Form; and to be final, § 67.
69. General Rules, so far as applicable, to extend to Penalties and Proceedings in Scotland, § 68.

Metropolis Water Supply.

1. To make better Provision respecting the Supply of Water to the Metropolis, 15 & 16 Vict. c. 84.
2. Restriction as to Sources of Supply of Water to the Metropolis, § 1.
3. Reservoirs within a limited Distance to be covered, § 2.
4. Water not to be brought within a limited Distance in open Aqueducts, § 3.
5. Every Company to filter all Water supplied by them for domestic Use, § 4.
6. Company to give Notice to Board of Trade before resorting to new Sources of Supply, who may thereupon appoint an Inspector to report, § 5.
7. Inspector to give Notice to Companies of his Intention to visit new Sources, § 6.
8. Board of Trade to certify their Approval or Disapproval of New Sources, § 7.
9. If Board of Trade disapprove, Company not to use new Source of Supply, § 8.
10. On Complaint as to Quantity and Quality, Board of Trade may appoint a Person to inquire and report, § 9.
11. Powers of Person so appointed, § 10.
12. Penalty for obstructing Inspector, § 11.
13. If Complaint well founded, Notice to be given to Company, § 12.
14. Company to remove Ground of Complaint, § 13.
15. Engines to consume their own Smoke, § 14.
16. Provision for constant Supply of Water by every Company, § 15.
17. Penalty for Non-compliance with the Provisions of the Act, § 16.
18. Map of underground Works of the Companies to be made, and kept at principal Office of each Company, and be open to Inspection, § 17.
19. Companies to furnish Particulars of District Mains when required, § 18.
20. Account of Receipt and Expenditure of Rates, &c. to be prepared, and to be open to Inspection, § 19.
21. Board of Trade may direct Prosecutions to enforce Provisions of Acts, § 20.
22. Prosecutions to be under the Sanction of Board of Trade, and within One Year after the Offence, § 21.
23. Cisterns to be supplied with proper Ball-cocks or other Apparatus, § 22.
24. Cisterns, Closets, and Baths to be so constructed as to prevent Waste or the Flow or Return of impure Matter into the Mains, &c., § 23.
25. Restricting Communication with Pipes of the Company, § 24.
26. Water may be cut off in certain Cases, § 25.
27. Regulations to be made, with Approval of Board of Trade, § 26.
28. Parish Officers, with Consent of Vestry, may require Inhabitants to procure Supply of Water, § 27.
29. Short Title, § 28.
30. Interpretation of Terms, § 29.

Metropolitan Burials.

1. To amend the Laws concerning the Burial of the Dead in the Metropolis, 15 & 16 Vict. c. 85.
2. 13 & 14 Vict. c. 52. repealed, and Her Majesty may continue additional Member of Board therein authorized, § 1.
3. On Representation of Secretary of State, Her Majesty in Council may order Discontinuance of Burials in any Part of the Metropolis, § 2.
4. Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included, § 3.
5. Burial not to take place after Order in Council for Discontinuance, § 4.
6. Restriction as to Place of Burial of Inhabitants of Parishes the Burial Grounds whereof are closed, § 5.
7. Saving of certain Rights to bury in Vaults, &c., § 6.
8. Saving as to Cemeteries in Schedule (B.) and new Burial Grounds hereafter approved of by Secretary of State, § 7.
9. Saving as to St. Paul's Cathedral and Westminster Abbey, § 8.
10. New Burial Grounds in the Metropolis to be approved by Secretary of State, § 9.
11. Churchwardens after Order, or at any Time, upon Requisition of Ten Ratepayers, to convene Vestry Meeting, to determine whether a Burial Ground shall be provided, § 10.
12. In case Vestry agree to provide a Burial Ground, Board to be appointed. Resignation of Members, § 11.
13. Vacancies to be filled up by Vestry, § 12.
14. Meetings of the Board, § 13.
15. Quorum of Meetings of the Board, § 14.
16. Board may appoint and remove Officers, &c., § 15.
17. Minutes of Proceedings of Board to be entered in a Book. Board to keep Accounts, which shall be open to Inspection, § 16.
18. Penalty for refusing to allow Inspection, § 17.
19. Auditors to be appointed yearly, who shall examine the Accounts, and report to Vestries, § 18.
20. Expenses to be paid out of the Poor's Rate, § 19.
21. Power to borrow Money, with Sanction of Vestry, and Approval of the Treasury, § 20.
22. The Public Works Loan Commissioners may advance Money for the Purposes of this Act, § 21.
23. Monies raised and the Income arising from Burial Ground to be applied towards defraying Expenses, § 22.
24. Vestries of Parishes may concur in providing a Burial Ground for the common Use of such Parishes, § 23.
25. Incorporation of Burial Boards, § 24.
26. Board to provide a Burial Ground, which may be within or without the Parish, § 25.

27. Board may, with approval of Vestry, purchase Land of Cemeteries, § 26.
28. Certain Provisions of 8 & 9 Vict. c. 18, incorporated with this Act, § 27.
29. Power to sell Lands not wanted, § 28.
30. Burial Board may, with Approval of Vestry, &c., appropriate Land belonging to Parish, § 29.
31. Board may lay out Burial Ground, and build a Chapel, for Performance of Burials according to the Rites of the Established Church. Ground may be set apart for building a Chapel, &c., § 30.
32. Burial Board may contract for Works to be done. No Contract above 100*l.* to be entered into without Notice, § 31.
33. Burial Ground to be the Burial Ground of the Parish or Parishes for which it is provided, § 32.
34. Board may sell exclusive Rights of Burial Vaults, and Right to erect Monuments, § 33.
35. Board to fix Payments for Interment in Burial Ground and for exclusive Right of Burial Vaults and Right to erect Monuments, § 34.
36. Division of Fees between Incumbents of Parishes and Ecclesiastical Districts, § 35.
37. Fees payable to Churchwardens and others for Parochial Purposes, § 36.
38. Power to Vestry, with Consent of Bishop, to revise the fees to Incumbent, &c., or to substitute a fixed Payment, § 37.
39. Management to be vested in Burial Boards, § 38.
40. Arrangements between the Incumbents of Parishes, § 39.
41. Certain Provisions of 10 & 11 Vict. c. 65. incorporated with this Act, § 40.
42. Boards may make Arrangements for facilitating the Conveyance of Bodies to Burial Grounds, § 41.
43. Places may be provided for Reception of Bodies until Interment, § 42.
44. The Commissioners of Sewers of the City of London to be a Burial Board for the Parishes in the City and its Liberties, § 43.
45. Secretary of State may make Regulations as to Burial Grounds, &c., § 44.
46. Brompton Cemetery vested in Commissioners of Works, § 45.
47. Money authorized to be advanced under 14 & 15 Vict. c. 89. may be applied in completing the Purchase of the Brompton Cemetery, § 46.
48. Provision for winding up the West of London and Westminster Cemetery Company, § 47.
49. Brompton Cemetery may be sold by Directions of the Treasury, and in the meantime used for Interments § 48.
50. Limiting the Compensation Fee to be payable on Pauper Burials in Cemeteries, § 49.
51. Incumbents Compensations to be payable to the Churchwardens where the Fees on Burials are now paid to them, and the Incumbents are not entitled, § 50.
52. Power for Incumbent or Churchwardens to convey Chapel, § 51.
53. Interpretation of Terms, § 52.
54. Definition of "the Metropolis," § 53.
55. Saving Rights of Cemetery Companies, § 54.

See *Burials beyond and in the Metropolis.*

Metropolitan Improvements.

1. To authorize Advances out of the Consolidated Fund to discharge Monies borrowed on the Security of the Land Revenues of the Crown for the Purpose of Metropolitan Improvements, and providing for the Payment of such Advances and of certain Monies charged on the London Bridge Approaches Fund, 16 & 17 Vict, c. 18.
2. Power to Treasury to make Advances out of the Consolidated Fund to Commissioners of Works for the Purpose of paying off Principal and Interest of Sums charged on the Land Revenues, § 1.
3. On Payment of Principal and Interest the Land Revenues to be released therefrom, and reconveyed to Her Majesty, § 2.
4. Charges on the London Bridge Approaches Fund to be paid to the Commissioners of Works, and carried to the Consolidated Fund, § 3.
5. Parties to account, § 4.
6. Sum due from the Westminster Improvement Commissioners vested in the Commissioners of Works, &c., § 5.
7. Property in the Line of the new Streets to be sold, § 6.
8. Until Sale the Commissioners of Works may let, and compel the Performance of Covenants and Agreements, § 7.
9. Power to Commissioners of Works to sell or lease, subject to special Conditions as to Title, § 8.
10. Monies arising from Sales, &c. to be paid to Consolidated Fund, § 9.
11. Receipts of Commissioners of Works to sufficient Discharges, § 10.
12. Principal and Interest provided for the Southwark Improvements to be invested in Government Securities until required for the Purpose of Improvements. If not required within Seven Years the Securities to be sold, and the Produce paid to Consolidated Fund, § 11.
13. First Commissioner or any Two Commissioners of Works may act, § 12.
14. Annual Accounts of Receipts, &c. to be presented to Parliament, § 13.
15. Short Title, § 14.

See *Spitalfields.*

Metropolitan Sewers.

1. To continue and amend the Metropolitan Sewers Act, 15 & 16 Vict. c. 64.
2. Land to be rated to District Sewers Rate on One Fourth of its annual Value, § 1.
3. Limiting Amount of Sewers Rate, § 2.
4. Metropolitan Sewers Acts continued till 7th August 1853, § 3.
5. Certain Provisions of 12 & 13 Vict. c. 93. continued, § 4.
6. To continue and amend the Metropolitan Sewers Acts, 16 & 17 Vict. c. 125.
7. Metropolitan Sewers Acts continued till 7th August 1854, § 1.
8. Power to borrow, § 2.
9. Persons lending Money, § 3.
10. Securities to continue valid, § 4.
11. Saving as to certain Provisions of 12 & 13 Vict. c. 93., § 5.

Militia.

1. To consolidate and amend the Laws relating to the Militia in England, 15 & 16 Vict. c. 50.
2. Secretary of State may make Regulations as to Qualification for Service of Officers, § 1.

3. Persons holding certain Military Ranks may be appointed Field Officers, § 2.
4. Provisions of 42 G. 3. c. 90. as to certain Property Qualifications repealed, § 3.
5. Qualification of Deputy Lieutenant, Captain, or Officer of higher Rank, § 4.
6. Provision enabling certain Officers in the Militia to retain their Half Pay extended to Field Officers. Power to Her Majesty to appoint Adjutants, &c., § 5.
7. While Militia is embodied Colonels to appoint Serjeants, § 6.
8. Existing Officers who are qualified for Service may continue. Officers not so continued shall retain their Ranks, § 7.
9. Number of Militia to be raised, § 8.
10. Quotas of Counties to be fixed by Order in Council, § 9.
11. Her Majesty may, by Order in Council, make Subdivisions conterminous with Superintendent Registrars Districts, under 6 & 7 W. 4. c. 86., § 10.
12. Militia Men to be raised by voluntary Enlistment, § 11.
13. The Number not raised by Enlistment in any County may be authorized to be raised by Enlistment as a supplemental Corps in another County, § 12.
14. Secretary-at-War may make Regulations, § 13.
15. Regulations to be laid before Parliament, § 14.
16. Volunteers to be raised for supplying the Places of Men whose Time is about to expire, and for supplying Vacancies by Death, &c., § 15.
17. Volunteers to be sworn and enrolled, § 16.
18. Lists of Volunteers to be transmitted to Clerk of General Meetings, § 17.
19. Where Men cannot be raised by voluntary Enlistment, Her Majesty in Council may order a Ballot, § 18.
20. General Meetings to apportion Deficiencies among Subdivisions and Parishes. Sub-divisions and Parishes in which the full Number of Volunteers has been raised to be wholly exempt, § 19.
21. Men not liable to the Ballot after 35 Years of Age, § 20.
22. Members of London and Durham Universities and Lampeter and St. Bees Colleges exempted, § 21.
23. Publication of Lists and Notices of Meetings for hearing Appeals, § 22.
24. Nature of Infirmity need not be stated in the Returns, § 23.
25. Registrar General may be directed to furnish Information to Lieutenants of Counties, for their Guidance in making Apportionments, § 24.
26. Her Majesty may direct into what Regiments, &c. Militia shall be formed, and with what Officers and Staff, § 25.
27. 43 G. 3. c. 19, and 55 G. 3. c. 65. s. 5. repealed as to England. Her Majesty may cause Militia to be called out for training more than once in a Year, § 26.
28. Her Majesty may, by Order in Council, cause Militia to be exercised out of their own Counties, or extend or reduce the Period of Exercise, § 27.
29. Lieutenants, with Approbation of a Secretary of State, to provide Places for Exercise, § 28.
30. Her Majesty may order increased Pay to Militia Men attached to the Artillery, § 29.
31. In case of Invasion, or imminent Danger thereof, Her Majesty may raise the Militia to 120,000 Men, § 30.
32. When additional Number of Men is raised, Her Majesty shall issue a Proclamation for the Meeting of Parliament within Fourteen Days, § 31.
33. The Provisions of 42 G. 3. c. 90. as amended to extend to this Act, § 32.
34. Quakers not to be committed to Gaol when Goods are not found whereon to levy Distress, § 33.
35. Militia may be billeted in the Beer Houses in which Soldiers may be billeted. 11 G. 4. & 1 W. 4. c. 64.,—§ 34.
36. Militia of the Tower Hamlets. 37 G. 3. c. 25.,—§ 35.
37. Saving of the Militia of the City of London, § 36.
38. As to Yeomanry and Volunteer Corps, § 37.
39. Miners of Cornwall and Devon. 42 G. 3. c. 72., 51 G. 3. c. 114., 42 G. 3. c. 72., 51 G. 3. c. 114.,—§ 38.

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40. To defray the Charge of the Pay, Clothing, and contingent and other Expenses of the disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers, 15 & 16 Vict. c. 74.

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41. To suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, 15 & 16 Vict. c. 75.

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42. To defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors in the Militia; and to authorize the Employment of the Non-commissioned Officers, 16 & 17 Vict. c. 116.
43. Secretary-at-War to issue the Money required for Pay of Regular Militia. Rates of Pay. Rates of Pay when absent on Furlough. Clothing. Contingent Fund, § 1.
44. Adjutant, &c. to reside where the Secretary-at-War shall appoint, § 2.
45. Adjutant and Non-Commissioned Officers of Militia may be employed in their Counties, § 3.
46. Adjutant to have Charge of the Arms and Clothing, and to issue the Money for Contingent Expenses on an Order signed by the Colonel. Balance to form a Stock Purse, § 4.
47. In Absence of the Adjutant the Serjeants to be under the Command of the Serjeant Major, § 5.
48. Militia when called out for Training or Exercise entitled to Pay, § 6.
49. Volunteers attached to Regiments of the Line to be subject to the Mutiny Act, § 7.
50. Allowances to Subalterns and Surgeons' Mates and Assistant Surgeons. Rank of certain Officers, § 8.
51. Certain Persons not entitled to Allowances, § 9.
52. A Declaration to be taken to entitle Officers, &c. to such Allowances. Form of Declaration, § 10.
53. Secretary-at-War may place certain Officers unfit for Duty upon a retired Allowance, upon making the following Declaration. Form of Declaration, § 11.
54. Allowances to Officers reduced in 1829, § 12.
55. A Declaration to be taken by Officers claiming the said Allowances. Form of Declaration, § 13.
56. Out-pension to reduced Non-commissioned Officers and Drummers not to be received while serving, § 14.
57. Subalterns, Mates, &c. to attend the Exercise, &c. Commanding Officers may grant Leave of Absence, § 15.
58. If the Regiment be not called out before the Time fixed for the Payment, the Allowance shall be paid, on making the Declaration, without Certificate of Attendance, § 16.
59. Allowances to be paid quarterly, § 17.
60. On Neglect of Attendance, Subalterns, &c. shall forfeit Allowance, § 18.

61. Allowance not to be paid while the Militia embodied, § 19.
62. Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training, § 20.
63. Adjutants, &c., Non-commissioned Officers, or Privates not to lose their Right to Chelsea or Kilmainham Pensions, &c., § 21.
64. Allowance to be made for Medicines, § 22.
65. Adjutants appointed before 24th Dec. 1814 entitled to receive, after a Service of 20 Years, if unfit for further Service, an Allowance of 8*s.* per Day; provided they do not hold certain other Appointments. Adjutant appointed since 24th Dec. 1814 entitled to receive, after Thirty Years' Service, &c., an Allowance of 6*s.* per Day. Right to Half Pay reserved. Certain Terms extended to Adjutants in Cases of long and meritorious Services, § 23.
66. Allowances to Adjutants, Surgeons, and Quartermasters, § 24.
67. Reduced Adjutants to receive 4*s.* per Day till 31st July 1854. Right to Half Pay, reserved, § 25.
68. Adjutants and Sergeant-Majors entitled to Allowance under 39 & 40 G. 3. c. 44., § 26.
69. Allowances granted to Adjutants who have been appointed since the 24th Dec. 1814, &c., on Completion of certain Periods of Service. No Adjutant whose Commission bears Date between 24th Dec. 1814 and 9th July 1823 excluded. Right to Half Pay and Pension reserved, § 27.
70. Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107. Proviso, § 28.
71. Restrictions as to Allowances to reduced Adjutants of the Local Militia, § 29.
72. Allowances to Clerks of General and Subdivision Meetings in England, 15 & 16 Vict. c. 50. Allowances to such Officers and others in Scotland. Allowances to Clerks of General Meetings when Militia raised otherwise than by Ballot, § 30.
73. Manner of granting Allowances. Clerks, &c. to make Declaration of the Justness of their Accounts, § 31.
74. Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals. Declaration to be made by Surgeon. Allowance to Surgeon, § 32.
75. Pay, &c. to be issued under Directions of the Secretary-at-War, § 33.
76. Bills drawn for Pay, &c. may be on unstamped Paper, § 34.
77. No Fee to be taken, § 35.
78. Allowance to Adjutant for his Residence and Accommodation in Ireland. Allowance for Hire of House or Place for depositing Arms and Stores of the Militia in Ireland, § 36.
79. Providing Place for Arms, &c., § 37.
80. Power to borrow Money for providing Places for Stores, &c., § 38.
81. Justices to provide annually for Payment of Interest on Mortgages, and not less than One Thirtieth Part of the Principal, § 39.
82. Power to raise Money to pay off Sums already borrowed, § 40.
83. Sale of Place which is not required, § 41.
84. Permanent Staff to be billeted.
85. All Things in this Act relating to Counties shall extend to Ridings, Shires, &c., § 43.
86. Continuance of Act, § 44.
87. To suspend the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom, and to amend the Law in relation to the Militia in England, 16 & 17 Vict. c. 133.
88. General and Subdivision Meetings relating to the Militia of the United Kingdom suspended, § 1.
89. Proceedings may be had during such Suspension by Order in Council, § 2.
90. So much of 15 & 16 Vict. c. 50. as relates to Deputy Lieutenants raising Volunteers for the Militia repealed, § 3.
91. Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post in lieu of being published in Gazette and Newspapers, § 4.
92. Times and Places of Exercise to be appointed without General Meetings of Lieutenancy, § 5.
93. How Notices of Times and Places of Exercise to be given, § 6.
94. Penalties for fraudulent Re-enlistment, § 7.
95. The Justice before whom a Militiaman is convicted of Enlistment in the Regular Forces or Re-enlistment in the Militia, to send Report of Conviction to Secretary-at-War, § 8.
96. Power to discharge Men from the Militia who have enlisted in the Regular Forces, § 9.
97. Provision for withholding Payment of Bounty from Men wrongfully absent from Training, § 10.
98. Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society, § 11.
99. Provision for Apprehension of Militiamen not attending or absenting themselves during Training, § 12.
100. Punishment of Men not attending, or absenting themselves during Training, and not taken till after, § 13.
101. Penalty for inducing Militiamen to absent themselves, or harbouring or employing Militiamen absenting themselves, § 14.
102. Recovery of Penalties, § 15.
103. Application of certain Penalties, § 16.
104. Application of Penalties on Militiamen, § 17.
105. Section 98. of 42 Geo. 3. c. 90. suspended, § 18.
106. Volunteers under Instruction in the Army to be under Mutiny Act, § 19.
107. Provisions (except ss. 1. 2.) not to extend to Scotland or Ireland, § 20.

Misdemeanors.

1. To make further Provision for staying Execution of Judgment for Misdemeanors upon giving Bail in Error, 16 & 17 Vict. c. 32.
2. No Execution to be stayed or Defendant discharged from Custody till Recognizance given for Defendant's Appearance, except when Writ brought by Attorney General, § 1.
3. In default of Appearance of Defendant on the Argument, Recognizance may be estreated, &c., § 2.
4. No Judgment to be given for Defendant for Want of Joinder in Error, except by Order in open Court, &c., § 3.
5. Where Judgment affirmed, Defendant, if present in Court, may be committed in Execution, § 4.
6. Where Recognizance estreated, or Judgment affirmed, or Writ of Error quashed, Judge may issue Warrant, § 5.
7. How Time of Imprisonment shall be reckoned when Defendant rendered in Execution, § 6.
8. If Default made in rendering Defendant to Prison, and Warrant be issued against him, he shall pay the Costs of the Render, § 7.
9. If Default made by Defendant in proceeding to Trial in Queen's Bench, Court may estreat Recognizance without Scire facias, § 8.

See Assaults on Women and Children.

Municipal Corporations.

1. Further to explain and amend the Acts for the Regulation of Municipal Corporations in England and Wales, and in Ireland, 15 & 16 Vict. c. 5.
2. Proprietors of Newspapers not to be deemed Contractors by reason of Advertisements, § 1.
3. Suits commenced for certain Penalties under recited Acts may be stayed on Payment of Costs out of Pocket, § 2.
4. Suits, &c. renewed or continued may be discontinued on Payment of Costs out of Pocket, § 3.
5. Court may make Order for discontinuing Suit, without Payment of Costs, § 4.
6. Judgments not to be affected, § 5.
7. Proprietors of Newspapers not disqualified from Election to Municipal Offices by reason of Advertisements, &c., § 6.

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8. For making sundry Provisions with respect to Municipal Corporations in England, 16 & 17 Vict. c. 79.
9. Short Title, § 1.
10. Acts applying to Corporations specified in Schedule of 5 & 6 W. 4. c. 76. to extend to Corporations erected after passing of that Act, § 2.
11. For the Validity of Matters to which newly erected Corporations are party or privy, § 3.
12. Act not to affect Actions commenced before 18th March 1853, § 4.
13. Boroughs appointing Inspectors of Weights and Measures not to be liable to contribute to County Rate in respect of Weights and Measures in Counties, § 5.
14. Town Councillors no longer exempted or disqualified from serving on Grand Juries in certain Boroughs, § 6.
15. Power to Mayors to appoint Deputies in certain Cases, § 7.
16. Power of Deputy appointed by a Mayor, § 8.
17. Town Clerk to sign Notice of Meeting to elect a Mayor on Vacancy, § 9.
18. In certain Boroughs Mayor may appoint a Substitute for presiding Alderman at Elections, § 10.
19. Extraordinary Vacancy to be filled up Ten Days after Notice to the Mayor, § 11.
20. Mayor may appoint Substitute for a deceased Assessor, § 12.
21. Result of Election of Aldermen, how to be declared, § 13.
22. As to Matters required to be done by Overseers under 5 & 6 W. 4. c. 76.,—§ 14.
23. Act to extend to Cities, &c., § 15.

Mutiny. See Marines; Soldiers.

N.

Naval Coast Volunteers.

1. For the Establishment of a Body of Naval Coast Volunteers, and for the temporary Transfer to the Navy, in case of Need, of Seafaring Men employed in other Public Services, 16 & 17 Vict. c. 73.
2. Power to Admiralty to raise "Royal Navy Coast Volunteers," not to exceed 10,000 Men, § 1.
3. Volunteers to be entered for Five Years, § 2.
4. Volunteers may be trained and exercised for Twenty-eight Days in each Year, and on shore or on board Ship, § 3.
5. In case of imminent National Danger, &c. Her Majesty may order the Volunteers to be called into actual Service, § 4.
6. Volunteers to be called into actual Service accordingly, not to be liable to be sent beyond 100 Leagues from the Shore of the United Kingdom. Term of Service One Year, subject to being extended for another Year by Royal Proclamation. Volunteers whose Service is extended entitled to extra Pay, § 5.
7. After the required Period of actual Service, Volunteers to be entitled to their Discharge. Volunteers may be continued for the specified Period of actual Service, notwithstanding Expiration of Five Years, § 6.
8. During Exercise and actual Service Men to have the Pay of able Seamen and Allowances when afloat, § 7.
9. Volunteers protected from Service in the Navy, § 8.
10. Provisions relating to billeting Marines to extend to Volunteers, § 9.
11. Power to Admiralty to make Regulations as to Sums to be paid by way of Bounty, &c. § 10.
12. Regulations to be laid before Parliament, § 11.
13. Admiralty may discharge Volunteers, § 12.
14. In case of Emergency, Officers and Men of the Coast Guard, Revenue Cruizers, and Seamen-Riggers may be required to serve in the Navy for a limited Period, § 13.
15. Upon Invasion, or Danger thereof, Seafaring Men in Public Departments liable to temporary Service in the Navy, § 14.
16. Pay of Coast Guard Men and others required to serve in the Navy not to be diminished, § 15.
17. In case of Emergency, Pensioners may be required to serve in the Navy, § 16.
18. Laws relating to the Government of the Navy extended to Volunteers during Exercise, and to such Volunteers and others when in actual Service, § 17.
19. Enlistment of Volunteers under this Act in Her Majesty's Regular Forces, or in the Forces of East India Company, or in the Militia, and entering of Militia Men as Volunteers under this Act, to be void. Punishment of Persons offending, § 18.
20. Penalty on selling or buying Arms, &c. Volunteers, § 19.
21. Penalty on Volunteer for not attending Training and Exercise, § 20.
22. Persons not attending when called into actual Service may be apprehended and punished as Deserters from the Navy, § 21.
23. Penalty for inducing Persons to absent themselves, or harbouring or employing Persons absenting themselves, § 22.
24. Recovery of Penalties, § 23.
25. Appropriation of Penalties, § 24.

Navigation. See Customs.

Navy.

1. To amend an Act of the Eleventh Year of King George the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy, 15 & 16 Vict. c. 46.
2. After 1st October 1852, Section 18. of 11 G. 4. c. 20. repealed, § 1.
3. Payment to Officers and Men of the Navy and Marines belonging to Ships in Ports or on the Coasts of the United

Kingdom. Restriction as to Amount of Wages to remain due, § 2.
4. As to Remittances where the Ships are not in any Port or on the Coasts of the United Kingdom, § 3.

See *Naval Coast Volunteers; Seamen.*

New Forest Deer.

1. To amend an Act of the Fifteenth Year of Her present Majesty (New Forest Deer Removal), as regards the Publication of Claims and the preferring and delivering Objections thereto, 16 & 17 Vict. c. 19.
2. Provision in 14 & 15 Vict. c. 76. directing Publication of Abstract of Claims in provincial Papers repealed, § 1.
3. Time for holding First Meeting to receive Objections to Claims enlarged, § 2.
4. Time for completing Register of Claims extended to October 1, 1854, § 3.

Newspaper Stamps. See Stamp Duties.

New Zealand.

1. To grant a Representative Constitution to the Colony of New Zealand, 15 & 16 Vict. c. 72.
2. 3 & 4 Vict. c. 62., 9 & 10 Vict. c. 103., 11 & 12 Vict. c. 5., repealed. Provisoes, § 1.
3. Certain Provinces established in New Zealand, § 2.
4. Each Province to have a Superintendent and Provincial Council, § 3.
5. Before Elections of Members of Provincial Councils, Superintendents of Provinces to be chosen, § 4.
6. Governor may appoint Electoral Districts, &c., § 5.
7. Qualification of Members, § 6.
8. Qualification of Voters, § 7.
9. Aliens, and Persons convicted of certain Offences, disqualified, § 8.
10. Members may resign their Seats, § 9.
11. In certain Cases Seats to become void, § 10.
12. Determination of Questions as to Vacancies, § 11.
13. Issue of Writs for supplying Vacancies, § 12.
14. Duration of Provincial Council. Dissolution, § 13.
15. When Writs are to issue, § 14.
16. Convening of Council, § 15.
17. Prorogation, § 16.
18. A Session to be held every Year, § 17.
19. Superintendent and Provincial Council may make Laws, § 18.
20. Restrictions on Powers of Legislation, § 19.
21. As to Election of Speaker, § 20.
22. Speaker to preside, § 21.
23. Quorum, § 22.
24. Questions to be determined by Majority of Votes, § 23.
25. Standing Orders to be adopted, § 24.
26. Appropriation and Issue of Money, § 25.
27. Superintendent may transmit Drafts of Laws for Consideration of Council, § 26.
28. Giving or withholding Assent to Bills, § 27.
29. Superintendent to send Copies of Bills assented to to Governor, § 28.
30. Disallowance of Bills assented to, § 29.
31. No Bill to have any Force until assented to by Governor, § 30.
32. Governor may transmit Instructions to Superintendent as to reserving Bills, § 31.
33. Establishment of a General Assembly, § 32.
34. Appointment of Members of the Legislative Council, § 33.
35. Legislative Councillors may hold Seat for Life, § 34.
36. Resignation of Seat in Council, § 35.
37. Causes by which Seat may be vacated, § 36.
38. Trial of Question whether Seats are vacated, § 37.
39. Appointment of Speaker of Legislative Council, § 38.
40. Quorum, &c., § 39.
41. Power to summon a House of Representatives by Proclamation in Her Majesty's Name, § 40.
42. Power to Governor by Proclamation to constitute Electoral Districts, &c. for Election of Members of House of Representatives, § 41.
43. Qualification of Voters for Members of House of Representatives, § 42.
44. First Writs to be issued within Six Months, § 43.
45. Time and Place of holding the General Assembly. Prorogation and Dissolution, § 44.
46. Disputed Elections, § 45.
47. No Member to sit or vote until he has taken the Oath of Allegiance. Oath of Allegiance, § 46.
48. Affirmation or Declaration instead of Oath, § 47.
49. Speaker to be elected on First Meeting of House of Representatives, § 48.
50. Resignation of Seats, § 49.
51. Vacating of Seats in certain Cases, § 50.
52. Election to take place on Vacancies, § 51.
53. Standing Rules and Orders to be made, § 52.
54. Power of General Assembly to make Laws, § 53.
55. As to the Appropriation and Issue of Money, § 54.
56. Governor may transmit Drafts of Laws to either House, § 55.
57. Governor may assent to, refuse Assent, or reserve Bills, § 56.
58. Governor to conform to Instructions transmitted by Her Majesty, § 57.
59. As to Disallowance by Her Majesty of Bills assented to by the Governor, § 58.
60. No reserved Bill to have any Force until assented to by Her Majesty, § 59.
61. Acts to be printed, § 60.
62. Duties not to be levied on Supplies for Troops, nor any Dues, &c. inconsistent with Treaties, § 61.
63. Expenses of Collection of Revenue, § 62.
64. Audit of Accounts, § 63.
65. Grants for Civil and Judicial Services, § 64.
66. How the Appropriation of Sums granted may be varied, § 65.
67. Appropriation of Revenue, § 66.
68. Power to General Assembly to alter Electoral Districts and Number of Members of House of Representatives, &c., § 67.
69. Power to General Assembly to make other Alterations in the Constitution of the House of Representatives, § 68.
70. Power to General Assembly to constitute Provinces, and alter the Provisions concerning Election of Members, &c., § 69.
71. Her Majesty may establish Municipal Corporations, § 70.
72. Her Majesty may cause Laws of Aboriginal Native Inhabitants to be maintained, § 71.
73. Power to General Assembly to regulate Sales of Waste Lands, § 72.
74. Saving as to the Lands of Aboriginal Native Tribes, § 73.

75. 10 & 11 Vict. c. 112. Upon all Sales of Waste Lands One Fourth Part of the Sum to be paid to New Zealand Company till their Debt is discharged. Power to New Zealand Company to release Lands from Payments, &c., § 74.
76. Saving as to Canterbury Settlement Lands. 13 & 14 Vict. c. 70. and 14 & 15 Vict. c. 84., § 75.
77. Power to Canterbury Association to transfer their Powers to the Provincial Council, § 76.
78. Saving as to Nelson Trust Fund. 14 & 15 Vict. c. 86., —§ 77.
79. Power to Her Majesty to regulate the Disposal of Waste Lands in Otago. No Act of the General Assembly to interfere with such Regulations, save with Consent, &c., § 78.
80. Her Majesty may delegate certain Powers to Governor, § 79.
81. Interpretation of "Governor" and "New Zealand," § 80.
82. Commencement of this Act, § 81.
83. Proclamations to be published in the New Zealand Gazette, § 82.

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84. To remove Doubts as to the Constitution of the Bishopric of Christchurch in New Zealand, and to enable Her Majesty to constitute such Bishopric and to subdivide the Diocese of New Zealand. 15 & 16 Vict. c. 88.
85. Surrendered Portion of Diocese of New Zealand erected into a distinct See, § 1.

Nisi Prius Officers.

1. To make Provision for a permanent Establishment of Officers to perform the Duties at Nisi Prius, in the Superior Courts of Common Law, and for the Payment of such Officers and of the Judges' Clerks by Salaries, and to abolish certain Offices in those Courts, 15 & 16 Vict. c. 73.
2. Marshal and Clerk at Nisi Prius in the Court of Queen's Bench and Marshals in the Courts of Common Pleas and Exchequer abolished, and their Duties to be performed by the Associates respectively, § 1.
3. Records, &c. to be transferred to Associates, § 2.
4. The Chief Justices or the Chief Baron of the said Courts respectively to appoint future Associates, § 3.
5. Clerks, not exceeding Two, to be appointed by the Associates, subject to Approval of the Chief Justices or Chief Baron of the said Courts respectively, § 4.
6. Offices to be provided for the Associates in the Offices of the Courts, or their Vicinity, § 5.
7. In case of Sickness, or other reasonable Cause, the Duties of the Associates may be performed by Deputy, § 6.
8. Power to Treasury to fix Salaries of Judges Marshals, § 7.
9. Clerks to be appointed by the Judges, § 8.
10. Present Officers re-appointed to hold their Offices during good Behaviour, § 9.
11. Treasury to cause Table of Fees to be prepared, and submitted to Judges for Approval, § 10.
12. Officers and Clerks not to act as Barristers, Attorneys, or Agents, § 11.
13. Treasury to fix Salaries of Officers and Clerks. Power to raise Salaries, § 12.
14. Salaries, how charged, § 13.
15. Officers to render Accounts of Fees received to the Treasury, § 14.
16. Allowance to Officers on their Retirement from Office. 4 & 5 W. 4. c. 24.,—§ 15.
17. Ushers and subordinate Officers and their Deputies to render Accounts of Fees to Treasury, § 16.
18. Fees of such subordinate Officers may be abolished § 17.
19. The Number of subordinate Officers to be fixed by Treasury, with the Sanction of the Chief Justices and Chief Baron, § 18.
20. Subordinate Officers to be appointed by the Chief Justices and Chief Baron respectively, § 19.
21. Power to increase or reduce the Number of such subordinate Officers, § 20.
22. Salaries of subordinate Officers to be fixed by Treasury, with Sanction of the Chief Justices and Chief Baron, and to be paid out of Consolidated Fund, § 21.
23. Compensation to Hereditary Chief Proclamator and Hereditary Chief Usher, § 22.
24. Compensation to Officers appointed by Hereditary Chief Proclamator or Hereditary Chief Usher, and to subordinate Officers, § 23.
25. Not to affect existing Messengers of Exchequer, § 24.
26. Appointments to be made without pecuniary Consideration, § 25.
27. Officers and Clerks not to receive Gratuities, on pain of Dismissal, § 26.
28. No Compensation to be allowed for Loss of Right of Appointment, § 27.
29. Certain Fees on Circuit abolished, § 28.
30. Account to be laid before Parliament, § 29.
31. Duties to be performed in Person, § 30.
32. Fees of Marshal's Men and Judge's Bailiff abolished, § 31
33. As to Performance of Duties of Hereditary Chief Usher and Messenger of the Court of Exchequer, § 32.

O.

Oaths. See Members of Parliament.

Oaths in Chancery.

1. Relating to the Appointment of Persons to administer Oaths in Chancery, and to Affidavits made for Purposes connected with Registration, 16 & 17 Vict. c. 78.
2. Masters Extraordinary to cease to be so styled, and to be designated Commissioners, § 1.
3. Power to appoint Solicitors to administer Oaths and take Declarations in Chancery, and to be styled "London Commissioners," § 2.
4. Commissioners may be appointed to administer Oaths in Chancery for the Channel Islands, § 3.
4. Commissioners Appointment to bear a Chancery Stamp of 1*l.* in lieu of other Charges, § 4.
6. Nothing to lessen Power of Lord Chancellor. Reference to Masters Extraordinary in Acts to apply to Commissioners, § 5.
7. Affidavits for Purposes connected with Registration, 8 & 9 Vict. c. 13.,—§ 6.
8. Persons authorized to administer Oaths in Chancery may administer Oaths in Chancery of County Palatine of Lancaster, § 7.
9. Term "Lord Chancellor," § 8.

Offices in Courts of Law. See Nisi Prius Officers.

Offices and Employments. See Indemnity.

P.

Parish Vestries.

1. To amend the Acts for the Regulation of Parish Vestries, 16 & 17 Vict. c. 65.
2. Rates which have become due less than Three Months previous to a Vestry Meeting not required to be paid before voting, § 1.

Parliament.

1. To shorten the Time required for assembling Parliament after a Dissolution thereof, 15 & 16 Vict. c. 23.
2. Parliament may be appointed to meet 35 Days after the Date of the Proclamation, § 1.

Parliamentary Oaths. See Members of Parliament.

Passengers by Sea.

1. To amend and consolidate the Laws relating to the Carriage of Passengers by Sea, 15 & 16 Vict. c. 44.
2. Commencement of this Act, and Repeal of former Acts, except as to existing Liabilities, and except as to an Order in Council, dated 6th October 1849, § 1.
3. Short Title. In legal Proceedings, Reference to Sections sufficient, § 2.
4. Definition of Terms; viz., "United Kingdom:" "North America:" "West Indies:" "Governor:" "Statute Adult:" "Passage" and "Passengers:" "Passenger Deck:" "Ship:" "Passenger Ship:" "Master:" Number and Gender, § 3.
5. To what Vessels and Voyages this Act shall extend, § 4.
6. Commissioners of Emigration to carry this Act into execution, § 5.
7. Emigration Commissioners may sue and be sued in the Name of their Secretary or of one of themselves. The Commissioners and their private Estates exempt from Liability, § 6.
8. Emigration Officers and Assistants to act under the Commissioners, &c. Existing Appointments to continue until revoked, § 7.
9. Duties of Emigration Officer may be performed by his Assistant, or by Officer of Customs, § 8.
10. Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers, § 9.
11. No Passenger Ship to be cleared out without a Certificate from Emigration Officer, nor until Bond be given to the Crown, § 10.
12. Passenger Ships clearing out without Certificate, or Bond being given to the Crown, forfeited, &c. Such Ship to be dealt with as if seized under Laws relating to Customs, § 11.
13. Passengers to be carried only on the "Passenger Decks." Number to be limited both by Tonnage and Space. Penalty for Excess of Persons on board, § 12.
14. Two Lists of Passengers to be made out in the Form in Schedule (A.) and delivered in every Case before Clearance, § 13.
15. Lists of additional Passengers taken on board after Clearance to be made out, and signed by Master, § 14.
16. Penalty on Persons found on board attempting fraudulently to obtain a Passage, and on Persons aiding and abetting, § 15.
17. All Passenger Ships to be surveyed before clearing out, § 16.
18. Beams and Decks, § 17.
19. As to Arrangement and Size of Berths, § 18.
20. Single Men to be berthed in a separate Compartment. As to Numbers and Sexes in One Berth, § 19.
21. Berths not to be removed till Passengers landed, § 20.
22. A Space in every Ship to be set apart for an Hospital, § 21.
23. As to fitting up of Privies, § 22.
24. Directions as to Light and Ventilation. Penalty on Non-compliance with such Directions, § 23.
25. Passenger Ships shall carry Boats. One Boat to be a Life Boat. Life Buoys, Means for making Night Signals, and Fire Engines to be provided, § 24.
26. Passenger Ship to be properly manned, § 25.
27. Certain Articles prohibited as Cargo and Ballast. Cargo and Stores not to be carried on Deck, except in certain Cases and under certain Conditions, § 26.
28. Computation of Voyages, § 27.
29. Before clearing out, the Provisions and Water to be surveyed. Provisions for the Crew not to be inferior to those for the Passengers. Penalty on Owners, &c. for Neglect, § 28.
30. Power to Emigration Officer to reject and mark bad Provisions, and direct the same to be landed. Penalty, § 29.
31. Water Tanks or Casks to be approved by Emigration Officer, § 30.
32. Proviso for touching at intermediate Ports to fill up Water, § 31.
33. Dietary Scale for the Voyage. As to Articles which may be substituted for Oatmeal, Rice, and Potatoes, § 32.
34. Provisions to be issued daily, and Articles which require cooking to be cooked, § 33.
35. Emigration Commissioners may authorize an alternative Dietary Scale. Commissioners Dietary Scale may be revoked, &c., § 34.
36. As to Appointment of Passengers Stewards, § 35.
37. As to Appointment of Passengers Cook, and providing cooking Apparatus, § 36.
38. In what Cases Interpreters to be carried, § 37.
39. In what Cases a Medical Man must be carried, § 38.
40. Qualification of Medical Man, § 39.
41. As to Supply of Medicines, &c., § 40.
42. As to medical Inspection of Passengers and Medicines. Proviso where no Medical Practitioner can be obtained, § 41.
43. Diseased Passengers may be re-landed, § 42.
44. As to return of Passage Money to Passengers re-landed, § 43.
45. Return of Passage Money and Compensation to Passengers where Passages not provided for them according to Contract, § 44.
46. As to Subsistence in case of Detention, § 45.
47. As to Ships putting back to replenish Provisions, &c. Penalty on Master for Default. Ships putting back to be reported to Emigration Officer. Penalty on Master for Neglect, § 46.
48. In case of Disaster at Sea, &c., Passengers to be provided with a Passage by some other Vessel; and maintained in the meantime. In default, Passengers may recover Compensation by summary Process. Power to remove Passengers from Ship; Penalty on Passengers refusing, § 47.

49. Secretary of State, Governor, or Consul may pay Expenses of taking off Passengers at Sea, § 48.
50. Governors or Consuls may send on shipwrecked Passengers, if the Master of the Ship fail to do so, § 49.
51. Expenses incurred under the Two preceding Sections to be a Crown Debt. Passengers forwarded by Governor or Consul not entitled to a Return of Passage Money, § 50.
52. Insurance of Passage Money not to be void on account of the Nature of the Risk, § 51.
53. Wrongfully landing Passengers, § 52.
54. Passengers to be maintained Forty-eight Hours after Arrival, § 53.
55. Passengers Right of Action preserved, § 54.
56. Her Majesty may by Orders in Council prescribe Rules for preserving Order, &c. in Vessels bound to the Colonies. Gazette and Copies printed by Queen's Printer to be Evidence of Orders, &c., § 55.
57. Surgeon or Master to exact Obedience to Rules and Regulations. Penalty for refusing to observe Rules and Regulations, § 56.
58. Emigration Commissioners to prepare an Abstract of Act and Orders in Council. Such Abstract to be posted up in each Ship. Penalty on Master for Neglect; and on Person defacing Abstract, § 57.
59. Sale of Spirits prohibited on board Passenger Ships. Penalty, § 58.
60. Bond to be given by Masters of British and Foreign Passenger Ships, § 59.
61. Counterpart of Bond to be certified, and sent to the Colony to which Foreign Ship bound, and to be received in Evidence without further Proof of Execution, § 60.
62. No Person to act as a Passage Broker without a Licence, § 61.
63. How Passage Brokers Licences may be obtained. Justices to give Notice to Emigration Commissioners of Licence granted. Notice to be given to Emigration Commissioners of intended Application for Licences. Power to Justices to order Licences to be forfeited, who shall give Notice of the same to Emigration Commissioners. As to Application for Licences in Scotland, § 62.
64. Existing Licences to continue in force until 1st Feb. 1853, § 63.
65. Contract Tickets for Passages. Penalty for Default, § 64.
66. Penalty for inducing any one to part with Contract Tickets, § 65.
67. Penalty on Agents acting without written Authority from Principals; and on Persons fraudulently inducing others to engage Passages, § 66.
68. No Runner entitled to Commission or Fee for Services to Emigrants, unless acting with Authority from a Broker, § 67.
69. List of Runners to be exhibited by Brokers, and sent to Emigration Officers, § 68.
70. Trustees of Docks may pass Byelaws for regulating the Landing and Embarkation of intending Emigrants, and for licensing Emigrant Porters. Byelaws to be approved by Secretary of State, and published in the London Gazette, § 69.
71. Penalties on Masters of Ships for Offences herein named. Inspection of Ships. Carriage of Passengers on other than Passenger Decks. Passengers Lists. Additional Passengers Lists. Survey. Beams. Decks. Height between Decks. Berths. Hospital. Privies. Access to the Between Decks. Boats, Life Buoys, Night Signals, and Fire Engines. Manning. Cargo. Issue of Provisions and Water. Water Casks. Cook and Cooking Apparatus. Surgeon. Medicines. Medical Inspection. Re-landing of diseased Passengers. Wrongfully landing Passengers. Maintenance of Passengers on Arrival. As to Copies of this Act being kept on board, &c., § 70.
72. Penalty for falsifying Documents to obtain free Passages, and for Personation, § 71.
73. By whom Penalties are to be recovered. By whom Passage, Subsistence, and Compensation Monies may be recovered, § 72.
74. Tribunal for adjudicating on Offences and Complaints under this Act, § 73.
75. Police and Stipendiary Magistrates, and in Scotland Sheriffs, &c., to have the same Powers as Justices of the Peace, § 74.
76. No Objection to be allowed, nor Convictions to be quashed for Want of Form, § 75.
77. Application of Penalties. Justices may award Compensation out of Penalties to Party aggrieved, § 76.
78. Burden of Proof to be on Persons claiming Exemption from Act. Proof of Negatives, § 77.
79. Proof of a Party being an Emigration Officer, &c., § 78.
80. Passengers suing not incompetent Witnesses, § 79.
81. Tender of Amends, § 80.
82. Limitation of Actions against Officers executing the Act. Defendant may plead the General Issue, &c. Costs, § 81.
83. Limitation of legal Proceedings generally, § 82.
84. Colonial Voyages defined, § 83.
85. This Act to apply to Colonial Voyages, except as relates to Matters herein named. If any Colonial Voyage be less than Three Weeks, this Act need not apply to Subjects herein named, § 84.
86. Governor of Colonies may, by Proclamation, declare Length of Voyage, and substitute other Articles of Food and Medicine. Proclamations to be transmitted for Confirmation or Disallowance. Copies to be received as Evidence in the Colony in which they may be produced, § 85.
87. Provision for Survey of Ships in the Colonies, and for appointing Surgeons thereto, § 86.
88. Power to the Governor General of India in Council, by any Act to be passed for that Purpose, to adopt this Act for India, and to make Rules respecting Food, Passengers, &c.; and to declare in what Manner Penalties, &c. may be sued for and recovered. Indian Act may be enforced in the Colonies in like Manner as this Act, § 87.
89. List of Passengers brought into the United Kingdom to be delivered by the Master of the Ship to the Emigration Officer. Penalty for Neglect, § 88.
90. Penalty on Masters for having on board a greater Number of Persons than prescribed by Section 12. of this Act, § 89.
91. Provisions and Water to be issued to Passengers brought into the United Kingdom the same as in Ships carrying Passengers from the United Kingdom. Penalty for Default, § 90.
92. Schedules to be Part of the Act, § 91.

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93. To amend the Passengers Act, 1852, so far as relates to the Passages of Natives of Asia or Africa, and also Passages between the Island of Ceylon and certain Parts of the East Indies, 16 & 17 Vict. c. 84.

94. 15 & 16 Vict. c. 44. recited. Governors of Her Majesty's Possessions abroad may alter Rates for the Conveyance of Passengers prescribed by Sect. 12. of Passengers Act, 1852,—§ 1.
95. Exempting Vessels carrying Passengers between certain Ports from Operation of Sect. 12. of Passengers Act, 1852,—§ 2.
96. Recited Act and this Act to be construed as one, § 3.

Patent Law Amendment.

1. For amending the Law for granting Patents for Inventions, 15 & 16 Vict. c. 83.
2. Certain Persons constituted Commissioners of Patents for Inventions, Three of whom may act, the Lord Chancellor or Master of the Rolls being One, § 1.
3. Seal of the Commissioners, § 2.
4. Power to Commissioners to make Rules and Regulations, which shall be laid before Parliament. Commissioners to report annually to Parliament, § 3.
5. Treasury to provide Offices, § 4.
6. Commissioners, with Consent of the Treasury, to appoint Clerks, &c., § 5.
7. Petition and Declaration to be accompanied with a Provisional Specification, § 6.
8. Every Application to be referred to One of the Law Officers, § 7.
9. The Provisional Specification to be referred to the Law Officer who, if satisfied, may give a Certificate of his Allowance, which shall be filed, § 8.
10. Inventor may deposit, in lieu of a Provisional Specification, a Complete Specification, such Deposit to confer for a limited Time the like Rights as Letters Patent, § 9.
11. Letters Patent granted to the First Inventor not to be invalidated by Protection obtained in fraud of the First Inventor, § 10.
12. Commissioners to cause Protections to be advertised, § 11.
13. Applications for Letters Patent to be advertised, and also Oppositions to the same, § 12.
14. Specification and Objections to be referred to Law Officer, § 13.
15. Power to Law Officer to order by or to whom Costs shall be paid, § 14.
16. Power to Law Officer to cause a Warrant to be made for sealing of Letters Patent. Chancellor to have same Powers in respect to Warrants, &c. as he now has. Writ of Scire facias, § 15.
17. Nothing to affect the Prerogative of the Crown in granting or withholding Grant of Letters Patent, § 16.
18. Letters Patent to be made subject to Avoidance on Non-fulfilment of certain Conditions, § 17.
19. Letters Patent issued under the Great Seal to be valid for the whole of the United Kingdom, the Channel Islands, and the Isle of Man. Nothing to give effect to any Letters Patent granted in any Colony, § 18.
20. No Letters Patent to be issued after Three Months from Date of Warrant, § 19.
21. No Letters Patent (except in lieu of those lost, &c.) to be issued after Expiration of Protection given by this Act, § 20.
22. Letters Patent may be granted to Personal Representatives of the Applicant during the Term of Protection, or within Three Months after Applicant's Decease, § 21.
23. If Letters Patent be destroyed or lost, other Letters Patent may be issued, § 22.
24. Letters Patent may be dated as of the Day of the Application, § 23.
25. Letters Patent where antedated to be of the same Validity as if sealed on the Day of the Date, § 24.
26. Letters Patent obtained in the United Kingdom for patented Foreign Inventions not to continue in force after the Expiration of the Foreign Patents, § 25.
27. Letters Patents not to prevent the Use of Inventions in Foreign Ships resorting to British Ports; except Ships of Foreign States in whose Ports British Ships are prevented from using Foreign Inventions, § 26.
28. Specifications to be filed instead of being enrolled, § 27.
29. Specifications, &c. to be filed in such Office as Lord Chancellor shall direct. As to filing extra Copies of Drawings, § 28.
30. Copies of Specifications to be open to Inspection at Office of Commissioners, and at Edinburgh and Dublin, § 29.
31. Specifications and other Documents to be printed and published. As to presenting Copies of Publication to Public Libraries, &c., § 30.
32. Enrolments, &c. may be removed to the Office for Specifications, § 31.
33. Commissioners to cause Indexes to be made to old Specifications, &c.; such Specifications, &c. may be printed and published, § 32.
34. Copies of Specifications, &c. as printed by Queen's Printers to be Evidence, § 33.
35. Register of Patents to be kept, § 34.
36. A Register of Proprietors to be kept at the Office for filing Specifications, § 35.
37. Power for more than Twelve Persons to have a legal Interest in Letters Patent, § 36.
38. Falsification or Forgery of Entries a Misdemeanor, § 37.
39. Entries may be expunged, § 38.
40. Provisions of 5 & 6 W. 4. c. 83. and of 7 & 8 Vict. c. 69. as to Disclaimers and Memoranda of Alterations to apply to Patents under this Act. Applications for Disclaimers and Caveats to be at Office of Commissioners, § 39.
41. Provisions of 5 & 6 W. 4. c. 83., 2 & 3 Vict. c. 67., and 7 & 8 Vict. c. 69. as to Confirmation and Prolongation, to apply to Patents under this Act, § 40.
42. In Actions for Infringement of Letters Patent, Particulars to be delivered, and no Evidence allowed not mentioned therein, § 41.
43. Courts of Common Law may grant Injunction in case of Infringement, § 42.
44. Particulars to be regarded in Taxation of Costs, § 43.
45. Payments and Stamp Duties on Letters Patent to be as in Schedule, § 44.
46. Duties to be under Management of Commissioners of Inland Revenue, § 45.
47. All Monies received to be paid to the Consolidated Fund, § 46.
48. Not to prevent Payment of Fees to Law Officers in cases of Opposition, &c., § 47.
49. Fees and Salaries of Officers, § 48.
50. Sums for defraying Salaries and Expenses under this Act to be paid out of Monies to be provided by Parliament, § 49.
51. Power to Treasury to grant Compensation to Persons affected by this Act, § 50.
52. Account of Salaries, Fees, and Compensation Allowances to be laid before Parliament, § 51.
53. Not to extend to Patents applied for before Commencement of Act, § 52.
54. As to Letters Patent granted before Commencement of this Act for England, Scotland, or Ireland, § 53.

55. Forms in Schedule may be used, § 54.
56. Interpretation of Terms, § 55.
57. Short Title, § 56.
58. Commencement of Act, § 57.

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59. To amend certain Provisions of the Patent Law Amendment Act, 1852, in respect of the Transmission of certified Copies of Letters Patent and Specifications to certain Offices in Edinburgh and Dublin, and otherwise to amend the said Act, 16 & 17 Vict. c. 115.
60. 15 & 16 Vict. c. 83. recited; Sect. 33. and Part of Sect. 28. of that Act repealed, § 1.
61. Copies of Provisional Specifications to be open to Inspection at the Commissioners Office, § 2.
62. A Copy of every Specification, &c., under the Hand of the Patentee or Applicant, to be left at Commissioners Office, § 3.
63. Copies or Extracts of Letters Patent, &c., certified and sealed, filed at Commissioners Office, to be received in Evidence, § 4.
64. Certified printed Copies of Specifications, &c., under Seal of Commissioners, to be transmitted to the Director of Chancery in Scotland, and to the Court of Chancery in Ireland, which shall be Evidence, without Production of Originals, § 5.
65. Lord Chancellor, in certain Cases, may seal Letters Patent after the Expiration of provisional Protection, § 6.
66. Removing Doubts as to Provision of 15 & 16 Vict. c. 83. respecting the making and sealing of new Letters Patent for a further Term, § 7.
67. 15 & 16 Vict. c. 83. and this Act to be construed as One Act, § 8.

Patents. See Patent Law Amendment; Protection of Inventions; Stamps on Patents.

Patronage of Bishops, &c.

1. To effect Exchange of Patronage by Archbishops, Bishops, and other Ecclesiastical Corporations, 16 & 17 Vict. c. 50.
2. Power for Archbishop, &c., by Authority of a Scheme of Ecclesiastical Commissioners, to exchange Patronage, § 1.
3. Commissioners, before submitting Scheme for Approval, to inquire into and certify Particulars, § 2.
4. As to Meaning of the Word "Person." Who to assent in cases of Exchange of Benefices in right of the Crown, § 3.
5. As to Patronage of Benefices taken by the Crown or given in Exchange, § 4.
6. Provisions of 1 & 2 W. 4. c. 45. respecting the Annexations of Laws, &c. to any Church, &c. extended to this Act, § 5.

Pay of the Navy. See Navy.

Personal Estates of Intestates. See Intestates (Personal Estates of).

Pharmaceutical Chemists. See Chemists.

Pilotage.

1. Further to amend the Law relating to Pilotage, 16 & 17 Vict. c. 129.
2. So much of 6 G. 4. c. 125. as relates to Cinque Port Pilots, and of the whole of 9 G. 4. c. 86., repealed, § 1.
3. Power to the Trinty House to license Pilots for the Passage from Dungeness Inwards as well as Outwards, § 2.
4. Present Cinque Port Pilots to be competent to pilot Vessels either Inwards or Outwards within the Limits for which they are now licensed, § 3.
5. The above-mentioned Cinque Port Pilots to be subject to the same Rules, &c. as Trinity House Pilots, § 4.
6. Present Trinity House Pilots may pilot Ships Inwards within the Limits of their Licences, § 5.
7. Power to the Trinity House to make Regulations for a constant Supply of Pilots at Dungeness, § 6.
8. Vessels coming past Dungeness, not having a Pilot already on board, to take the first qualified Pilot who offers. Penalty on Masters failing to display the usual Signal for a Pilot, § 7.
9. Rates to be demanded for Duties hitherto performed by Cinque Port Pilots, § 8.
10. Existing Cinque Port Pilots to have same Remedies for the Recovery of Rates as Trinity House Pilots. Rates on Foreign Vessels claiming Benefit of Reciprocity Treaties, § 9.
11. Property of Society of Cinque Port Pilots to be transferred to Trinity House. Payments to Cinque Port Pilots Fund to be made henceforth to the Trinity House, § 10.
12. Trinity House to pay Debts and to settle the Claims of Persons now in receipt of Relief, and of existing Cinque Port Pilots. Trinity House may enable existing Cinque Port Pilots to purchase an Interest in the Trinity House Pilots Fund, § 11.
13. As to Charges on Trinity House Pilotage Fund, and its future Management, § 12.
14. Recital of Principles upon which Claims of Cinque Ports Pilots are to be settled. Trinity House, with Consent of Board of Trade, may make Regulations for settling the above Claims, § 13.
15. Power to the Board of Trade to examine and grant Pilotage Certificates to Masters and Mates on the Pilotage Authorities refusing to do so under 12 & 13 Vict. c. 88. § 14.
16. Fees to be paid upon such Licences and the Renewals thereof, § 15.
17. Power to withdraw Certificates, § 16.
18. Pilots to make Returns of their Earnings to the Bodies by whom they are licensed, § 17
19. Pilotage Authorities to make full Returns to the Board of Trade of various Particulars connected with Pilotage, § 18.
20. If any of the Local Authorities fail to give the required Returns they may be deprived of their Authority, and the Power of appointing Pilots shall vest in the Trinity House; § 19.
21. Such Returns to be laid before Parliament, § 20.
22. Power to Pilotage Authorities, with Consent of Her Majesty, to do the following Things: To fix and alter Qualifications of Pilots; to make and alter Regulations for the Government of Pilots, and of certificated Masters and Mates; to alter and reduce Rates of Pilotage; to make and extend Exemptions from compulsory Pilotage; to arrange the Limits of Pilotage Districts, § 21.
23. No new Sub-Commissioners to be appointed, and no Pilotage District to be extended, without Her Majesty's Consent, § 22.
24. Trinity House Regulations to be approved by Her Majesty in Council instead of by a Chief Justice under 6 G. 4. c. 125.,—§ 23.

25. All such Orders to be laid before Parliament, § 24.
26. Places, &c. to which the Act is to extend, § 25.
27. Interpretation of Terms, § 26.
28. Time of Commencement, § 27.
29. Short Title, § 28.
30. Proviso as to 3 & 4 Vict. c. 68. s. 1,—§ 29.

Pimlico Improvements.

1. To enable the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in Pimlico and in the Neighbourhood of Buckingham Palace, 15 & 16 Vict. c. 78.
2. Commissioners of Public Works and Buildings empowered to sell or exchange Hereditaments deemed not necessary, § 1.
3. Power to purchase Property near Stafford Place, § 2.
4. Power to pull down certain Houses and Buildings, § 3.
5. Power to form a new Road to communicate with the Victoria Road, § 4.
6. Power to improve the King's Road, § 5.
7. Power to purchase Leasehold and other Interests, § 6.
8. Power to lease Hereditaments, § 7.
9. Monies payable to the Commissioners of Works and Buildings to be paid over to the Paymaster General, § 8.
10. The Commissioners empowered to pay Expense already incurred, § 9.
11. The Chief Commissioner, or any Two Commissioners, may act, § 10.
12. Deeds not subject to Stamp Duty, § 11.
13. No Sales &c. to be made without Consent of the Treasury, § 12.

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14. To enlarge and extend the Powers of an Act of the Fifteenth and Sixteenth Years of Her present Majesty, for enabling the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in Pimlico, and in the Neighbourhood of Buckingham Palace, 16 & 17 Vict. c. 44.
15. 15 & 16 Vict. c. 78. recited. Commissioners of Works and Public Buildings empowered to make Improvements, § 1.
16. Power to alter Levels of existing Streets &c., and to alter and stop up Streets, Ways, Sewers, or Drains, § 2.
17. Power to purchase Hereditaments mentioned in the Schedule, and to lease, sell, and exchange the same, § 3.
18. Certain Provisions of 9 & 10 Vict. c. 39. extended to this Act, § 4.
19. Provisions of 15 & 16 Vict. c. 78. extended to this Act, § 5.
20. Short Title, § 6.

Places of Worship. See Protestant Dissenters.

Poor.

1. To continue an Act of the Fifteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund, 15 & 16 Vict. c. 14. and 16 & 17 Vict. c 77.

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2. To explain Two Acts of the Twelfth and Thirteenth Years of the Reign of Her Majesty, concerning the Appointments of Overseers, and the Authority of Justices of the Peace to act in certain Matters relating to the Poor in Cities and Boroughs, 15 & 16 Vict. c. 38.
3. Justices having Jurisdiction in other Matters in any City or Place may act in Cases relating to the Relief of the Poor, § 1.

See *Lunatics; and Stock in Trade.*

Poor Law Board Continuance.

To continue the Poor Law Board, 15 & 16 Vict. c. 59.

Precious Stones. See Bullion.

Prisoners. See Assaults on Women and Children; Convicted Prisoners; Female Convicts.

Private Acts.

1. *Bradford Piece Halls.*—15 & 16 *Vict. c.* 1.
2. *Lady Wenlock* (*Trustees of her Will*).—15 & 16 *Vict. c.* 2.
3. *Manchester Hospitals.*—15 & 16 *Vict. c.* 3.
4. *Bowden Park Estate* (*Sale of*).—15 & 16 *Vict. c.* 4.
5. *J. Clarkson's Estates* (*leasing*).—15 & 16 *Vict. c.* 5.
6. *Earl Fife's Trustees.*—15 & 16 *Vict. c.* 6.
7. *Watson's Hospital, Edinburgh.*—15 & 16 *Vict. c.* 7.
8. *Mary Shute Adams's Committee.*—15 & 16 *Vict. c.* 8.
9. *Micah Gelding's Estates.*—15 & 16 *Vict. c.* 9.
10. *Magdalen College, Oxford* (*Wandsworth Estates*).—15 & 16 *Vict. c.* 10.
11. *Smiths and Hammermen, Aberdeen, incorporating.*—15 & 16 *Vict. c.* 11.
12. *Leith Exchange Buildings, Sale of.*—15 & 16 *Vict. c.* 12.
13. *John Eden Spalding.*—15 & 16 *Vict. c.* 13.
14. *Thomas Howell's Charity.*—15 & 16 *Vict. c.* 14.
15. *Cary Charles Elwes's Trustees.*—15 & 16 *Vict. c.* 15.
16. *Earl of Portarlington's Trustees.*—15 & 16 *Vict. c.* 16.
17. *George Jarvis's Charity.*—15 & 16 *Vict. c.* 17.
18. *Sir John Barker Mill's Estates.*—15 & 16 *Vict. c.* 18.
19. *John Brown Willis Fleming's Estates.*—15 & 16 *Vict. c.* 19.
20. *Thomas Thornhill's Estates* (*leasing*).—15 & 16 *Vict. c.* 20.
21. *Boys and Girls Hospitals, Aberdeen.*—15 & 16 *Vict. c.* 21.
22. *Sidney College* (*Clee Estate*).—16 & 17 *Vict. c.* 1.
23. *Andrew John Nash's Estates* (*leasing*).—16 & 17 *Vict. c.* 2.
24. *Craft of Tailors, Aberdeen* (*incorporating*).—16 & 17 *Vict. c.* 3.
25. *Lord Charles Clinton's Settlement.*—16 & 17 *Vict. c.* 4.
26. *Baroness de Graffenried Villars's Settlement.*—16 & 17 *Vict. c.* 5.
27. *W. P. Cotham's Trust Estates* (*leasing*).—16 & 17 *Vict. c.* 6.
28. *T. Brown* (*Trustees of his Will*).—16 & 17 *Vict. c.* 7.
29. *R. W. Hall Dare's Estates.*—16 & 17 *Vict. c.* 8.
30. *Sir Robert H. Leigh's Estates.*—16 & 17 *Vict. c.* 9.
31. *Earl of Ilchester and Earl of Egremont, confirming an Exchange between.*—16 & 17 *Vict. c.* 10.
32. *See of Canterbury Estates*—16 & 17 *Vict. c.* 11.
33. *Mary Jackson's Estates.*—16 & 17 *Vict. c.* 12.
34. *Bingley School, &c.*—16 & 17 *Vict. c.* 13.
35. *Clitheroe School Estate.*—16 & 17 *Vict. c.* 14.
36. *John Duke of Atholl's Estates.*—16 & 17 *Vict. c.* 15.
37. *John Piddocke's Oakthorpe Estates.*—16 & 17 *Vict. c.* 16.
38. *Jesus College, Cambridge* (*Proby Benefaction*).—16 & 17 *Vict. c.* 17.
39. *Ward Jackson's Estates.*—16 & 17 *Vict. c.* 18.

40. *P. D. P. Duncombe's Estates.*—16 & 17 *Vict. c.* 19.
41. *W. Sergison's Trustees.*—16 & 17 *Vict. c.* 20.
42. *Bishop of Durham and Freemen and Stallingers of Sunderland.*—16 & 17 *Vict. c.* 21.
43. *Marquess of Bute's Executors and Trustees.*—16 & 17 *Vict. c.* 22.
44. *Henry Smith's Trustees.*—16 & 17 *Vict. c.* 23.
45. *John Pidgley's Estates (leasing).*—16 & 17 *Vict. c.* 24.
46. *Treffery's Estate Act,* 1853.—16 & 17 *Vict. c.* 25.
47. *Lord Vivian's Estates (settling).*—16 & 17 *Vict. c.* 26.
48. *F. C. J. Pemberton's Estates (leasing).*—16 & 17 *Vict. c.* 27.
49. *Chaytor's Estate Act,* 1853.—16 & 17 *Vict. c.* 28.
50. *Duke of Cleveland, extending Powers of the Trustees of his Will.*—16 & 17 *Vict. c.* 29.

Privy Council. See Registrar of the Privy Council.

Property of Lunatics. See Lunatics Property.

Property Tax.

1. To continue the Duties on Profits arising from Property, Professions, Trades, and Offices, 15 & 16 Vict. c. 20.
2. 5 & 6 Vict. c. 35. 8 & 9 Vict. c. 4. 11 & 12 Vict. c. 8. 14 & 15 Vict. c. 12. recited. Rates and Duties granted by first-recited Act further continued for One Year, § 1.
3. First-recited Act and the several other Acts continued in force, § 2.
4. Assessments under Schedules (A.) and (B.) for the Year ending 5th April 1852 to be in force for the succeeding Year, § 3.

See *Income Tax.*

Protection of Inventions.

1. For extending the Term of the provisional Registration of Inventions under "The Protection of Inventions Act, 1851," 15 & 16 Vict. c. 6.
2. 14 Vict. c. 8. recited. Provisional Registration under the recited Act to continue in force till 1st February 1853, § 1.

Protestant Dissenters.

1. To amend the Law relating to the certifying and registering Places of Religious Worship of Protestant Dissenters, 15 & 16 Vict. c. 36.
2. 1 W. & M. Sess. 1. c. 18. 52 G. 3. c. 155. Places of Religious Worship not to be certified to or registered in Bishop's Registry, § 1.
3. Fee of 2*s.* 6*d.* to be taken for such Certificate of Registration, § 2.
4. List of certified Places of Worship to be printed, and open to Inspection without Fee, § 3.

Provident Societies. See Industrial and Provident Societies.

Public Health.

1. To confirm certain Provisional Orders of the General Board of Health, and to amend the Public Health Act, 1848, 15 & 16 Vict. c. 42.
2. Certain Provisional Orders of the General Board of Health confirmed, § 1.
3. Certain Sections of Rotherham Local Act not to extend beyond the Limits originally included within the Powers of that Act, and nothing in the Order to affect Market Company, § 2.
4. No Conviction under Smoke Nuisance Clause within the Rotherham and Kimberworth District, unless when it is proved practicable to consume the Smoke, § 3.
5. Limiting Amount of Rates leviable within the District of Banbury, § 4.
6. Fixing in the Gainsborough District the Boundaries of the Area chargeable with existing Debt of the Trustees, § 5.
7. First Election of Local Board for Worthing, § 6.
8. First Election of Local Board for Worksop, § 7.
9. First Election of Local Board for Gainsborough, § 8.
10. First Election of Local Board for Rotherham and Kimberworth, § 9.
11. First Election of Local Board for Burnham, § 10.
12. First Selection and Election of Local Board at Calne, § 11.
13. First Selection and Election of Local Board for Banbury, § 12.
14. 11 & 12 Vict. c. 63. ss. 68. 69. to apply to any Highway repairable by the Inhabitants, § 13.
15. Interpretation of "Year," § 14.
16. Act incorporated with Public Health Act, § 15.
17. Short Title of this Act, § 16.

See *Public Works Loan.*

Public Libraries.

1. To extend the Public Libraries Act, 1850, to Ireland and Scotland, 16 & 17 Vict. c. 101.
2. Provisions of 13 & 14 Vict. c. 65. extended to Ireland and Scotland, § 1.
3. Provost in Scotland to act instead of Mayor, § 2.

Public Works and Buildings.

1. To amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for the Direction of Public Works and Buildings; and to vest the Buildings appropriated for the Accommodation of the Supreme Courts of Justice in Edinburgh in the Commissioners of Her Majesty's Works and Public Buildings, 15 & 16 Vict. c. 28.
2. Commissioners of Works and Public Buildings incorporated for the Purpose of holding Lands, &c. under this Act, § 1.
3. Commissioners empowered to purchase, sell, &c. Lands, &c., and the First Commissioner or Two of them may act, § 2.
4. As to Security required from Officers, § 3.
5. Courts and Buildings of the Courts of Sessions, Justiciary, &c. at Edinburgh vested in the Commissioners of Public Works, § 4.
6. Commissioners may sell, exchange, &c. Lands and Buildings not required for their original Purpose, § 5.
7. No Sale, &c. without Consent of Treasury, § 6.
8. Registry of Documents in Chancery in Scotland not necessary; but Entry of Memorandum of Deed in Chancery to be sufficient, § 7.

See *Thames Embankment.*

Public Works Loan.

1. For altering the Mode of Repayment of Advances by the Public Works Loan Commissioners under the Public Health Act, 1848, and other Acts, 16 & 17 Vict. c. 40.

2. Advances by Public Works Loan Commissioners to be repaid by Instalments within Twenty Years, instead of by a Sinking Fund in Thirty Years, § 1.
3. Securities for Advances to be taken under the Powers of Public Works Loan Acts, § 2.
4. Loans may be advanced at a lower Rate of Interest than Five per Cent., § 3.
5. Powers of Treasury to reduce Interest not to be affected, § 4.
6. Short Title, § 5.

Q.

Quebec. See Bishop of Quebec.

R.

Rating of Stock in Trade. See Stock in Trade (Rating of).

Registrar of Meetings.

1. To reduce the Salary and Emoluments of the Registrar of Meetings of the Court of Bankruptcy, 16 & 17 Vict. c. 81.
2. The yearly Salary of Registrar of Meetings to be 100*l.*, and Fee for Registry of Meetings to be 6*d.*, § 1.

Registration, &c. See Oaths in Chancery.

Registration of Births, Deaths, and Marriages.

1. To amend an Act (6 & 7 W. 4. c. 86.) for registering Births, Deaths, and Marriages in England, 15 & 16 Vict. c. 25.
2. For providing a General Register Office, § 1.

Registrar of the Privy Council.

1. For removing Doubts as to the Powers of the Registrar of Her Majesty's Privy Council to administer Oaths, and for providing for the Performance of the Duties of such Registrar in his Absence, 16 & 17 Vict. c. 85.
2. Registrar may examine Witnesses upon Oath, § 1.
3. President of the Council may appoint a Person to act for Registrar in his Absence, § 2.
4. Saving of the existing Powers of Her Majesty, Her Council, and the Judicial Committee, § 3.

Revenue.

1. To apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-two, 15 & 16 Vict. c. 1.

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2. For raising the Sum of Seventeen Millions seven hundred and forty-two thousand eight hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-two, 15 & 16 Vict. c. 10.

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3. To apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year One thousand eight hundred and fifty-two, and to appropriate the Supplies granted in this Session of Parliament, 15 & 16 Vict. c. 82.

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4. To apply the Sum of Two Millions to the Service of the Year One thousand eight hundred and fifty-three, 16 & 17 Vict. c. 6.

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5. To apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-three, 16 & 17 Vict. c. 12.

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6. For raising the Sum of Seventeen Millions seven hundred and forty-two thousand five hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-three, 16 & 17 Vict. c. 25.

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7. To apply the Sum of Four Millions out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and fifty-three, 16 & 17 Vict. c. 31.

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8. To apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-three, and to appropriate the Supplies granted in this Session of Parliament, 16 & 17 Vict. c. 110.

S.

Saint Alban's Disfranchisement.

1. To disfranchise the Borough of Saint Alban, 15 & 16 Vict. c. 9.

Savings Banks.

1. To consolidate and amend the Laws and to grant additional Facilities in relation to the Purchase of Government Annuities through the Medium of Savings Banks, and to make other Provisions in respect thereof, 16 & 17 Vict. c. 45.
2. So much of 3 W. 4. c. 14., and 7 & 8 Vict. c. 83. as relates to Purchase of Government Annuities through the Medium of Savings Banks, &c. repealed, § 1.
3. Commissioners for Reduction of National Debt may receive Money from Depositors, &c. for Purchase of Annuities, § 2.
4. Annuity may be granted to Husband and Wife, § 3.
5. Deferred Annuities may be granted, with a Condition that Purchase Money shall be returnable, § 4.
6. Or with a Condition that Purchase Money shall not be returnable, § 5.
7. Parties unable to keep up Payments may have an Annuity granted in lieu of having Money returned, § 6.
8. Power to convert deferred into immediate Annuity, § 7.
9. Name of Party to be always inserted in Grant, § 8.
10. Cases in which Grants of Annuities may be to Trustees, § 9.
11. Power to grant Payment of Money on Death of Persons purchasing Deferred Annuities, § 10.
12. Contracts may be made at National Debt Office or through the Medium of Savings Banks, &c., § 11.
13. Money paid on account of Purchase of Annuity to be kept distinct, and paid to Account of Commissioners, § 12.
14. Commissioners to make Rules, Regulations, &c. Commissioners, &c. may decline to contract for Annuities or Payments on Death, § 13.
15. Penalty on Persons making false Declaration, &c., § 14.
16. Persons contracting for Payments of Sums of Money at Death may commute the same into an Annuity payable after Death to Nominees, § 15.

17. Treasury shall direct Use of Tables of the Value of Annuities as approved by them, § 16.
18. Purchasers of Annuities for Lives shall be entitled to such Amount of Annuity as shall be specified in the Tables, § 17.
19. Life Annuities under this Act, and Payments at Death, to be carried to a separate Account, § 18.
20. Life Annuitants may make further Purchases without fresh Certificates, § 19.
21. Amount of Annuities from Time to Time, and Sums payable on Death, to be certified to the Treasury, who shall issue their Warrant for Payment thereof out of Consolidated Fund, § 20.
22. Time of Payment of Annuities granted under this Act. On Death of Annuitant a Quarter's Payment to be made in addition to half-yearly Arrears. Proviso as to Deferred Annuities, § 21.
23. Annuities, &c. to be paid at National Debt Office, or at Savings Banks, &c., § 22.
24. Contracts for Annuities not to be made for Fourteen Days after quarterly Day of Payment, § 23.
25. Monies paid to Commissioners on account of this Act to be invested in Bank Annuities, Annuities for Terms of Years, or Exchequer Bills, which shall be cancelled. Commissioners may reserve a Part of such Sums to repay Money claimed in case of Death, &c. of Party purchasing Annuity, § 24.
26. Annuities granted under this Act not assignable, except in case of Bankruptcy or Insolvency, § 25.
27. Transfer may be made by Trustees to accrue Interest of Party beneficially interested, § 26.
28. Life Annuities to be free from Taxes, and to be Personal Estate, § 27.
29. Yearly Account to be made up of unclaimed Annuities, &c. Arrears, &c. of Three Years standing to cease to be charged on Consolidated Fund, but not to prejudice Rights of Parties, § 28.
30. Registers, Receipts, &c. exempt from Stamp Duty, § 29.
31. If Certificate or Declaration contain any untrue Statement of Age, &c. the Money paid to be forfeited, and Right to Annuity to cease, § 30.
32. Persons forging Register, Certificate, Transfers, &c. to be liable to Punishment for Forgery, § 31.
33. Penalty on Persons guilty of Perjury, § 32.
34. Penalty on receiving Annuity after Death of Nominee, treble the Amount received, § 33.
35. Recovery and Application of Penalties. Power to cause Reward to be paid to Informers, § 34.
36. Provision for defraying Expenses attending the Execution of this Act, § 35.
37. Account to be laid annually before Parliament of Annuities granted, and of Money paid for Annuities, § 36.
38. Powers of Attorney granted under recited Acts to be available under this Act, § 37.

School Sites.

1. To extend the Provisions of the several Acts passed for the Conveyance of Sites for Schools, 15 & 16 Vict. c. 49.

SCOTLAND.

Bankruptcy.

1. To amend the Laws relating to Bankruptcy in Scotland, 16 & 17 Vict. c. 53.
2. Factor to be named by Lord Ordinary, and to take immediate Possession of Bankrupt's Estate, § 1.
3. Deliverance awarding Sequestration to appoint Meeting to elect Trustee, § 2.
4. Not to be imperative on Lord Ordinary to grant personal Protection, § 3.
5. Deliverance of Sheriff as to Election of Trustee to be final, § 4.
6. Trustee to send Circular to Creditors, § 5.
7. Provisions as to separate Specification of Interest, &c. repealed, § 6.
8. Errors in framing Oath and Claim may be corrected, § 7.
9. Time for Examination of Bankrupt, and for Meeting of Creditors, § 8.
10. Notice on which Meetings may be called shortened, § 9.
11. Provision for Payment and Acceleration of Dividends, § 10.
12. Time for lodging Oaths and Grounds of Debt in order to Dividend, § 11.
13. Time for making up State of Bankrupt's Affairs, and of the Trustee's Intromissions, &c., § 12.
14. Time for making up Scheme of Division by the Trustee, and State of Affairs, &c., in order to Second Dividend. § 13.
15. Like Procedure to be followed on Occasion of subsequent Dividends, § 14.
16. Where Foreign Creditor lodges Oath and Grounds of Debt at any Time previous to a Dividend, Fund to be laid aside, § 15.
17. Proceedings in Petition for Bankrupt's Discharge, § 16.
18. Accounts for Law Business under Sequestration to be taxed, § 17.
19. Interpretation Clause, § 18.

Berwickshire Sheriff and Commissary Courts.

1. For empowering the Sheriff and Commissary of Berwickshire to hold Courts at Dunse, and for other Purposes, 16 & 17 Vict. c. 27.
2. Act of Parliament of Scotland, 9th October 1696. 4 G. 4 c. 97. Construction of Terms, § 1.
3. Power to Sheriff and Commissary to hold Courts at Dunse. 1 & 2 Vict. c. 119., § 2.
4. Lord Advocate to fix Time and Place of Sitting of Courts, § 3.
5. Sheriff Clerk's Office to be at Dunse, § 4.
6. This Act not to affect Provisions of 7 W. 4. & 1 Vict. c. 41. § 5.
7. Act of 1696 to remain in force, except as varied hereby, § 6.

Burghs. See Harbours; Royal Burghs; Town Councils.
Corporations. See Town Councils.
Councils. See Royal Burghs.
Counties. See Sheriffs.

Elections.

1. To amend the Law as to taking the Poll at Elections of Members to serve in Parliament for Scotland, 16 & 17 Vict. c. 28.

2. So much of 2 & 3 W. 4. c. 65. as relates to the Duration of Polls, &c. at Elections repealed, § 1.
3. The Sheriff, with Consent of Lord Advocate, may alter Polling Places, so that not more than 300 Electors shall poll at One Place. Notice of Objections by Ten Inhabitant Electors, § 2.
4. Inhabitant Electors, being not less than Ten, may petition for Increase or other Alteration of Polling Places, § 3.
5. Sheriff, if required, to provide more Booths. No Poll to be taken at Inns, Beershops, &c. except by Consent, § 4.
6. Where Voters shall poll, § 5.
7. Voters may claim to vote in another District in certain Cases, § 6.
8. Provision for non-resident Voters, with Island Qualifications, § 7.
9. Declaration of the Poll in certain Cases, § 8.
10. Poll to be kept open only One Day. Order and Manner of polling, § 9.
11. Poll to be kept open Two Days in Orkney and Shetland, § 10.
12. Meaning of Burgh, § 11.

See *Representative Peers; Royal Burghs; Town Councils.*

Entails.

1. To extend the Benefits of the Act of the Eleventh and Twelfth Years of Her present Majesty, for the Amendment of the Law of Entail in Scotland, 16 & 17 Vict. c. 94.
2. Forms of Procedure under recited Act and this Act merely directory, § 1.
3. Applications or Petitions may during Vacation be presented to Lord Ordinary officiating on Bills, who may proceed as may be requisite, &c., § 2.
4. Applications, &c. may be amended where authorized by the Court, § 3.
5. Instruments of Disentail may be executed, and the Sanction and Authority of the Court to record the same afterwards applied for, § 4.
6. Conveyances, Excambions, &c. may be made, and the Authority of the Court afterwards interponed, § 5.
7. Competent to present continuing Petitions for Authority to grant Feus and long Leases, § 6.
8. Bond and Disposition in Security for Provision to younger Child may be granted to any Party advancing the Amount thereof, § 7.
9. Money placed in trust prior to 1st August 1848 to purchase Land to be entailed may be partly invested in Land and partly employed for the Benefit of such Land, § 8.
10. Sales may be made to pay off Entailer's Debts, § 9.
11. Where at passing of this Act Entailed Estates may be sold under judicial Authority, Parties entitled to sell may make Application to the Court in Form prescribed by recited Act, § 10.
12. In Contracts of Excambion, &c. the Destination, &c. may be omitted, provided such Destination, &c. be referred to as set forth in the original Tailzie, § 11.
13. Where in any Tailzie executed after 1st August 1848 the Maker of the Tailzie declares that 10 G. 3. c. 51. and 5 G. 4. c. 87. are applicable, they shall be deemed to be so, § 12.
14. Where Tailzie executed after 1st August 1848 does not expressly prohibit the granting of Feus, &c. Heir of Entail in possession may execute Powers of granting Feus, &c., § 13.
15. Heirs of Entail in possession entitled to sell Portion of Estates, &c. under 8 & 9 Vict. c. 19. may do so to any Company authorized to acquire the same in consideration of annual Feu Duty, &c., § 14.
16. Company not to pay, nor Heir of Entail to receive, any Grassum, &c. for any Rights conveyed but annual Feu Duties, &c., § 15.
17. All Feu Duties, &c. made payable by Company to be a First Charge on the Revenues of Company, § 16.
18. Affidavit sufficient if stated to the best of Belief. As to Affidavits not lodged in Time, § 17.
19. Provisions as to Consents for Money and incapacitated Persons, § 18.
20. Rights of Heir of Entail obtaining Consents and presenting Application not to be affected by Alteration of Circumstances afterwards occurring, § 19.
21. Heirs of Entail not to give Consents where opposed by Heritable Creditors, § 20.
22. Heir Apparent of Entail not to give Consent in opposition to such Creditors, § 21.
23. Propelling of Succession, under Reservation of Liferent, to have no Effect upon Applications under this or the recited Act, § 22.
24. Bonds and Dispositions in Security may contain Power of Sale, § 23.
25. Judgments and Decrees to be final, § 24.
26. Interpretation of Terms, § 25.

Evidence.

1. To amend the Law of Evidence in Scotland, 15 & 16 Vict. c. 27.
2. Witnesses not to be excluded by reason of Crime, &c. Right to examine Witnesses as to Credibility not affected. Not competent to adduce as a Witness any Person who shall be acting as an Agent in the Action. Where any Person adduced has been an Agent no Plea of Confidentiality allowable, § 1.
3. Party to an Action may be adduced as a Witness, unless it be shown that he has a substantial Interest, § 2.
4. Witness may be examined as to having made a different Statement, § 3.
5. Witness may be recalled after Examination, § 4.
6. Laws and Practice inconsistent with this Act repealed, § 5.

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7. To alter and amend an Act of the Fifteenth Year of Her present Majesty, for amending the Law of Evidence in Scotland, 16 & 17 Vict. c. 20.
8. § 2. of 15 & 16 Vict. c. 27. repealed, § 1.
9. So much of § 1. of 15 & 16 Vict. c. 27. as to incompetency of Persons who are Agents in Actions being Witnesses, repealed, § 2.
10. As to Examination of Witnesses, whether named in the record or not, § 3.
11. This Act not to apply to Cases of Adultery, &c., § 4.
12. Adducing of Party as a Witness not to have Effect of Reference to his Oath, § 5.
13. Not to affect Authority of Courts as to Judicial Examination, § 6.

Law of Evidence. See Evidence.

Harbours.

1. To enable Burghs in Scotland to maintain and improve their Harbours, 16 & 17 Vict. c. 93.
2. Act may be adopted in Burghs having Harbours not under Local Acts, § 1.

3. Interpretation of Terms, § 2.
4. Short Title, § 3.
5. 8 & 9 Vict. c. 19. incorporated with this Act, § 4.
6. 10 & 11 Vict. c. 27. incorporated with this Act, § 5.
7. Interpretation of Expressions in the Acts incorporated herewith, § 6.
8. Town Council may resolve that this Act shall be adopted, and cause such Resolution to be published, § 7.
9. If Resolution approved of, this Act to be adopted, and Minute to be registered in Sheriff Court Books, § 8.
10. Appeal to the Board of Trade, § 9.
11. The Act may be adopted earlier than before provided in certain Cases, § 10.
12. If Act not adopted, Two Years to elapse before Consideration again had, § 11.
13. Schedule of Rates to be prepared and published, § 12.
14. A Copy of the Schedule and a Statement as to the Harbour to be sent to the Admiralty and the Board of Trade, § 13.
15. Board of Trade to consider and finally adjust the Schedule, § 14.
16. Exclusive Privileges of Burgesses abolished, and Rates to be charged equally, § 15.
17. Accounts and Statement of the Revenue of the Harbour to be sent to the Sheriff Clerk annually, § 16.
18. Increase of Revenue to be applied in extending and improving the Harbour, § 17.
19. Town Council may borrow Money on the Security of the Rates, § 18.
20. Bonds and Assignations may be granted for Sums borrowed or advanced, § 19.
21. Bonds and Assignations may be transferred by Indorsation, § 20.
22. Town Council may apply for a further Increase of Rates, § 21.
23. Board of Trade may inquire into and regulate Rates, § 22.
24. Town Council may extend and improve the Harbour, § 23.
25. Plans and Working Drawings of the Works to be deposited at the Admiralty Office for Approval, § 24.
26. Forms of Proceedings against Offenders, § 25.
27. Transient Offenders may be apprehended and taken before the Sheriff or a Justice of the Peace, § 26.
28. Saving the Rights of the Crown, § 27.

Law of Entail. See Entails.

Law of Evidence. See Evidence.

Magistrates. See Royal Burghs.

Municipal Corporations. See Town Councils.

Peers. See Representative Peers.

Professors in the Universities.

1. To regulate the Admission of Professors to the Lay Chairs in the Universities of Scotland, 16 & 17 Vict. c. 89.
2. Professors, &c. not required to subscribe Confession of Faith, § 1.
3. Professors, &c. to make Declaration previous to Admission. Declaration to be registered, § 2.
4. Professor sued for Non-compliance with the Act may offer, in defence, to take Declaration, § 3.
5. On Failure to make Declaration the Lord Advocate to apply to the Court of Session, § 4.
6. Lord Advocate may present Complaint against Professor violating Declaration, and Her Majesty may issue Commission to inquire, &c., § 5.
7. As to the Expression "Chair of Theology," § 6.
8. All Laws and Statutes, so far as inconsistent with this Act, repealed, § 7.

Public Houses.

1. For the better Regulation of Public Houses in Scotland, 16 & 17 Vict. c. 67.
2. No Certificate to be granted unless with express Condition that no Groceries be sold on the Premises, § 1.
3. Grocers may obtain Certificates for the Sale of Porter, Spirits, &c. by Retail, § 2.
4. Certain Provision of 6 G. 4. c. 81., so far as regards granting Licences in Scotland, repealed, § 3.
5. Certificate to be granted under 9 G. 4. c. 58. to contain Conditions that no Porter, &c. be sold by Retail on the Premises, and no One Certificate to enable Persons to sell Porter, &c. and Spirits, &c., § 4.
6. No Certificate to be granted until Premises have been inspected, and reported suitable, § 5.
7. No Certificate to be granted to Blacksmiths, Tacksmen of Tolls, or Toll-gatherers, &c., § 6.
8. Excise Licences not to be granted without or contrary to a Certificate obtained under this Act, § 7.
9. Licences, § 8.
10. Provisions of former Acts in relation to Excise Licences to be applied to the Duties and Licences under this Act, § 9.
11. Not to alter or affect existing Licence Duties, or the Liability of Parties to take out such Licences, § 10.
12. Form of Certificate, § 11.
13. Certificates granted contrary to this Act null and void, § 12.
14. Excise Licences taken out after 10th Oct. 1853 to retail exciseable Liquors to expire at Whitsunday 1854. Licences taken out after Whitsunday 1854 to expire at Whitsunday next following, § 13.
15. Power to Police to enter Public Houses. Penalty, § 14.
16. Penalty on Persons bartering or selling Spirits without having obtained a Certificate, § 15.
17. Offences to be tried, &c. under Provisions of Act 9 G. 4. c. 58., § 16.
18. Interpretation of Terms, § 17.
19. Repeal of former Statutes so far as inconsistent with this Act, § 18.

Public Works and Buildings. See General Index, Tit. Public Works and Buildings.

Representative Peers.

1. To amend an Act passed in the last Session of Parliament, intituled An Act to regulate certain Proceedings in relation to the Election of Representative Peers for Scotland, 15 & 16 Vict. c. 35.
2. 14 & 15 Vict. c. 87. s. 3. repealed, § 1.
3. Peers of Scotland may take the Oaths, &c. in Courts of Ireland, and before other Officers, § 2.

Royal Burghs.

1. To alter and amend certain Provisions in the Laws relating to the Number and Election of Magistrates and Councillors in the Burghs in Scotland, 15 & 16 Vict. c. 32.
2. 3 & 4 W. 4. c. 76., 4 & 5 W. 4. c. 87. recited. Interpretation Clause, § 1.
3. Number of the Councils in certain Royal Burghs limited to the Number specified in the Schedule, § 2.

4. Magistrates in such Burghs limited to the Number specified in the Schedule, § 3.
5. On Completion of next annual Elections, Magistrates and Councils previously in Office shall go out, § 4.
6. Magistrates to retain Office until their Successors are elected and come into Office, § 5.
7. Provost or Chief Magistrate to preside at First Meeting of Council after annual Election, § 6.
8. Election in Burghs not contained in Schedule (F.) of 3 & 4 W. 4. c. 76., having no legal Councils, and being under the Administration of Magistrates, § 7.
9. Election of Magistrates, &c. in Cases where Burgh has been without Council and under Managers. Succeeding annual Elections of Council, § 8.
10. Election of Magistrates not to be invalid in consequence of retiring Magistrate or other unauthorized Person presiding at Election, § 9.
11. Recited Acts to remain in force, except in so far as inconsistent with this Act, § 10.

See Harbours.

Sheriffs.

1. To diminish the Number of Sheriffs in Scotland, and to unite certain Counties in Scotland in so far as regards the Jurisdiction of the Sheriff, 16 & 17 Vict. c. 92.
2. Counties specified in Schedule to be united, and Provision for Discharge of the Functions of Sheriff of the united Counties, § 1.
3. County of Peebles to be united with County of Mid-Lothian, § 2.
4. No separate Appointments to be made to the Office of Sheriff of Counties to be united, § 3.
5. Saving Rights, Privileges, and Liabilities of Counties, § 4.
6. Sheriffs of united Counties not to be entitled to additional Salary, § 5.

Sheriff Courts.

1. To facilitate Procedure in the Sheriff Courts in Scotland, 16 & 17 Vict. c. 80.
2. 7 W. 4. and 1 Vict. c. 41., 1 & 2 Vict. c. 119. recited. Short Form of Summons, § 1.
3. Decree in Absence. Provision for reponing, § 2.
4. Procedure where Defender enters Appearance. Condescendence and Defences to be lodged, § 3.
5. Record to be made up and closed, § 4.
6. After Record is closed, Sheriff to hear Parties, or to appoint Diet for Proof, and to dispose of Case, § 5.
7. Periods for lodging Papers peremptory; but Prorogations may be granted of Consent, and once on Cause shown, § 6.
8. Provision for Causes commenced by Petition, § 7.
9. Procedure in Multiplepoindings, § 8.
10. Short Forms of Execution provided, § 9.
11. Written Proofs abolished; and Proofs how to be taken. Absent or aged or infirm Witness may be examined on Commission. Remits may be made to Person of Skill, and if of Consent his Report shall be final, § 10.
12. Certified Copy Interlocutor of Proof to be Warrant for citing Witnesses and Havers, and to be operative, by simple Indorsation, in other Counties, § 11.
13. Written Argument abolished, and oral Pleadings substituted, § 12.
14. Sheriff in deciding to state the Grounds of his Judgment, § 13.
15. Decree for Expenses to include Expense of Extract, § 14.
16. Action not prosecuted dismissed, § 15.
17. Judgment of the Sheriff Substitute may be appealed against by Petition or Hearing. Review by Sheriff to be obtained by simple Appeal, § 16.
18. No Appeal allowed during the leading of the Proof, § 17.
19. Except by Persons pleading Confidentiality, or objecting to Production of Writings, § 18.
20. No Appeal allowed (except in certain Cases) till Judgment on the Merits, § 19.
21. Where Mistakes in a Judgment may be corrected without Review, § 20.
22. Procedure in Consistorial and Maritime Causes, § 21.
23. Judgment of Sheriff in Causes not exceeding 25*l.* to be final, § 22.
24. Causes of any Value may be tried in a summary Way by Consent of all the Parties, § 23.
25. In Cases exceeding 25*l.*, Review limited to final Judgments, &c., 50 G. 3. c. 112., 6 G. 4. c. 120., § 24.
26. Where either Party desires it, Case to go at once to the Inner House, § 25.
27. Small Debt Jurisdiction extended to Causes not exceeding 12*l.*, § 26.
28. Petition for Sequestration may also conclude for Payment, § 27.
29. Operation of Provisions in first-recited Act extended, § 28.
30. Time within which Summons may be raised, § 29.
31. Lease, containing Obligation to remove, equivalent to Decree of removing, provided Forty Days Notice be given, § 30.
32. Letter of Removal granted by Tenant equivalent to Decree of removing, provided Forty Days Notice be given, § 31.
33. Arrears of Feu Duties for Subjects of small Amount may be sued for in Sheriff Court, § 32.
34. Libels may be written or printed, or partly both, but authenticated as Libels now are, § 33.
35. Libel printed or partly printed to be inserted in Record Book, § 34.
36. The Will of Criminal Libels to contain Two Diets of Compearance as in Schedule, and Accused to be called upon at First Diet to plead guilty or not guilty, § 35.
37. Sheriff not to ask Party more than once to plead, § 36.
38. Salaries of Sheriffs and Sheriff Substitutes may be increased; and additional Sheriff Substitutes may be appointed, § 37.
39. Provision for Retiring Allowance to Sheriffs and Sheriff Substitutes disabled after long Service, § 38.
40. Sheriffs Salaries to be in lieu of all Fees, &c., § 39.
41. Commissions to Sheriffs Substitute to extend over the whole County, § 40.
42. Compensation to Sheriff Clerks, § 41.
43. Sheriff Courts to sit such Days during Session for Despatch of Civil Business as may be fixed by Sheriff, and approved of, § 42.
44. Sheriffs to hold Three Sessions in each Year, § 43.
45. Sheriff may act in Time of Vacation, § 44.
46. Sheriff to fix One Court Day in each Vacation for Despatch of ordinary Court Business, § 45.
47. Sittings to be held by Sheriffs in their Counties, § 46.
48. Sheriff may sign Interlocutors when furth of his County, § 47.
49. Privilege of Members of College of Justice abolished, § 48.

50. Court of Session to frame Tables of Fees, § 49.
51. Interpretation Clause, § 50.
52. Recited Acts, &c. repealed, § 51.
53. Act to take effect from 1st November 1853, § 52.

Spirits. See General Index, Tit. Spirits.

Town Councils.

1. To provide for the supplying of Vacancies in Town Councils of Burghs in Scotland consequent on null or irregular Elections, 16 & 17 Vict. c. 26.
2. On Elections of Councillors being found null, Warrant to be granted for new Election, § 1.
3. Election thereupon to proceed as at annual Election of Councillors, § 2.
4. Expenses of Application for Warrant to be a Charge on Burgh Funds, § 3.
5. On Election of Magistrate being found null, Council to elect a Magistrate, § 4.
6. No Challenge of Election to be made after the Lapse of a Month, § 5.
7. Acts of Council to be valid, notwithstanding Nullity of any Election, § 6.

Seamen.

1. To make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy, 16 & 17 Vict. c. 69.
2. Provisions of 5 & 6 W. 4. c. 24., as amended by this Act, to extend to Men entering for Ten Years, or any other Term of continuous and general Service, § 1.
3. Repeal of 10 & 11 Vict. c. 30. Provision as to Boys hereafter entering into the Naval Service of Her Majesty, § 2.
4. As to Grant of extra Pay to Men detained after Expiration of Period of Service in Cases of Emergency, § 3.
5. Sect. 4 of 5 & 6 W. 4. c. 24. concerning Double Bounty, repealed. Persons entering the Navy to be entitled to such Bounty as may be fixed by Royal Proclamation, &c., § 4.
6. Sections 5 & 6 of 5 & 6 W. 4. c. 24. repealed, § 5.
7. Not to affect Rights of Persons now serving, § 6.
8. Proclamation for Seamen may be general or restricted, § 7.
9. Register Ticket Evidence of the Age of Seamen, § 8.
10. Service of Seamen in the Navy may be extended by Royal Proclamation, § 9.
11. Nothing to diminish Power of the Admiralty to enter Seamen for any Periods, and to discharge them, § 10.
12. Men entering for continuous and general Service, and Boys, to be entitled to pay while in Sick Quarters at Home, subject to such Deduction after Thirty Days as Admiralty may direct, and Time to be reckoned as Part of his Time of Service, § 11.
13. Spirituous or fermented Liquors not to be brought on board Her Majesty's Ships without the Commander's Consent. Penalty on Offenders, § 12.
14. Men absent for Forty-eight Hours without Leave, to forfeit Pay during their Absence, § 13.
15. Power to try or punish Persons guilty of Desertion summarily, § 14.
16. Imprisonment under Sentence of Naval Courts Martial may be either with or without Hard Labour, § 15.
17. Persons making fraudulent Representations on entering the Navy to be punished as Rogues and Vagabonds under 5 G. 4. c. 83., § 16.
18. Courts Martial may try Offences committed by Persons in Full Pay in the Navy, in Dockyards, or Victualling Yards, § 17.
19. Railway Companies to convey Naval Forces upon the same Terms as Military and Police, § 18.
20. Sect. 8. of 4 & 5 W. 4. c. 25. repealed, and other Provisions made for Payment of Monies to a certain Amount due in the Naval Department to Persons deceased, without requiring Probate or Letters of Administration, § 19.

See *Foreign Deserters; Merchant Shipping.*

Sewers. See Metropolitan Sewers.

Secretary of Bankrupts.

1. To abolish the Office of Lord Chancellor's Secretary of Bankrupts, and to regulate the Office of Chief Registrar of the Court of Bankruptcy, 15 & 16 Vict. c. 77.
2. Office of Secretary of Bankrupts abolished, § 1.
3. Appointment of the Chief Registrar of the Court of Bankruptcy, § 2.
4. Vacancies in Office of Chief Registrar to be filled up from the Registrars, § 3.
5. Declaration of Insolvency to be filed in Office of Chief Registrar, § 4.
6. Certificates of unclaimed Dividends to be filed in Office of Chief Registrar, § 5.
7. Certified Copy of Declaration of Insolvency to be Evidence, § 6.
8. Retiring Allowance to Mr. Robert Brown, § 7.
9. Appointment of Chief Clerk in the Office of the Chief Registrar, § 8.
10. All Acts done since Death of late Chief Registrar made valid, § 9.
11. Present Registrar to continue, § 10.
2. Office of Clerk of Inrolments abolished, and Duties transferred to Office of Chief Registrar, § 11.
13. Compensation to Clerk of Inrolments, § 12.
14. Interpretation of Terms, § 13.
15. Commencement of Act, § 14.

Sierra Leone. See Liberated Africans.

Sites for Schools. See School Sites.

Slave Trade.

1. For carrying into effect the Engagement between Her Majesty and Syed Syf bin Hamood, the Chief of Sohar, in Arabia, for the more effectual Suppression of the Slave Trade, 16 & 17 Vict. c. 16.
2. Power for Commanders of Ships of War, &c. to visit, &c. Vessels belonging to the Chief of Sohar, or of his Subjects, suspected of being engaged in the Slave Trade, § 1.
3. As to the Trial and Condemnation of Vessels engaged in the Slave Trade, § 2.
4. Persons giving false Evidence deemed guilty of Perjury. In case of Prosecution in England, Venue may be laid in Middlesex, § 3.
5. Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained, § 4.
6. Vessels condemned to be sold for Her Majesty's Service or broken up, § 5.
7. Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty, § 6.
8. Payment of Bounty for Slaves captured, § 7.
9. Additional Bounty on Tonnage of Slave Ships captured and demolished, § 8.

10. Where no Slaves are on board a Ship seized and condemned, an additional Bounty on Tonnage to be paid, § 9.
11. Bounties to be paid out of Consolidated Fund, § 10.
12. Proof of Tonnage, § 11.
13. Copy of Sentence of Condemnation to be produced to the Treasury, § 12.
14. One Moiety of the Bounty only to be paid in certain Cases, § 13.
15. Parties claiming Benefit under this Act may resort to the Court of Admiralty, § 14.
16. Regulations and Penalties respecting Prize Agents Accounts extended to Bounties, &c. under this Act, § 15.
17. Treasury may order Payment of Costs awarded for Vessels detained but not condemned, § 16.
18. Treasury may repay to the Seizor of any Vessel not condemned the Expenses incurred by him, § 17.

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19. For carrying into effect the Treaty between Her Majesty and the Republic of New Granada for the Suppression of the Slave Trade, 16 & 17 Vict. c. 17.
20. Officers commanding Ships of Her Majesty, or of the Republic of New Granada, being duly authorized, empowered to visit, search, and detain Merchant Ships within certain Limits suspected of being engaged in the Slave Trade, § 1.
21. In case of Granadian Officers detaining British Vessels, Proceedings to be conducted in Name of Her Majesty. In case of Granadian Vessels being detained by British Cruizers, § 2.
22. As to the Trial of Vessels seized, § 3.
23. Persons giving false Evidence deemed guilty of Perjury, § 4.
24. Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained, § 5.
25. Vessels equipped for Traffic in Slaves to be deemed engaged in the Slave Trade, § 6.
26. As to Distribution of the Portion of Proceeds belonging to Her Majesty of the Vessels condemned, § 7.
27. Vessels condemned to be broken up, § 8.
28. Payment of Bounty on Tonnage of Slave Ships captured and demolished, § 9.
29. Where no Slaves are on board a Ship seized and condemned, an additional Bounty on the Tonnage to be paid, § 10.
30. Proof of Tonnage, § 11.
31. Payment of Bounty, § 12.
32. Bounties to be paid out of Consolidated Fund, § 13.
33. As to Mode of obtaining such Bounty, § 14.
34. Where Slaves taken shall not have been condemned, or shall not have been delivered over, the Treasury may allow One Moiety of the Bounty, § 15.
35. Parties claiming Benefit under this Act may resort to the Court of Admiralty for Judgment, § 16.
36. Regulations to which Prize Agents are liable extended to Bounties, &c. under this Act, § 17.
37. Where illegal Detention made, Treasury may award Compensation, § 18.
38. Where Judgment shall be given against the Seizor, or the Seizure shall be relinquished, the Treasury may direct Payment of the Seizor's Costs, § 19.

See *Liberated Africans.*

Smoke Nuisance.

1. To abate the Nuisance arising from the Smoke of Furnaces in the Metropolis and from Steam Vessels above London Bridge, 16 & 17 Vict. c. 128.
2. Furnaces in the Metropolis to consume their own Smoke, § 1.
3. Steam Vessels on the Thames above London Bridge to consume their own Smoke, § 2.
4. Penalty not to attach where only Fuel, not emitting Smoke, is used, § 3.
5. Constables may be empowered to enter and inspect Furnaces and Steam Engines, § 4.
6. No Information to be laid except by Authority of Secretary of State or Commissioners of Police of Metropolis or City of London, § 5.
7. Definition of Metropolis, 15 & 16 Vict. c. 85., § 6.
8. Not to affect 14 & 15 Vict. c. 75., or 16 & 17 Vict. c. cxli., § 7.
9. Penalties to be recoverable under 11 & 12 Vict. c. 43., § 8.

Soap.

1. To repeal the Duties, Allowances, and Drawbacks of Excise on Soap, 16 & 17 Vict. c. 39.
2. Duties, Allowances, and Drawbacks of Excise on Soap repealed, § 1.

Soldiers.

1. For punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, 15 & 16 Vict. c. 7., and 16 & 17 Vict. c. 9.

See *Militia.*

South Sea Annuities.

1. For redeeming or commuting the Annuity payable to the South Sea Company, and certain Annuities of Three Pounds per Centum per Annum, and for creating new Annuities of Three Pounds Ten Shillings per Centum per Annum, and Two Pounds Ten Shillings per Centum per Annum, and issuing Exchequer Bonds, 16 & 17 Vict. c. 23.
2. The Interest on Capital Stock of South Sea Company, and the old South Sea Annuities, the Bank Annuities 1726, and the 3*l.* per Cent. Annuities 1751, to be redeemed, § 1.
3. Proprietors of 3*l.* per Cents may for 100*l.* of their Stock receive 82*l.* 10*s.* New 3*l.* 10*s.* per Cent., 110*l.* 2*l.* 10*s.* per Cent., or 100*l.* Exchequer Bond carrying Interest at 2*l.* 15*s.* per Cent. not later than 1st Sept. 1864, and after at 2*l.* 10*s.* per Cent., § 2.
4. Treasury to fix the Term for Payment of 2*l.* 15*s.* per Cent. Exchequer Bonds and the Options of Redemption, § 3.
5. Dividends charged on the Consolidated Fund, § 4.
6. Annuity on South Sea Stock, Dividends on New and Old South Sea Annuities, Bank Annuities 1726, and 3*l.* per Cent. Annuities 1751, to cease after a certain Period, § 5.
7. South Sea Company to have the same Option of Commutation as Proprietors of 3*l.* per Cent., § 6.
8. Assents of Proprietors of the said 3*l.* per Cents how to be signified, § 7.
9. Proprietors of New South Sea Annuities, Bank Annuities 1726, and Three per Cent. Annuities 1751 (not assenting to commute), to receive on 5th January 1854 100*l.* for 100*l.* Stock, and Proprietors of Old South Sea Annuities to receive on 5th April 1854 100*l.* for 100*l.* Stock, § 8.
10. South Sea Company to be paid Principal Money the Interest on which they may not assent to commute, § 9.
11. Power to Accountants General of Chancery and Accountant in Bankruptcy to assent, § 10.
12. Power to Executors, &c. to assent, § 11.

13. Conditions on which Trustees may assent, § 12.
14. Proprietors of Consols or Reduced 3*l.* per Cents may commute on the same Terms as Proprietors of 3*l.* per Cents, § 13.
15. Commutations into New 3*l.* 10*s.* and 2*l.* 10*s.* per Cents limited, § 14.
16. Assents of Proprietors of Consolidated or Reduced 3*l.* per Cents how to be signified, § 15.
17. Power to Executors, &c. to assent, § 16.
18. Dividends on New 3*l.* 10*s.* per Cents and 2*l.* 10*s.* per Cents to be payable on 5th January and 5th July, § 17.
19. Books to be opened at Banks of England and Ireland for receiving the Entry of the New 3*l.* 10*s.* per Cents and 2*l.* 10*s.* per Cents. Payment of Dividends of Stocks commuted, § 18.
20. South Sea Company to certify to the Bank of England Amounts of Stock assented to and not assented to, § 19.
21. New 3*l.* 10*s.* per Cent. and 2*l.* 10*s.* per Cent. Annuities, to which the Company may be entitled under their Assent, to be entered in their Name, § 20.
22. Bank to appoint a Cashier and an Accountant General, § 21.
23. Said Accountants General to examine Receipts and Payments, § 22.
24. The Annuities created by this Act to be several Joint Stocks, § 23.
25. Annuities to be Personal Estate, § 24.
26. Certificates of Amount of Stock exchanged or paid off, &c. to be sent to Commissioners for Reduction of the National Debt, § 25.
27. Bonds or Contracts to transfer the said 3*l.* per Cents to be deemed satisfied by Transfer of New 3*l.* 10*s.* per Cents or 2*l.* 10*s.* per Cents. As to Payment of Dividends, § 26.
28. Lenders of 3*l.* per Cents redeemed on Contract to replace may demand 100*l.* Money for every 100*l.* Stock, § 27.
29. Powers of Attorney for Sale or Transfer of 3*l.* per Cents redeemed to continue in force, § 28.
30. Trusts as to Stock commuted shall extend to newly created Stocks, § 29.
31. Questions as to Trusts arising on Commutations under this Act may be decided by Courts of Chancery in England or Ireland, or by the Court of Session in Scotland, § 30.
32. New Stock transferable at Banks of England and Ireland may be mutually transferred, conformably to Directions of 5 G. 4. c. 53. as altered by 6 G. 4. c. 79., § 31.
33. In respect of every 110*l.* of 2*l.* 10*s.* per Cents, a yearly Sum of 5*s.* to be paid to Commissioners for Reduction of National Debt, § 32.
34. Stock, Bonds, and Money received in respect of the Annuities in Names of Commissioners for the Reduction of National Debt to remain subject to the same Rights as such Annuities, § 33.
35. Stock not demanded for Ten Years, or whereon Dividends are unclaimed for Ten Years, to be transferred to National Debt Commissioners, § 34.
36. Unclaimed Dividends on 3*l.* per Cent. Annuities transferable at the South Sea House to be transferred to the Bank of England, § 35.
37. This Act to be an Indemnity to Banks of England and Ireland and South Sea Company, § 36.
38. The Treasury may cause Exchequer Bonds to be issued, § 37.
39. Limitation of Amount of Exchequer Bonds to 30,000,000*l.*, § 38.
40. Treasury to regulate the Issue of Exchequer Bonds, § 39.
41. Relief in case Exchequer Bonds should be accidentally destroyed, § 40.
42. Persons forging Exchequer Bonds, &c. guilty of Felony, § 41.
43. Bank to continue Corporation for Purposes of this Act until Annuities hereby granted are redeemed, § 42.

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44. To extend the Provisions of an Act of the present Session for redeeming or commuting the Annuity payable to the South Sea Company and certain Annuities of Three Pounds per Centum per Annum, and to provide for Payments to be made under the said Act, 16 & 17 Vict. c. 132.
45. 16 Vict. c. 23. recited. South Sea Company may commute, according to the Provisions of 16 Vict. c. 23., or for 3*l.* 5*s.* per Cent. Annuities, 1844, Annuity on their Stock belonging to Proprietors disabled from voting in General Courts, § 1.
46. South Sea Company, if authorized to undertake private Trusts, may commute for the Purpose of forming a Guarantee Fund, § 2.
47. Treasury to appoint Times within which Assents of Company to commute shall be signified, and to fix Terms of Commutation into 3*l.* 5*s.* per Cent. Annuities, § 3.
48. Provisions of 16 Vict. c. 23. to extend to Commutation under this Act, § 4.
49. Treasury may give Directions for creating the 3*l.* 5*s.* per Cent. Annuities to which the Company may be entitled on Commutation, § 5.
50. Annuities so created to form Part of the Capital of 3*l.* 5*s.* per Cent. Annuities, 1844, § 6.
51. On First Dividend Day only One Quarter's Dividend on 3*l.* 5*s.* per Cent. Annuities to become payable, § 7.
52. Treasury may direct the Payment of such Sum as may be required for paying off Annuities and Stock not commuted under 16 Vict. c. 23. or this Act, § 8.
53. After Exchequer Bonds become redeemable Interest to be paid on the half-yearly Days until actual Redemption, § 9.
54. Punishing Persons manufacturing or using Paper, Plates, or Dies intended to imitate those used for Exchequer Bonds, § 10.
55. Persons unlawfully having in Possession Paper, Plates, or Dies to be used for Exchequer Bonds guilty of a Misdemeanor, § 11.

See *Local Acts, Cap. ccxix.*

South Sea Company. See preceding Head.

Spirits.

1. To impose additional Duties on Spirits in Scotland and Ireland; and to alter the Countervailing Duties on Spirits the Manufacture of Guernsey, Jersey, Alderney, or Sark, imported into Scotland or Ireland, and the Countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between Scotland, Ireland, and England respectively; and to amend the Laws relating to the collecting and securing the Duties of Excise upon Spirits, 16 & 17 Vict. c. 37.
2. Grant of additional Duties of Excise on Spirits in Scotland and Ireland, § 1.
3. New Countervailing Duties on Spirits the Manufacture of the Channel Islands, imported into Scotland and Ireland, § 2.
4. New Countervailing Duties and Drawbacks on Removal of Spirit Mixtures and Compounds between Scotland, Ireland, and England, § 3.

5. Additional Duties and Drawbacks to be under Management of the Commissioners of Inland Revenue, and be raised and allowed under same Provisions as former Duties, &c., § 4.
6. Spirit Receivers to be filled to the Depth of Fifteen Inches, § 5.
7. Commissioners may allow Spirit Receivers already erected of a less Depth than Fifteen Inches to be used. Mode of charging Spirits in such Case, § 6.
8. Commissioners may order more than One Dipping-place to be made in Spirit Receivers, § 7.
9. Spirits to be removed from Receiver into entered Store, Vat, or Cask, § 8.
10. A proper Spirit Store to be provided in every Distillery, § 9.
11. Duty on Spirits lost or destroyed by Fire or other Accident to be remitted, § 10.
12. Officer in charge of Spirit Store to attend daily, § 11.
13. The true Content to be marked on moveable Casks, § 12.
14. Officer not to grant Permit for Removal of Spirits from the Distillery until Collector's Receipt for the Duty be produced, § 13.
15. Spirits distilled during distilling Period to be removed from entered Spirits Store within Six Days after Termination of such Period, § 14.
16. Balance to be struck in Stock Account, and Allowance made for Deficiency occasioned by natural Waste, § 15.
17. No Spirits but from the Receiver to be placed in Spirit Store, § 16.
18. Distiller's Stock Account of Proof Spirits to be kept by Officer, § 17.
19. Spirits may be warehoused of not less than nine Gallons, § 18.
20. Spirits may be sent out from Distillery in Casks containing not less than Ten Gallons, and of the Strength specified, § 19.
21. Spirits may be sent out in Casks either full or on Ullage, § 20.
22. Spirits in Warehouse may be racked off into other Casks, § 21.
23. Warehoused Casks to be numbered progressively, § 22.
24. Distiller's Warehouse to be on Distillery Premises, § 23.
25. Commissioners of Inland Revenue empowered to revoke Approval of Warehouses, § 24.
26. Approval of Warehouses, and Revocation thereof, to be published in Gazette, § 25.
27. Rectified Spirits may be deposited in Customs Warehouse, although sweetened or coloured, § 26.
28. Stowage of Casks in Warehouse to afford easy Access, § 27.
29. Allowances for Deficiencies of Spirits in Warehouse, § 28.
30. Distillers and Warehouse Keepers, Rectifiers, and Dealers, to keep sufficient Scales, Weights, and Measures for taking account of Spirits, § 29.
31. Assistance to be given to the Officer in weighing, measuring, &c., § 30.
32. Distillers, &c. to provide Accommodation for Officers, § 31.
33. Commissioners may require Apparatus to be applied to Spirit Receiver to prevent Fraud, § 32.
34. Four Hours' Notice to mash, or to remove Wash from Fermenting Back, § 33.
35. Officer may open Stills Four Hours after Declaration delivered to him of the Wash being collected into the Fermenting Back, § 34.
36. Low Wines distilled from Wash of One Brewing, contained in Two or more Backs, may be mixed, § 35.
37. Distiller may carry on the Trade of a Wholesale Dealer in Spirits within the Distance of Two Miles from his Distillery, § 36.
38. Table of Schedule (C.) to be used in ascertaining the Quantity of Spirits in a Cask by weighing the same, § 37.
39. Mode of determining the original Gravity of Wash, § 38.
40. Persons who have contracted for Sale of Spirits may add additional Duties to the Price, § 39.
41. Repealing Sect. 79. of 4 G. 4. c. 94., Sect. 88. of 6 G. 4. c. 80., and all Clauses of Acts inconsistent herewith, § 40.
42. Commencement of Act, § 41.

Spitalfields.

1. To extend the Time for constructing a new Street from Spitalfields to Shoreditch, and to amend the Acts relating thereto, 16 & 17 Vict. c. 52.
2. Power to purchase Hereditaments mentioned in the Schedule, § 1.
3. Commissioners empowered to sell or mortgage the Hereditaments purchased under the Two first-recited Acts and this Act, § 2.
4. Street to be made according to a Plan agreed upon, § 3.
5. Plan to be deposited, § 4.
6. Receipts of Commissioners, § 5.
7. Short Title, § 6.

Stage Carriages. See Hackney and Stage Carriages.

Stamp Duties.

1. To repeal certain Stamp Duties, and to grant others in lieu thereof, to amend the Laws relating to Stamp Duties, and to make perpetual certain Stamp Duties in Ireland, 16 & 17 Vict. c. 59.
2. Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu, § 1.
3. The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force, § 2.
4. Stamps denoting Duty of 1*d.* on Receipts and Drafts may be impressed or affixed, § 3.
5. Where adhesive Stamps are used the same to be cancelled by writing the Name on it, § 4.
6. Penalty for committing Frauds in the Use of adhesive Stamps, § 5.
7. In case of any Insurance for Lives, a Stamp Policy to be made out. Officers of Insurance Companies to be answerable for Default, § 6.
8. Articles of Clerkship to Attorneys of the County Palatine Courts may be stamped for Admission of the Clerk into Superior Courts on Payment of the additional Duty only, § 7.
9. Additional Inventories in Scotland to be chargeable with additional Duty only, § 8.
10. Licences to perform Divine Service in certain Cases free from Stamp Duty, § 9.
11. Where Property is sold subject to any Mortgage, the Mortgage Money deemed Part of Purchase Money, whether agreed to be paid by Purchaser or not, § 10.

12. 13 & 14 Vict. c. 97. Where Property is sold in consideration of a redeemable Annuity, the Redemption Money to be deemed Purchase Money, § 11.
13. Counterparts of Leases not required to be impressed with the denoting Stamp, § 12.
14. Commissioners may adjure Deeds not liable to Stamp Duty. Appeal from the Determination of the Commissioners, § 13.
15. Transfers of Bonds and Mortgages of Public Companies exempted from Stamp Duty on Payment of a Composition, § 14.
16. Persons authorized by Postmaster General may sell Postage Stamps, or carry same about for Sale, without being subject to Penalty, § 15.
17. For preventing the Evasion of the Duties on Playing Cards, § 16.
18. Exemption of Excise Officers from serving Public Offices extended to Officers of Inland Revenue, § 17.
19. Allowance for Receipt Stamps on hand, § 18.
20. Drafts on Bankers payable to Order on Demand sufficient Authority for Payment without Proof of Endorsement, § 19.
21. Stamp Duties in Ireland granted by 5 & 6 Vict. c. 82. and continued by 8 & 9 Vict. c. 2., 11 & 12 Vict. c. 9., 14 & 15 Vict. c. 18., 15 & 16 Vict. c. 21., made perpetual. Acts continued in force, § 20.

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22. Act to repeal certain Stamp Duties, and to grant others in lieu thereof, to give Relief with respect to the Stamp Duties on Newspapers and Supplements thereto, to repeal the Duty on Advertisements, and otherwise to amend the Laws relating to Stamp Duties, 16 & 17 Vict. c. 63.
23. Stamp Duties on Instruments in the Schedule annexed repealed, and others granted in lieu thereof, § 1.
24. The new Duties to be denominated Stamp Duties, and to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force, § 2.
As to Duties on Newspapers and Supplements, § 3.
25. Allowance for Newspaper Stamps on hand, § 4.
26. After passing of this Act all Duties on Advertisements to cease, § 5.
27. Duties on Assignments of Judgment in Ireland, and Writs of Acknowledgment in Scotland, § 6.
28. Power to Treasury to compound with Bankers in Scotland for the Stamp Duties on their Promissory Notes, § 7.
29. Stamp Duty on Scrip Certificates, § 8.
30. Receipts for Land or Assessed Taxes or Income Tax exempt from Stamp Duty, § 9.
31. Stamps denoting the Duty on Policies of Life Assurance may be impressed or affixed, § 10.
32. Certain Particulars to be written on adhesive Stamps for Policies, § 11.

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33. To amend the Law relating to the Stamp Duties upon Newspapers, 16 & 17 Vict. c. 71.
34. 6 & 7 W. 4. c. 76. recited. Schedule to recited Act in part repealed. No Paper containing News, &c. to be a Newspaper, unless published at Intervals not exceeding Twenty-six Days, § 1.

See *Succession Duty.*

Stamps on Patents.

1. To substitute Stamp Duties for Fees on passing Letters Patent for Inventions, and to provide for the Purchase for the public Use of certain Indexes of Specifications, 16 & 17 Vict. c. 5.
2. 15 & 16 Vict. c. 83. §§ 17, 44, 45, 46, and 53, and Part of Schedule of recited Act, repealed, § 1.
3. Letters Patent to be made subject to Avoidance on Non-payment of Stamp Duties expressed in Schedule to this Act annexed, § 2.
4. Stamp Duties mentioned in the Schedule to this Act to be payable, § 3.
5. As to Payment of Stamp Duties on Letters Patent for England, Scotland, or Ireland respectively, § 4.
6. Duties to be under the Management of the Commissioners of Inland Revenue, § 5.
7. Who are to provide the proper Stamps for the Purpose, § 6.
8. Conditions of Letters Patent already granted under recited Act to be satisfied by Payment of Stamp Duties, &c. under this Act, § 7.
9. Power to Commissioners to purchase the Indexes of existing Specifications prepared by Mr. Woodcroft, § 8.
10. As to the Word "Duplicate," § 9.
11. This Act and 15 & 16 Vict. c. 83. to be construed together, § 10.

Steam Vessels. See Smoke Nuisance.

Stock in Trade (Rating of).

1. To continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor, 15 & 16 Vict. c. 18., and 16 & 17 Vict. c. 105.

Succession Duty.

1. For granting to Her Majesty Duties on Succession to Property, and for altering certain Provisions of the Acts charging Duties on Legacies and Shares of Personal Estates, 16 & 17 Vict. c. 51.
2. Interpretation of certain Terms in this Act, § 1.
3. What Dispositions and Devolutions of Property shall confer Successions. Definition of the Terms "Successor," "Predecessor," § 2.
4. Joint Tenants taking by Survivorship to be deemed Successors, § 3.
5. General Powers of Appointment to confer Succession, § 4.
6. Extinction of determinable Charges to confer Successions, § 5.
7. Persons now beneficially entitled to Real Property subject to Leases for Life, not liable to Duty, § 6.
8. Dispositions accompanied by the Reservation of a Benefit to the Grantor, &c. to confer Successions, § 7.
9. Dispositions to take effect at Periods depending on Death, or made for evading Duty, to confer Successions, § 8.
10. Duties to be under the Care and Management of the Commissioners of Inland Revenue, § 9.
11. Duties on Successions, § 10.
12. Provision as to married Persons chargeable with Succession or Legacy Duties, § 11.
13. What Duties payable when the Successor is also the Predecessor, § 12.
14. Provision as to joint Predecessors, § 13.
15. Duty on transmitted Successions, § 14.

16. Duties payable in respect of transferred Interests, § 15.
17. Succession subject to Trusts for charitable or public Purposes chargeable with Duty, § 16.
18. Provision for Life Policies and certain Post Obit Bonds, § 17.
19. Exemptions, § 18.
20. Leasehold Estates not to be charged with Legacy Duty as Personal Estate, § 19.
21. Duties to be paid on Successor becoming entitled in possession, but in case of outstanding Interests, on Determination thereof, § 20.
22. The Interest of a Successor in Real Property to be considered as an Annuity, § 21.
23. Rules for valuing Lands, Houses, &c., § 22.
24. Rule as to Timber, § 23.
25. Rule as to Advowsons, § 24.
26. Rule as to Property subject to beneficial Leases, § 25.
27. Rule as to Manors, Mines, &c., § 26.
28. Duty payable by Corporations, &c. taking Real Estates, § 27.
29. Allowance for Fines, &c. paid by Successor, § 28.
30. Real Property directed to be sold to be charged as Personalty, § 29.
31. Personal Property to be invested in Real Property how to be charged, § 30.
32. Annuities under this Act and Legacy Duty Acts to be valued according to the Tables annexed to this Act, § 31.
33. Provisions as to the Assessment of Personalty, § 32.
34. Allowance to Donee of General Power of Appointment, § 33.
35. What Allowance to be made for Incumbrances, § 34.
36. No Allowance to be made for contingent Incumbrances, unless they take effect, § 35.
37. Duty on Successions to be calculated without regard to Contingencies, § 36.
38. Provision for Allowance or Return of Duty, § 37.
39. Allowance to be made to Successor in respect of relinquished Property, § 38.
40. Power for Commissioners to compound Duties, § 39.
41. Power of Commissioners to receive Duty in advance, § 40.
42. Power for Commissioners to commute future Duties, § 41.
43. Duty to be a first Charge on Property, § 42.
44. Provision for the separate Assessments of Properties, § 43.
45. What Persons accountable for Duty, § 44.
46. Notice of Succession to be given to the Commissioners, and a Return of the Property made, § 45.
47. Penalty on not giving Notices of Succession, § 46.
48. Proceeding if returned not made, § 47.
49. Power to enforce Returns from Executors and Administrators, § 48.
50. Accounting Party to verify his Account by Production of Books, &c. and Commissioners may inspect and take Copies of public Books, § 49.
51. Power for accountable Party to appeal, § 50.
52. Duty to be entered by the Commissioners in a Book, and a stamped Receipt to be given, § 51.
53. Protection to bonâ fide Purchasers, § 52.
54. Court in Suits for Administration of Property to provide for Payment of Duty, § 53.
55. Commencement of Act, § 54.
56. Short Title, § 55.

Suitors in Chancery. See Court of Chancery.

Sunk Island Roads.

1. For making a Turnpike Road between Stone Creek and Sunk Island Church in the County of York, and between Sunk Island Church and Patrington Haven, and for consolidating with such Roads the present Turnpike Road from Sunk Island Church to Ottringham, and for constructing Quays and Wharfs at Stone Creek, 15 & 16 Vict. c. 45.
2. Commissioners of Her Majesty's Woods, &c. and other Persons to be named as after mentioned to be Trustees for carrying Act into execution, § 1.
3. Commissioners of Woods, &c. may appoint other Trustees, § 2.
4. Meeting of Trustees, § 3.
5. Power to make Roads according to deposited Plans, § 4.
6. 6 & 7 W. 4. c. 91. repealed, and all Property and Debts of Trustees under it transferred to Trustees under this Act, § 5.
7. Tolls to be levied, § 6.
8. Exemptions in General Act as to Thrashing Machines, &c. not to apply to Tolls under this Act, § 7.
9. Only One Toll to be taken for the whole Line of Road, except in certain Cases, § 8.
10. Horses or other Cattle drawing Carriages for Hire to pay for each Time of passing, § 9.
11. Or when a new Hiring takes place, § 10.
12. Tolls for certain Carriages to be paid for each Time of passing, § 11.
13. Power to Commissioners of Woods, &c. to construct Quays, &c. Certain Provisions of 10 & 11 Vict. c. 27. incorporated with this Act, § 12.
14. Power to demand Wharfage Dues, § 13.
15. Further Provision as to Wharfage Dues, § 14.
16. Commissioners of Woods, &c. with Consent of Admiralty, may dredge Bed of Stone Creek to give better Access to Quay, § 15.
17. Expenses of Act, § 16.
18. Application of Tolls and Dues, § 17.
19. Saving Rights of the Trustees of Keyingham and Ottringham Drainage, § 18.
20. Saving Rights of the Trinity House in Hull, § 19.

Thames Embankment.

1. To amend an Act of the Ninth and Tenth Years of Her present Majesty for the Embankment of a Portion of the River Thames, 15 & 16 Vict. c. 71.
2. Commissioners of Works empowered to make Embankment before entering into certain Agreements as directed by the recited Act, § 1.
3. Act not to affect Agreements already entered into between Commissioners of Woods, &c. and other Parties, § 2.

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4. To give to the Commissioners of Her Majesty's Works and Public Buildings extended Time and further Powers for completing the Embankment of the River Thames between Vauxhall and Battersea Bridges, and a new Street from Lower Sloane Street in connexion therewith, 16 & 17 Vict. c. 87.
5. Commissioners empowered to complete the Embankment and Roadway according to the amended Plans. Powers of recited Acts extended to this Act, § 1.
6. If Property not purchased within Four Years the compulsory Powers to cease, § 2.

7. A Portion of the Embankment near Battersea Bridge may be constructed on the Foreshore of the River, with the Consent of the Crown and the Corporation of London, § 3.
8. Agreements for Contribution towards the Cost of Construction of the Embankment and Roadway may be entered into, § 4.
9. No Part of Embankment to be commenced until such Agreements have been entered into, § 5.
10. Unless Agreements are entered into before July 1, 1854, no Part of the Embankment to be made, and the Powers for its Construction to cease, § 6.
11. Confirming an Agreement between the Board of Works and Thomas Cubitt, § 7.
12. No Compensation to be claimed by Thomas Cubitt for certain Lands, § 8.
13. Providing for the Appropriation of certain Lands intervening between the Roadway and River, § 9.
14. Penalty on Owners, &c. of certain Lands erecting Steam Engines or Structures thereon, § 10.
15. Thomas Cubitt to complete and finish a certain Portion of the Embankment at his own Expense, § 11.
16. Thomas Cubitt, with Consent, may make Laybyes for Vessels on a Portion of the Lands coloured Brown on the Plan, § 12.
17. Short Title, § 13.

Three per Cent. Annuities. See South Sea Annuities.

Tithe Commutation. See Copyhold Commission.

Trade. See Customs; Differential Duties.

Transportation.

1. To substitute, in certain Cases, other Punishment in lieu of Transportation, 16 & 17 Vict. c. 99.
2. No Person to be sentenced to Transportation, except for Life or for Fourteen Years or upwards, § 1.
3. Sentence of Penal Servitude instead of Transportation for less than Fourteen Years, § 2.
4. Persons liable to Transportation for Fourteen Years, &c. may be sentenced to Transportation, or to Penal Servitude instead, § 3.
5. Terms of Penal Servitude which are to be awarded instead of the present Terms of Transportation, § 4.
6. Conditional Pardons to be allowed with reference to the substituted Punishment, as in Cases of Pardons on Condition of Transportation, § 5.
7. Persons under Sentence or Order of Penal Servitude how to be dealt with, § 6.
8. All Acts, &c. concerning Convicts sentenced to Transportation made applicable for the Purposes of this Act, § 7.
9. Powers of Secretary of State to be exercised in Ireland by Lord Lieutenant, § 8.
10. Her Majesty may grant Licences to be at large to Convicts under Sentence of Transportation, § 9.
11. Holder of Licence not to be imprisoned, &c. by reason of his Sentence, § 10.
12. If Licence revoked, the Convict may be apprehended, and committed to Prison, § 11.
13. Persons convicted of Larceny after previous Conviction for Felony not to be transported, § 12.
14. Queen's Prerogative, § 13.
15. Discretion of Courts as to alternative Punishments not to be affected, § 14.
16. Transportation to include Banishment, § 15.
17. Commencement of Act, § 16.

Trustees.

1. To extend the Provisions of "The Trustee Act, 1850," 15 & 16 Vict. c. 55.
2. Court of Chancery may make an Order for vesting the Estate, in lieu of Conveyance by a Party to the Suit after a Decree or Order for Sale, § 1.
3. Power to make an Order for vesting the Estate, on Refusal or Neglect of a Trustee to convey or release, § 2.
4. Power to make an Order for the Transfer or Receipt of Dividends of Stock in Name of an Infant Trustee, § 3.
5. On Neglect to transfer Stock for 28 Days, Order may be made vesting Right to transfer in such Person as the Court shall appoint, § 4.
6. On like Neglect by Executor, similar Order may be made, § 5.
7. Bank of England and Companies to comply with such Orders, § 6.
8. Indemnity to Bank and Companies so obeying, § 7.
9. Power to appoint new Trustees in lieu of Persons convicted of Felony, § 8.
10. Power to the Court to appoint new Trustees where there is no existing Trustee, § 9.
11. Chancellor may make Orders for Appointment of Trustees, without it being necessary that it should be made in Chancery, &c., § 10.
12. As to Powers of Persons intrusted with the Care of Lunatics, § 11.
13. Act to be construed as Part of Trustee Act, 1850, § 12.
14. All Orders made under Trustee Act, 1850, or this Act to be chargeable with the same Stamp Duty as Deeds of Conveyance, § 13.

Turnpike Acts continuing.

1. To continue certain Turnpike Acts in Great Britain, 15 & 16 Vict. c. 58.
2. All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1853, &c., with the following Exceptions: 53 G. 3. c. 208.; 56 G. 3. c. 47.; 59 G. 3. c. 1.; 59 G. 3. c. 85.; 1 & 2 G. 4. c. 33.; 3 G. 4. c. 2.; 5 G. 4. c. 143.; 6 G. 4. c. 42., § 1.
3. Acts in Schedule to this Act continued till 1st Nov. 1853, § 2.
4. Short Title, § 3.
5. Extent of Act, § 4.

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6. To continue certain Turnpike Acts in Great Britain, and to make further Provisions concerning Turnpike Roads in England, 16 & 17 Vict. c. 135.
7. All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1854, &c. with certain Exceptions, § 1.
8. Acts in Schedule to this Act continued till 1st Nov. 1854, § 2.
9. 12 & 13 Vict. c. 87. 13 & 14 Vict. c. 79. Sinking Fund may be applied in Payment of Debts before it amounts to 200*l.*, or, with Consent of Secretary of State, the Application may be postponed till it amounts to a greater Sum, § 3.

10. Trustees may apply Surplus in Payment of Debts in manner provided by recited Acts with respect to Sinking Funds, § 4.
11. Power to Executors, &c. to consent, § 5.
12. Erroneous Reference in 14 & 15 Vict. c. 38. to Sect. 36. of 3 G. 4. c. 126. instead of Sect. 32. corrected, § 6.
13. Short Title, § 7.
14. Extent of Act, § 8.

Turnpike Roads. See Highway Rates; Turnpike Acts; and Turnpike Trusts.

Turnpike Trusts.

To confirm certain Provisional Orders made under an Act of the last Session, "to facilitate Arrangements for the "Relief of Turnpike Trusts, and to make certain Pro- "visions respecting Exemptions from Tolls," 15 & 16 Vict. c. 33. and 16 & 17 Vict. c. 61. recited.

Vaccination.

1. Further to extend and make compulsory the Practice of Vaccination, 16 & 17 Vict. c. 100.
2. Parishes or Unions to be divided into Districts for the Purpose of Vaccination, and Places appointed for the Performance of Vaccination, § 1.
3. Parents and Guardians of Children born after 1st August 1853 to have such Children vaccinated within Three or Four Months after Birth, § 2.
4. Children to be taken for Inspection by Medical Officer on Eighth Day after the Operation, § 3.
5. Certificate of successful Vaccination to be delivered, § 4.
6. If the Child be not in a fit State for Vaccination, the Medical Officer to deliver a Certificate to that Effect, to be in force for Two Months, § 5.
7. Rates of Payment for Vaccination in Contracts by Guardians or Overseers, § 6.
8. Child's Incapacity to receive the Vaccine Disease to be certified, § 7.
9. Registrars of Births and Deaths to keep a Register of Cases of successful Vaccination, of which Searches and Extracts may be made, § 8.
10. Notice to be given of the Requirement of Vaccination, and on Failure of Parent or Guardian to comply therewith, Penalty, § 9.
11. Fee to Registrar, § 10.
12. Registrar General to provide Books and Forms for carrying out the Provisions of this Act, § 11.
13. Recovery of Penalties, § 12.
14. Application of Penalties, § 13.

Vestries. See Parish Vestries.

Vice-Chancellor. See Masters in Chancery.

Weights. See Bullion.

West Indies. See Loans raised by certain Colonies.

Westminster Bridge.

1. To transfer Westminster Bridge and the Estates of "The "Commissioners of Westminster Bridge" to the Commissioners of Her Majesty's Works and Public Buildings; and to enable such last-mentioned Commissioners to remove the present Bridge, and to build a new Bridge on or near the Site thereof, 16 & 17 Vict. c. 46.
2. Acts repealed, § 1.
3. Commissioners constituted a Corporation for the Purposes of this Act, § 2.
4. The Bridge or so much thereof as belonged to the Commissioners, either in trust or otherwise, before the passing of Act, to be vested, without further Conveyance, &c., in the Commissioners of Works, &c., § 3.
5. Commissioners to be entitled to the Benefit of all Covenants, &c. entered into with the Commissioners of Westminster Bridge, § 4.
6. Corporation of Westminster Bridge to be dissolved, § 5.
7. Power to Commissioners to dispose of Hereditaments, &c. conveyed to them, § 6.
8. Power to raise Money by Mortgage, and to grant Leases, § 7.
9. Power to apply Monies in satisfaction of Claims, § 8.
10. Power to construct Bridge, § 9.
11. Landing Places to be constructed, § 10.
12. Commissioners may take Places for depositing Materials, § 11.
13. Plans to be deposited at the Office of Works, and be open for Inspection, § 12.
14. Applicability of certain Sections of 9 & 10 Vict. c. 39. to this Act, § 13.
15. Punishment of Persons guilty of wilful Damage, § 14.
16. Owners of Vessels liable for Damage done to the Bridge, &c. § 15.
17. Masters to recover from their Servants any Damages paid for their Neglect, § 16.
18. Penalty for Injuries, &c. or Obstructions to Passengers, § 17.
19. Ground laid into the Streets to form Part of the Roadways, and may be used by the Public, § 18.
20. No Houses, &c. to be taken without Consent, unless mentioned in Schedule, § 19.
21. Until new Bridge completed, Commissioners to keep up a Communication between the Middlesex and Surrey Shores, § 20.
22. So much of present and intended Bridge as lies to the West shall be in the Parish of St. Margaret, and so much as lies to the East shall be in the Parish of Lambeth; and the Bridges not to be liable to Land Tax, &c. nor to be deemed County Bridges, § 21.
23. Damages, &c. in case of Dispute to be settled by a Justice of the Peace, § 22.
24. Damages, not otherwise provided for, Provisions of 8 & 9 Vict. c. 16. to apply. Application of Penalties, § 23.
25. As to Receipts, &c., § 24.
26. Compensation to Officers by reason of Abolition of Offices, § 25.
27. For Protection of Wharf, &c. in the Occupation of Mr. Simmonds, § 26.
28. Short Title, § 27.

Whichwood Forest.

1. For disafforesting the Forest of Whichwood, 16 & 17 Vict. c. 36.
2. Commissioners to be appointed for the Purposes of the Act: One by the Treasury, One by the Inclosure Commissioners, and the Third by the Chief Justice of the Court of Queen's Bench, § 1.
3. Commissioners to make and subscribe Declarations before entering upon Execution of Office, § 2.
4. Commissioners may appoint a Clerk, and employ Land Surveyors and Valuers, § 3.

5. Land Surveyor to make and subscribe Declaration before entering upon Execution of Office, § 4.
6. Commissioners of Woods, out of the Land Revenues, to pay the Commissioners and their Clerk, and the Expenses incurred in the Performance of their Duties, § 5.
7. Commissioners to ascertain the Boundaries of the Forest, § 6.
8. Commissioners to set out and award Common Fields for Common of Pasture and Sheepwalks, § 7.
9. On the making of the Award the Forest to be Disafforested, § 8.
10. Commissioners within Two Years from passing of Act to remove Deer, § 9.
11. And within Two Years from making of the Award to cut down and sell Timber, &c. from Common Fields, § 10.
12. Commissioners, in allotting Common Fields, to consider Advantages derived from Extinction of Forestal Rights, § 11.
13. In ascertaining Extent of Common Fields, Her Majesty to be considered as representing Rights of Ranger and Forest Officers, § 12.
14. Her Majesty and all Owners of existing Rights of Sheepwalk and Common of Pasture, to have same Rights over the Part allotted as Common Fields, and for Sheepwalks, § 13.
15. After Disafforestation the Forest to be a Parish, § 14.
16. Allotment for a Site for a Church, Burial Ground, Parsonage House, &c., § 15.
17. Parish to be a Perpetual Curacy, § 16.
18. Commissioners to set out and allot Roads, § 17.
19. New Roads to be made, and Expense to be defrayed by Sale of Land, § 18.
20. Allotments out of Residue to Ranger in respect of his Rights, § 19.
21. Lord Churchill or any other Proprietor may charge Allotments towards Expense of Fencing, &c., § 20.
22. As to Lord Churchill's Purlieu Coppices, § 21.
23. Power to Lord Churchill, for the Purpose of his Allotment, to appoint a Commissioner, § 22.
24. In case of Lord Churchill's Death before Allotment, Act to bind his Heirs, § 23.
25. After Award all Right of Intercommoning in Purlieus to cease, &c., § 24.
26. After Allotment to Lord Churchill, his Rights and Privileges to cease, § 25.
27. Pecuniary Compensation to other Officers out of Land Revenues of the Crown, § 26.
28. Compensation in Land or Money to be made to all other Persons (if any) injuriously affected by the Act, § 27.
29. Allotments to be held to the same Uses as the Estate in respect of which they are made, § 28.
30. After the Allotments aforesaid, the Residue of the Forest to become absolutely vested in Her Majesty, § 29.
31. Commissioners to make their Award within Three Years, § 30.
32. Provision as to Costs in and about the Execution of this Act, § 31.
33. Commissioners may examine Witnesses upon Declaration, § 32.
34. Persons giving false Evidence guilty of Misdemeanor, § 33.
35. Short Title, § 34.

Whittlewood, otherwise Whittlebury Forest.

1. For Disafforesting the Forest of Whittlewood otherwise Whittlebury, 16 & 17 Vict. c. 42.
2. Commissioners to be appointed: One by Commissioners of Treasury, One by Inclosure Commissioners, and the Third by the Chief Justice of the Queen's Bench, § 1.
3. Commissioners to make and subscribe Declarations before entering on Execution of Office, § 2.
4. Commissioners may appoint a Clerk, and employ Land Surveyors and Valuers. Land Surveyor to make and subscribe Declaration, § 3.
5. Commissioners of Woods, out of the Land Revenues of the Crown, (subject to Repayment,) to pay Salary, &c. of Commissioners and their Clerk, § 4.
6. Commissioners to ascertain the Boundaries of the Forest, § 5.
7. Commissioners to set out and award a Common Field or Common Fields for Common of Pasture, § 6.
8. On making of Award, the Forest to be Disafforested, and Forestal Rights of Her Majesty to cease, § 7.
9. Commissioners of Woods to remove Deer within Two Years from passing of Act, § 8.
10. And within Two Years from the Award may remove Timber, &c. from Common Fields, § 9.
11. Commissioners of Act, in allotting, to consider Advantages derived by Commoners, § 10.
12. For Purpose of Allotment, Her Majesty to be considered as representing Rights of Warden and Forest Officers, § 11.
13. Her Majesty and all Persons Owners of existing Rights of Common of Pasture to have same Rights over the Common Fields, § 12.
14. Commissioners to set out Roads, § 13.
15. Roads to be made, and Expense thereof to be defrayed by Sale of Land, § 14.
16. Allotments out of Residue to Warden in respect of his Rights, § 15.
17. Duke of Grafton or any other Proprietor may charge Allotments towards the Expense of Fencing, § 16.
18. Power to D. of Grafton, for Purpose of his Allotment, to appoint a Commissioner in place of the one appointed by Inclosure Commissioners, § 17.
19. Compensation in Land or Money to be made to all other Persons (if any) injuriously affected by the Act, § 18.
20. Allotments how to be held, § 19.
21. After the Allotments aforesaid, the Residue of the Forest to become absolutely vested in Her Majesty, § 20.
22. Compensation to be made to the Poor of certain Parishes, &c., in respect of Right to gather Sare and broken Wood, § 21.
23. In setting out Allotment to Her Majesty, Consideration to be taken of certain Payments out of Land Revenues, § 22.
24. As regards the Tithes of the Coppices in Whittlebury, Hereditaments allotted to Duke of Grafton to be deemed (for Purposes of the Tithe Apportionment) Part of Whittlebury Parish, § 23.
25. Commissioners to make Award within Three Years, and deposit One Part in Land Revenue Record Office, and other with Clerk of the Peace, § 24.
26. After Award all Letters Patent Offices, &c. to cease and determine, § 25.
27. Her Majesty and the Duke of Grafton to make and maintain Boundary Fences round their Allotments, § 26.
28. In case of the Duke of Grafton's death, Act to bind Persons entitled in remainder, § 27.

29. Commissioners may, if they think fit, examine Witnesses upon Declaration, § 28.
30. Persons giving False Evidence guilty of Misdemeanor, § 29.
31. Act not to affect Hazleborough Walk; 5 G. 4., c. 99.—§ 30.
32. Provision as to Costs, § 31.
33. Short Title, § 32.

Wills.

1. For the Amendment of an Act passed in the First Year of the Reign of Her Majesty Queen Victoria, intituled "An Act for the Amendment of the Laws with respect "to Wills," 15 & 16 Vict. c. 24.
2. 1 Vict. c. 26. recited. When Signature to a Will shall be deemed valid, § 1.
3. Act to extend to certain Wills already made, § 2.
4. Interpretation of "Will," § 3.
5. Short Title of Act, § 4.

Women. See Assaults on Women and Children.

Woods and Forests.

1. To alter and amend certain Acts relating to the Woods, Forests, and Land Revenues of the Crown, 15 & 16 Vict. c. 62.
2. Regulation as to Appointment of Offices of Gaveller of Dean Forest and Conservator of the River Mersey, § 1.
3. Commissioners of Woods, &c. with Consent of Treasury, may release Breaches of Covenant in Lease, § 2.
4. Power for the Commissioners of Woods, &c. to apportion Rents and other Payments, § 3.
5. If Difficulties exist in making any such Apportionment, the same may be made by the Inclosure Commissioners, § 4.
6. Conveyances by the Commissioners of Woods, &c. may be subject to certain Conditions, § 5.
7. The Commissioners of Woods, &c. may, with Consent of Treasury, suspend the Collection of or merge Tolls of Markets and Fairs, § 6.
8. A Deposit of a Duplicate of any Deed to which either of the Commissioners of Woods, &c. is a Party, deemed to be sufficient Enrolment in certain Cases, § 7.
9. Certified Copies of Documents in Office of Land Revenue Records to be admissible in Evidence in Cases where the Originals would have been admissible, § 8.
10. For removing Doubts regarding the Delivery of Objections to Claims under 14 & 15 Vict. c. 76.,—§ 9.
11. Power to effect Exchange of Advowsons of Yoxall and Hunningham for Advowson of Stoneleigh, provided for by Act 11 & 12 Vict. c. 57.,—§ 10.
12. Registry of Documents in Chancery in Scotland not necessary, § 11.

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